

**Ann Cole**

090122

**From:** Ann Cole  
**Sent:** Wednesday, April 08, 2009 1:19 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley  
**Subject:** RE: From an Aloha customer - SPTimes 4/1/09-Escrow?

Sure thing. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

**From:** Bill McNulty  
**Sent:** Wednesday, April 08, 2009 9:44 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley  
**Subject:** FW: From an Aloha customer - SPTimes 4/1/09-Escrow?

Ann,

Please place this in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

*Bill McNulty*  
Chief Advisor to Commissioner Skop  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE  
Administrative Parties / Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

**From:** Nathan A. Skop  
**Sent:** Wednesday, April 01, 2009 12:22 PM  
**To:** Bill McNulty  
**Subject:** FW: From an Aloha customer - SPTimes 4/1/09-Escrow?

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Wednesday, April 01, 2009 8:30 AM  
**To:** Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

4/8/2009

**Cc:** Senator Mike Fasano; Jean Hartman; Governor Crist; John Andrews Chairman BWN; Steve Reilly OPC; Brian Armstrong FGUA

**Subject:** From an Aloha customer - SPTimes 4/1/09-Escrow?

The following article appears in the St. Petersburg Times, 4/1/09, Pasco Times section, p1.

The Rose Sundstrom Law firm and very greedy Aloha Utilities is still at it. For 14 years customers have been forced to tolerate the abuse of this law firm and private water utility, now they have improperly walked away with the customers PSC ordered refund. The removal of the customers escrow fund was at very unethical action by professional attorneys, and as I see it completely illegal.

We are looking for PSC action to have funds returned to the joint escrow account for proper disposition and strong civil action on the parties involved.

From: Wayne Forehand

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**Attorney: Aloha Money Move Legal**

But one legislator wants the state to investigate the transfer of funds.

By Lisa Buie, Times Staff Writer

In print: Wednesday, April 1, 2009

TRINITY — The lawyer for Aloha Utilities says his clients did nothing improper by putting the \$375,000 in disputed escrow money in a separate account. The former utility merely wants a fair decision about who gets what, he said.

"The point of this is it's obvious to us that this matter is going to be resolved by a judge," said William Sundstrom, the attorney for the now defunct Aloha. "Customers have demanded a solution that is not acceptable to us and we have demanded a solution that is not acceptable to them. At the end of the day, a judge is going to have to resolve this issue. We want to do the right thing here."

4/8/2009

At issue is whether the money belongs to Aloha's shareholders or its 25,000 former customers in the Seven Springs and Trinity area.

The money came from customers who paid temporary rate hikes that ultimately weren't approved. Instead of getting a refund, however, the customers agreed to let Aloha put the money toward system upgrades — but those improvements were scrapped when Aloha sold its water and wastewater systems earlier this year to the Florida Governmental Utility Authority.

The money was being held in an escrow account at a Regions Bank branch in Holiday. The dispute was set to be heard by the Florida Public Service Commission.

Aloha revealed in a lawsuit filed Friday against the PSC that it had been holding the money in a "separate, segregated account" since March 23.

The company filed a motion Tuesday and express mailed it to Pasco County Circuit Court asking for an order to put the money into the court registry until a judge can hear the case.

Officials have questioned how Aloha could move the funds out of the escrow account without the PSC's blessing. Sundstrom said the recent Bank Rescue Act abolished the two-party check rule, which required two signatures for money to be released from joint accounts.

The lawsuit argues that the PSC has no authority to decide the matter

as Aloha ceased being a utility when its assets were sold.

It also says the PSC is a politically appointed body and would be pressured to side with former customers.

The news that Aloha had possession of the money drew outrage from critics, including state Sen. Mike Fasano. He sent letters Tuesday to Florida's Attorney General Bill McCollum and Chief Financial Officer Alex Sink asking them to investigate.

"In my opinion an escrow account that is created to hold funds in trust, and was created with two signatories, cannot be emptied without the permission of both parties," the letters said. "I believe that the bank mentioned in the article, Regions Bank of Holiday, may have broken the law. I would appreciate it if you would investigate the actions taken by Regions Bank in this situation."

