



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: July 2, 1993

TO: Steve Tribble, Director of Records and Reporting

FROM: Susan F. Clark, Commissioner *SFC*

RE: Letter Received from Florida State Senator Ginny Brown-Waite Regarding Docket No. 920199-WS, Application for Rate Increase in Brevard, Charlotte/Lee, Citrus, Clay, Duval, Highlands, Lake, Marion, Martin, Nassau, Orange Osceola, Pasco, Putnam, Seminole, Volusia, and Washington Counties by Sothern States Utilities, Inc.; Collier County by Marco Shores Utilities (Deltona); Hernando County by Spring Hill Utilities (Deltona); and Volusia County by Deltona Lakes Utilities (Deltona)

Please find attached a copy of a letter of June 29, 1993, from Florida State Senator Ginny Brown-Waite, which references matters at issue in the above referenced proceeding. I received Senator Brown-Waite's letter on July 1, 1993. Because this letter addresses matters relevant to a pending proceeding, it is necessary to place this memorandum and attachment on the record of the above-referenced proceeding pursuant to section 350.042, Florida Statutes. Please give notice of this communication to all parties to the docket and inform them that they have 10 days from receipt of the notice to file a response.

3728



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR GINNY BROWN-WAITE
10th District

COMMITTEES:
Community Affairs
Chairman
Appropriations, Sub. B
Health Care
Natural Resources and Conservation
Professional Regulation
Transportation

June 29, 1993

William D. Talbot, Executive Director
Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

Dear Mr. Talbot:

The public must have assurance that their interest will not be compromised by Public Service Commission staff or commissioners whose judgement is unduly affected by the very utilities they regulate.

Matthew Feil's acceptance of a position with the same utility (Southern States Utilities) he spent several months reviewing proposed rate increases for does the PSC and citizens a disservice. This case is particularly alarming because the staff recommendation deviated from that which the utility requested - benefitting the company to the detriment of the customers in Hernando and Citrus Counties. Water and wastewater companies, unlike power and telephone companies, do not interconnect; so, there is no relationship between the plants. The logic, therefore, escapes me as to how the PSC could require a statewide rate.

This staff departure coupled with Charles Hill's written threat to fire employees dissenting on new proposed water and wastewater rules leaves this Senator with deep concern about this Commission. Further, for the SSU case only two out of five commissioners voted on the ultimate staff-recommended rate.

Obviously we may never really know when employment was discussed between SSU and Mr. Feil (or any other PSC employees). However, I am requesting a full report from you including the dates Mr. Feil worked on the SSU case, the number of hours spent, the meetings he recorded with SSU, and the names of others attending those meetings. If available, I would like to see the telephone logs. Any written recommendations made by Mr. Feil, either individually or as a group member, on this case are needed. I would also like to know how many other SSU cases he participated in and the percentage of his workload that related to SSU cases.

REPLY TO:

- Hernando Government Complex, Room 241, 20 North Main Street, Brooksville, Florida 34601 (904) 544-2344
- 318 Senate Office Building, Tallahassee, Florida 32399-1100 (904) 487-5040

1-800-94 WAITE

ANDER CRENSHAW

PAT THOMAS

JOE BROWN

WAYNE W. TODD, JR.

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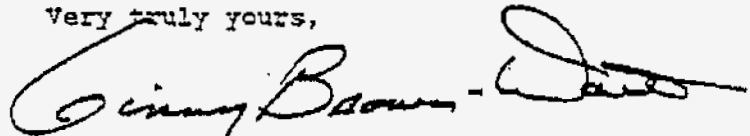
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June 29, 1993
William Talbot

I am requesting that in addition to an internal review of this matter that the office of Public Counsel look at the propriety of this revolving door activity. I am sure you are aware of my bill, which became law as Chapter No. 93-201, that prohibits commissioners from going to work for a regulated utility for a two year period. That concept had to be prospective because some legislators felt it would change the terms and conditions of employment of the present PSC members. Recognizing that we had to begin the reform as soon as possible, I agreed to this as a start. We obviously need to do much more to tighten up on the law, and we may need to include employees of the PSC.

When the full Commission reviews the reconsideration of the SSU rate case, I hope they will overturn staff's recommendation and begin to restore public confidence in the PSC.

Looking forward to hearing from you, I remain

Very truly yours,



Ginny Brown-Waita
State Senator District 10

cc: Commissioner J. Terry Deason
Commissioner Thomas J. Beard
Commissioner Susan F. Clark
Commissioner Luis J. Lauredo
Commissioner Julia L. Johnson
Jack Shreve, Public Counsel



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Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: July 2, 1993

TO: Steve Tribble, Director of Records and Reporting

FROM: Susan F. Clark, Commissioner *WJS For SFC*

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Natural Resources and Conservation
Professional Regulation
Transportation

SENATOR GINNY BROWN-WAITE

10th District

July 2, 1993

J. Terry Deason, Chairman
Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

Re: POSTPONEMENT OF SSU RECONSIDERATION

Dear Chairman Deason:

The purpose of this brief note is to request that the Commission consider postponing hearing the staff presentation on various SSU reconsideration requests. I am aware that the issue is scheduled to be heard on Tuesday, July 6th.

The reason for this request is to allow time for compilation of the various material relating to the Matthew Feil/SSU employment which I have requested. There may be information in the compilation which may be of interest to the entire commission. Certainly the Commission deserves to have all the material relating to this aspect of the SSU case before it makes a decision on this extremely important case.

Additionally, on the staff recommendation, was the comment that the Agenda item for July 6th was marked "controversial--parties may not participate." Does staff ultimately decide who may speak? I would imagine that a virtual majority of the cases you handle are controversial. I would appreciate hearing from you on this issue.

Hoping to hear from you soon, I remain

Very truly yours,

GINNY BROWN-WAITE
State Senator District 10

cc: William D. Talbott
Commissioner Thomas Beard
Commissioner Susan Clark
Commissioner Luis Lauredo
Commissioner Julia Johnson

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ANDER CRENSHAW
President

PAT THOMAS
President Pro Tempore

JCE BROWN
Secretary

WAYNE W. TODD, JR.
Sergeant at Arms

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