Fasano, who is also a former Aloha customer, called Sundstrom's explanations "farfetched" and said even if it was legal, bankers should have had the sense to notify a second party if that party is a government agency.

Tim Dayton, a spokesman for the Alabama-based bank, said Tuesday that laws prohibited him from commenting on details of client relationships but that the bank was aware of the situation.

"We're working with the organizations to resolve the issue," he said.

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Lisa Buie can be reached at [buie@sptimes.com](mailto:buie@sptimes.com) or (813) 909-4604.

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Friday, March 27, 2009 11:22 AM  
**To:** Bill McNulty  
**Cc:** Jean Hartman; Lorena Holley; Roberta Bass; William C. Garner; Larry Harris; Cristina Slaton  
**Subject:** RE: Latest Aloha Complaints

Thanks, Bill. The six attachments were printed and this information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

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**From:** Bill McNulty  
**Sent:** Thursday, March 26, 2009 4:31 PM  
**To:** Ann Cole  
**Cc:** Jean Hartman; Lorena Holley; Roberta Bass; William C. Garner; Larry Harris; Cristina Slaton  
**Subject:** Latest Aloha Complaints

Ann,

Please place these in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

*Bill McNulty  
Chief Advisor to Commissioner Skop  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us*

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~~Administrative Parties~~ Consumer  
DOCUMENT NO. 09119-07  
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ce the attached correspondence i

Ann Cole

660122

**From:** Nathan A. Skop  
**Sent:** Thursday, March 26, 2009 3:45 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of Aloha Utilities

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties ~~Consumer~~  
 DOCUMENT NO. 09119-07  
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Please request the clerk to add this to the correspondence side of the appropriate Aloha docket.

**From:** Mary Mahon [mailto:nomor425@tampabay.rr.com]  
**Sent:** Wednesday, March 25, 2009 5:48 PM  
**To:** Nathan A. Skop  
**Subject:** From a customer of Aloha Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund. The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Jack & Mary Mahon  
 1035 Maravista Drive  
 Trinity, FL 34655

3/27/2009

Ann Cole

0620122

From: Nathan A. Skop  
 Sent: Thursday, March 26, 2009 3:43 PM  
 To: Bill McNulty  
 Subject: FW: (no subject)

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION:

Please request the clerk to add this to the correspondence side of the appropriate Aloha docket.

From: Jtomsuden@cs.com [mailto:Jtomsuden@cs.com]  
 Sent: Tuesday, March 24, 2009 4:15 PM  
 To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
 Cc: Jean Hartman  
 Subject: (no subject)

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the **unresponsive and negligent management** of the old Aloha Utilities. However, after the closing of the sale, *I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.\** **\*This request is totally bizarre and improper.**

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. **The customers have been waiting a long time.**

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less\* \*agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system.

**The customers never agreed that these refund monies**

3/27/2009



**would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III\* \*rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III.**

**Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.**The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing.

Aloha has now sold out at an extravagant profit to themselves.

I, as a customer, suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, **not be released to the obsessive stockholders of Aloha.**

Yours truly,

John & Barbara Tomsuden  
1719 Cortleigh Drive  
Trinity, FL 34655

**Ann Cole**

060122

**From:** Nathan A. Skop  
**Sent:** Thursday, March 26, 2009 3:43 PM  
**To:** Bill McNulty  
**Subject:** FW: Aloha Escrow Account Refund Request

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

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**From:** Wayne and Judy Studebaker [mailto:wjstudie@verizon.net]  
**Sent:** Tuesday, March 24, 2009 1:07 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** Aloha Escrow Account Refund Request

To: PSC Commissioners

We are strongly opposed to the Aloha Utilities request to release to them the more than \$350,000 that was placed in escrow to help pay for an anion exchange treatment system. This treatment system, intended to help solve the poor quality of water delivered to customers, was never built. The Florida Government Utility Authority, having paid more than \$90 million for the water and wastewater assets, has more than adequately compensated Aloha Utilities for a system which still needs significant improvements. The escrowed funds should be made available to the Florida Government Utility Authority to reduce the cost to be incurred as they work to improve the quality of water provided to their customers.

Wayne and Judy Studebaker  
 1940 Winsloe Drive  
 Trinity, FL 34655-4940

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3/27/2009

Ann Cole

060122

**From:** Nathan A. Skop  
**Sent:** Thursday, March 26, 2009 3:42 PM  
**To:** Bill McNulty  
**Subject:** FW: From an Aloha Utilities customer

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

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**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Tuesday, March 24, 2009 7:50 AM  
**To:** Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
**Cc:** Jean Hartman; Tom Walden; Tom Anderson Representative; Ryder Rudd; Marshall Willis; Bart Fletcher; Senator Mike Fasano; Brian Armstrong FGUA; Steve Reilly OPC  
**Subject:** From an Aloha Utilities customer

The following **editorial** appears in the St. Petersburg Times,  
 3/24/09, Pasco Times section, p2, Opinion/Times Editorial.

From: Wayne Forehand in Trinity, Florida

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Administrative Parties ~~X~~ Consumer  
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### State Should Deny Aloha Bid for Escrow

There is no end to Aloha Utilities' greed and arrogance, even now  
 that the water and sewer company is no longer in business.

After closing on a \$90.5 million sale of the utility's assets to the  
 Florida Governmental Utility Authority last month, the company's  
 shareholders claimed entitlement to more than \$375,000 sitting in  
 escrow from a disputed rate increase eight years ago.

It's an absurd money grab, akin to cashing in a winning lottery  
 ticket at a convenience store then grabbing pennies from the  
 countertop change cup on the way out the door.

The Public Service Commission should ignore this request. Aloha

3/27/2009

already has been compensated handsomely for its inability to solve more than a dozen years of customer complaints about dark, smelly water coming from household taps in Wyndtree, Chelsea Place and other Trinity area locations in southwest Pasco.

The escrowed money stems from \$473,000 paid by customers for a 15 percent temporary rate increase that began November 2001 but later was invalidated by the PSC. Aloha refunded \$142,000, about \$7 per customer, but the balance remained in dispute.

In 2006, Aloha dropped its appeal of the rate case and put the refund into an interest-bearing account to help finance a new treatment system to improve the quality of the water. The sale to Florida Governmental Utility Authority negated that planned improvement, which led Aloha to claim the refund as its own.

We disagree. Twice the PSC has indicated the money should benefit the customers either through a refund or through better water. Neither happened under Aloha's watch. So, the state should order the money be used to offset the customers' costs of underwriting the FGUA purchase of Aloha.

At a PSC hearing five years ago, Sen. Mike Fasano asked Aloha to refund the escrow account to customers as an act of good faith as it supposedly worked toward a solution to customer complaints.

Obviously, that didn't happen. The PSC now has the opportunity to demonstrate to customers it has a better understanding than Aloha of acting in good faith.

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<BR><BR><BR>\*\*\*\*\*<BR>Feeling the pinch at the grocery store? Make dinner for \$10  
or less.  
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060122

**From:** Nathan A. Skop  
**Sent:** Thursday, March 26, 2009 3:42 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

Please request the clerk to add this to the correspondence side of the appropriate Aloha docket.

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**From:** Kevin Gallagher [mailto:doctorg@tampabay.rr.com]  
**Sent:** Monday, March 23, 2009 6:05 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** From a customer of the former Aloha Utilities

Dear PSC Commissioners,

I agree with the below letter.

Thank you,

Dr. Kevin M. Gallagher

FPSC, CLK - CORRESPONDENCE  
Administrative Parties Consumer  
DOCUMENT NO. 09119-07  
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**To:** PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

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On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one

3/27/2009

penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

**Wayne Forehand**  
**1216 Arlinbrook Drive**  
**Trinity, FL 34655**

Kevin M. Gallagher D.C.  
Palm Harbor Chiropractic &  
Wellness Center  
550 Alt. 19 North  
Palm Harbor, FL. 34683  
(727) 789-0800

Ann Cole

060122

**From:** Nathan A. Skop  
**Sent:** Thursday, March 26, 2009 3:41 PM  
**To:** Bill McNulty  
**Subject:** FW: Florida Resident - SOLAR ENERGY POLICY - REC system vs Feed-in-Tariff

**Attachments:** As Florida shifts to solar, a fight looms - HeraldTribune.com -March 23 2009.pdf



As Florida  
ifts to solar, a

Please request the clerk to add this to the correspondence side of the RPS docket.

-----Original Message-----

**From:** Hubert Fladung [mailto:hubert.fladung@gmail.com]  
**Sent:** Monday, March 23, 2009 9:39 AM  
**To:** Nathan A. Skop  
**Cc:** FASANO MICHAEL B & Joan; Nancy Argenziano; Lisa Edgar; zac.anderson@heraldtribune.com  
**Subject:** Florida Resident - SOLAR ENERGY POLICY - REC system vs Feed-in-Tariff

Honorable Commissioner Skop,

About a year ago we spoke on the phone about this, and here we go - Florida again goes with the 'big company approach'. Why is it, that it seems that there are always other things going on in the background, that don't seem logical or do they?

The attached article (HeraldTribune.com) sums it up pretty well.

A federally funded research study shows the REC system is less cost effective in the long term, but Florida still goes the other way - why?  
'Big money' from big companies prevails.

The last 6-12 month should be proof enough that the so called 'free-market' systems do NOT necessarily work. One big company (AIG) and the banking systems dependency on it's insurance contracts has brought this countries economy to it's knees.

Florida's legislature should make better decisions for our future and rely less on the 'big company approach' but on it's residents and small business owners.

Hubert J Fladung  
1214 Trafalgar Dr  
New Port Richey, FL 34655  
Tel (727) 375-0879

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Printed on page 1A

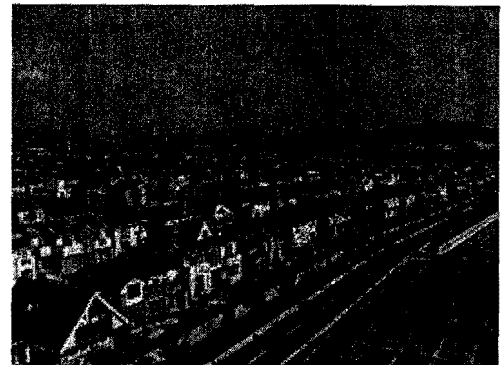
## As Florida shifts to solar, a fight looms

By [Zac Anderson](#)

Published: Sunday, March 22, 2009 at 1:00 a.m.

Billions of dollars are at stake in a battle under way in Florida over who profits from the pending expansion of solar energy: Big energy companies or individuals and businesses with extra roof space.

Solar power is poised to hit the big time in Florida with the expected passage next month of a new energy law requiring power companies to generate 20 percent of their electricity from renewable sources, including the sun, by 2020. The mandate should provide a huge boost to Florida's nascent renewable energy industry.



While there are many ways to reach the goal, some business and environmental groups say lawmakers favor a system that would give windfall profits to large energy companies, cost consumers more and generate fewer local jobs and less clean energy.

The system is known as "renewable energy credits," or RECs, which would allow utilities to decide who can sell them solar energy based on a bidding process, resulting primarily in large, centralized solar developments.

Opponents of the REC system say an alternative program, called a "feed-in tariff," encourages more small-scale solar development on homes and businesses by setting a price for solar energy that makes it profitable for anyone with open land or roof space. The system also forces electric utilities to buy energy from everyone.

Few Floridians know much about these obscure energy policies. Incentives for clean energy are just starting to gain momentum in the United States.

Yet the direction Florida takes could profoundly affect the state's energy future and every state resident.

Both policies would initially increase electricity prices because solar energy is more expensive than coal, oil and natural gas -- Florida's main energy sources.

But data compiled by the National Renewable Energy Laboratory, a federal research center, shows that countries with feed-in tariffs have cheaper renewable electricity than those with RECs. The tariff system is less risky, and investors are willing to accept lower profits for long-term stability.

"We deal with data and the evidence is very clear," said Toby Couture, a researcher with the lab. "Feed-in tariffs have consistently proven to be cheaper for consumers. That's the bottom line."

Despite these studies, Florida's top energy regulators have recommended the REC system over feed-in tariffs, and lawmakers have been slow to embrace the feed-in concept, characterized by opponents as too "European" and less free-market.

Florida Power & Light, the state's largest energy provider, criticizes feed-in tariffs as expensive and anti-competitive. So do representatives for large solar companies such as Maryland-based SunEdison, which has begun contracting with utilities to build big solar power plants in Florida.

The deals have stirred intense infighting in the solar industry nationwide as small local businesses are pushed aside by larger corporations.

Dismissing the Renewable Energy Lab's conclusions, FPL's vice president and chief development officer, Eric Silagy, said, "Any time you get into prescriptive government-set rates, you chill innovation."

The REC system has resulted in substantially higher energy profits in places like New Jersey and the United Kingdom and much higher electricity prices for consumers than the more simplified feed-in tariff policy. Feed-ins have been adopted by 46 countries and Gainesville's municipal electric provider.

But energy reform advocates are worried that electric utilities are blocking a fair hearing on feed-in tariffs in Tallahassee this year.

"There are real concerns right now that this idea won't even get a proper discussion," said Jerry Karnas, who monitors energy issues in the Legislature for the group Environmental Defense.

Rep. Paige Kreegel, R-Punta Gorda, who heads the House Energy and Utilities Policy Committee and wants to allow discussion of the feed-in approach along with the REC system, said last week that House leaders have not yet permitted him to file an energy bill and begin hearings.

Kreegel said that legislative leaders are overwhelmed with the state budget crisis. But he acknowledged that there has also been opposition from utilities over his plan to allow a feed-in tariff debate.

"It would be a threat to their core business model," Kreegel said. "Their feeling is, 'Things are good so shut up and leave us alone,' and you can't blame them."

Jerry Paul, a former Florida lawmaker from Charlotte County and a lobbyist for Maryland's SunEdison, said RECs drive down solar prices because they require competitive bidding.

"Government is not very good about picking an artificial price," said Paul, who said he was speaking for himself and not SunEdison. "The marketplace is."

But Couture said there is an obvious reason why big energy companies support the REC system. "The research shows there is the potential to make much higher profits," he said.

Some people say the systems can coexist. Legislators could decide within a few weeks.

When Gov. Charlie Crist took office in 2006 he made it clear he would push for more renewable energy in Florida, which still has no major sources of solar or wind power. In 2007, Crist vetoed the Legislature's energy bill for not sufficiently promoting solar and other renewable sources.

Crist began pushing for a strict quota -- known as a "renewable portfolio standard" -- setting deadlines for power companies to generate or purchase a certain amount of electricity from renewable sources.

One Crist goal was diversifying Florida's economy and developing high-wage "green tech" businesses.

Legislators approved the concept last year and Florida's big electricity companies saw the writing on the wall.

Since then, electric utilities have announced plans for large-scale solar energy projects. But they have largely contracted with big out-of-state companies for their solar energy production fields.

Early last year, FPL signed a deal with one of the largest solar companies in the United States, SunPower Corp., to build two solar power plants.

The company, based in San Jose, Calif., has about 5,000 employees and global revenues of \$1.43 billion, up 85 percent from 2007. The company does not have an office in Florida.

One of SunPower's main rivals, SunEdison, announced deals last year for a solar plant in Lakeland, and other plants that would be spread out across the state for the Florida Municipal Power Agency.

SunEdison bills itself as "North America's largest solar services provider" and has contracts in several states, though no Florida office.

"The genius of these two companies is, they've hired more lobbyists and lawyers than the rest of the industry combined and they were smart enough to realize the money they spent on those people is tiny compared to the billions they can reap," said Lyle Rawlings, president of the New Jersey Solar Energy Industry Association, whose members engaged in a bitter battle over RECs and feed-in tariffs.

SunPower representatives did not return calls last week.

Rawlings says Florida is at a crossroads. A similar battle played out in New Jersey in 2007, with the REC system prevailing.

The same solar companies seeking to prevail in Florida now dominate solar markets in Maryland, Colorado and other places with REC systems. No state has yet adopted a full scale feed-in tariff model, but Hawaii and a few others are on the verge of doing so.

Small-scale solar developers such as Sarasota engineer Raymond Kaiser say big utilities oppose feed-in tariffs because they are less profitable and threaten the utility business model.

"Their bias is towards centralized power generation," Kaiser said. "They feel very comfortable about solar power if you put it in a field somewhere in DeSoto County, but they don't want it on everybody's house."

Solar producers in states that have adopted REC policies say they have seen many small and medium-size businesses fold and fewer overall jobs, in part because of the complexity. Rawlings said New Jersey has lost perhaps three or four dozen companies in the last few years.

In Maryland, SunEdison dominates the solar market, signing a deal with the state's big electric utility to provide 60 percent of all solar energy this year.

In contrast, Germany's feed-in tariff system allows citizens to profitably develop small solar systems on homes, churches, businesses and schools because power companies are required to buy the energy back at a set rate -- calculated to cover expenses with a small profit added in -- that is well above the price for fossil fuel energy.

But REC advocates say that with credits that are traded on a commodities market, the price fluctuates based on supply and demand. If electric companies miss their solar quotas, demand for credits will rise and solar developers will respond to cash in on high prices.

The key, Paul said, is solar developers "have to compete with each other, and the utility selects the proposal with the cheapest price to the ratepayers."

That sounds good in theory, said the Renewable Energy Lab's Couture, but does not reflect reality.

"All the research shows feed-in tariffs have demonstrated a higher degree of cost efficiency than REC trading models," he said. "That's not a controversial conclusion. All the evidence points to that."

This story appeared in print on page 1A

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Ann Cole

060122

**From:** Ann Cole  
**Sent:** Tuesday, March 24, 2009 5:24 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: (no subject)

Thanks Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Tuesday, March 24, 2009 5:05 PM  
**To:** Ann Cole  
**Subject:** FW: (no subject)

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties / Consumer  
 DOCUMENT NO. 060122-07  
 DISTRIBUTION: \_\_\_\_\_

**From:** Jtomsuden@cs.com [mailto:Jtomsuden@cs.com]  
**Sent:** Tuesday, March 24, 2009 4:15 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** (no subject)

**To: PSC Commissioners**

I am writing to say that as a customer, I am delighted to finally be relieved of the **unresponsive and negligent management** of the old Aloha Utilities. However, after the closing of the sale, *I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.\**  
**\*This request is totally bizarre and improper.**

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim

3/24/2009

rate increase. **The customers have been waiting a long time.**

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less\* \*agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system.

**The customers never agreed that these refund monies would ever be given to the shareholders of Aloha.** Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were **completely constructed**, and after the facilities were fully operational. **Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III\* \*rates, and the Order was final and non-appealable.** I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III.

**Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.**The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing.

Aloha has now sold out at an extravagant profit to themselves.

I, as a customer, suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, **not be released to the obsessive stockholders of Aloha.**

Yours truly,

John & Barbara Tomsuden

3/24/2009

**1719 Cortleigh Drive  
Trinity, FL 34655**

060122

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, March 24, 2009 5:23 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: Aloha Escrow Account Refund Request

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Tuesday, March 24, 2009 5:04 PM  
**To:** Ann Cole  
**Subject:** FW: Aloha Escrow Account Refund Request

Ann, please place this in the file for DN 060606 & 060122. thanks.

Kay

**From:** Wayne and Judy Studebaker [mailto:wjstudie@verizon.net]  
**Sent:** Tuesday, March 24, 2009 1:07 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** Aloha Escrow Account Refund Request

To: PSC Commissioners

We are strongly opposed to the Aloha Utilities request to release to them the more than \$350,000 that was placed in escrow to help pay for an anion exchange treatment system. This treatment system, intended to help solve the poor quality of water delivered to customers, was never built. The Florida Government Utility Authority, having paid more than \$90 million for the water and wastewater assets, has more than adequately compensated Aloha Utilities for a system which still needs significant improvements. The escrowed funds should be made available to the Florida Government Utility Authority to reduce the cost to be incurred as they work to improve the quality of water provided to their customers.

Wayne and Judy Studebaker  
 1940 Winsloe Drive  
 Trinity, FL 34655-4940

FPSC, CLK - CORRESPONDENCE  
 \_Administrative\_ Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

3/24/2009



**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Tuesday, March 24, 2009 5:23 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: From an Aloha Utilities customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Tuesday, March 24, 2009 5:03 PM  
**To:** Ann Cole  
**Subject:** FW: From an Aloha Utilities customer

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Tuesday, March 24, 2009 7:50 AM  
**To:** Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
**Cc:** Jean Hartman; Tom Walden; Tom Anderson Representative; Ryder Rudd; Marshall Willis; Bart Fletcher; Senator Mike Fasano; Brian Armstrong FGUA; Steve Reilly OPC  
**Subject:** From an Aloha Utilities customer

The following **editorial** appears in the St. Petersburg Times,  
 3/24/09, Pasco Times section, p2, Opinion/Times Editorial.

From: Wayne Forehand in Trinity, Florida

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

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### State Should Deny Aloha Bid for Escrow

There is no end to Aloha Utilities' greed and arrogance, even now  
 that the water and sewer company is no longer in business.

After closing on a \$90.5 million sale of the utility's assets to the  
 Florida Governmental Utility Authority last month, the company's  
 shareholders claimed entitlement to more than \$375,000 sitting in

3/24/2009

escrow from a disputed rate increase eight years ago.

It's an absurd money grab, akin to cashing in a winning lottery ticket at a convenience store then grabbing pennies from the countertop change cup on the way out the door.

The Public Service Commission should ignore this request. Aloha already has been compensated handsomely for its inability to solve more than a dozen years of customer complaints about dark, smelly water coming from household taps in Wyndtree, Chelsea Place and other Trinity area locations in southwest Pasco.

The escrowed money stems from \$473,000 paid by customers for a 15 percent temporary rate increase that began November 2001 but later was invalidated by the PSC. Aloha refunded \$142,000, about \$7 per customer, but the balance remained in dispute.

In 2006, Aloha dropped its appeal of the rate case and put the refund into an interest-bearing account to help finance a new treatment system to improve the quality of the water. The sale to Florida Governmental Utility Authority negated that planned improvement, which led Aloha to claim the refund as its own.

We disagree. Twice the PSC has indicated the money should benefit the customers either through a refund or through better water. Neither happened under Aloha's watch. So, the state should order the money be used to offset the customers' costs of underwriting the FGUA purchase of Aloha.

At a PSC hearing five years ago, Sen. Mike Fasano asked Aloha to refund the escrow account to customers as an act of good faith as it supposedly worked toward a solution to customer complaints.

Obviously, that didn't happen. The PSC now has the opportunity to demonstrate to customers it has a better understanding than Aloha of acting in good faith.

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<BR><BR><BR>\*\*\*\*\*<BR>Feeling the pinch at the grocery store? Make dinner for \$10 or less.  
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Tuesday, March 24, 2009 5:22 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: From a customer of the former Aloha Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

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**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Tuesday, March 24, 2009 5:02 PM  
**To:** Ann Cole  
**Subject:** FW: From a customer of the former Aloha Utilities

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

---

**From:** Kevin Gallagher [mailto:doctorg@tampabay.rr.com]  
**Sent:** Monday, March 23, 2009 6:05 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** From a customer of the former Aloha Utilities

Dear PSC Commissioners,

I agree with the below letter.

Thank you,

Dr. Kevin M. Gallagher

FPSC, CLK - CORRESPONDENCE  
 \_Administrative Parties\_ ~~Consumer~~  
 DOCUMENT NO. 09119-67  
 DISTRIBUTION: \_\_\_\_\_

**To:** PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every

action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Wayne Forehand  
1216 Arlinbrook Drive  
Trinity, FL 34655

Kevin M. Gallagher D.C.  
Palm Harbor Chiropractic &  
Wellness Center  
550 Alt. 19 North  
Palm Harbor, FL. 34683  
(727) 789-0800

**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Monday, March 23, 2009 8:48 AM  
**To:** Bill McNulty  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: From a customer of the former Aloha Utilities in New Port Richey, Florida

Thanks Bill. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

---

**From:** Bill McNulty  
**Sent:** Monday, March 23, 2009 8:03 AM  
**To:** Ann Cole  
**Cc:** Jean Hartman; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Cristina Slaton  
**Subject:** FW: From a customer of the former Aloha Utilities in New Port Richey, Florida

Ann,

Please place this in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

*Bill McNulty*  
*Chief Advisor to Commissioner Skop*  
*Florida Public Service Commission*  
*2540 Shumard Oak Boulevard*  
*Tallahassee, FL 32399-0855*  
*(850) 413-6028 (office)*  
*(850) 413-6029 (fax)*  
*bmcnulty@psc.state.fl.us*

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DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

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**From:** Nathan A. Skop  
**Sent:** Friday, March 20, 2009 6:51 PM  
**To:** Bill McNulty  
**Subject:** Fw: From a customer of the former Aloha Utilities in New Port Richey, Florida

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

---

**From:** David Rowan <davidrowan2@gmail.com>  
**To:** Nathan A. Skop  
**Cc:** David Rowan <davidrowan2@gmail.com>

3/23/2009

**Sent:** Fri Mar 20 17:03:50 2009

**Subject:** From a customer of the former Aloha Utilities in New Port Richey, Florida

Dear Commissioner Skop:

As you know, Aloha Utilities in New Port Richey was purchased by the Florida Governmental Utility Authority (FGUA). However, the three stockholders of Aloha Utilities have demanded that the Florida Public Service Commission release \$375,000 worth of customers refunds to them—not the customers. This self-serving and erroneous request by Aloha stockholders, and lawyers, for the release of customer funds would be totally wrong. In 2006 Aloha agreed with its customers to use this refund money to build an anion exchange treatment system. This system was never built. We former Aloha customers would like to ask the Florida Public Service Commission to keep the money in escrow to pay for future needed improvements by the FGUA.

The chronology of events are as follows:

--On April 30, 2002 (almost 7 years ago), the Florida Public Service Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and **ordered a refund of the interim rates**. [Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.]

--On May 6, 2003, the **First DCA affirmed the Commission's Final Order** No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase.

--In 2006, a *Settlement Agreement* was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that **the customers were willing to apply the net refund monies to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system**. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the *Settlement Agreement*, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable.

**Aloha Utilities did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.**

I as a former Aloha customer I respectfully suggest that the Florida Public Service Commission rule that customers refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition. **Aloha's greedy and immoral stockholders have no right to the customers**

3/23/2009

**money.**

Very respectfully,

*David W. Rowan, BS, MA, MA*

10338 Tecoma Drive

Trinity, Florida 34655



Ann Cole

060122

**From:** Ann Cole  
**Sent:** Monday, March 23, 2009 8:18 AM  
**To:** Bill McNulty  
**Cc:** Jean Hartman; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley; Cristina Slaton  
**Subject:** RE: Additional Aqua Complaints

**Tracking:**

Recipient	Read
Bill McNulty	
Jean Hartman	
Larry Harris	
Roberta Bass	Read: 3/23/2009 8:29 AM
William C. Garner	Read: 3/23/2009 8:32 AM
Lorena Holley	
Cristina Slaton	

Thank you for this information. The 4 email attachments have been printed and will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

**From:** Bill McNulty  
**Sent:** Friday, March 20, 2009 5:19 PM  
**To:** Ann Cole  
**Cc:** Jean Hartman; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley; Cristina Slaton  
**Subject:** Additional Aqua Complaints

Ann,

Please place these in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
 bmcnulty@psc.state.fl.us

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3/23/2009

**Ann Cole**

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**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 11:59 AM  
**To:** Bill McNulty  
**Subject:** FW: FPL Base Rate Increase

Please request the clerk to add this to the correspondence side of the record for the appropriate FPL dockets.

---

**From:** John Hernandez [mailto:johnhern99@gmail.com]  
**Sent:** Wednesday, March 18, 2009 8:34 PM  
**To:** jdorschner@MiamiHerald.com; eve\_samples@pbpost.com; Matthew Carter; Nancy Argenziano; Lisa Edgar; Katrina McMurrian; Nathan A. Skop; Mary Bane; Judy Harlow; Bev DeMello; Bob Trapp  
**Subject:** FPL Base Rate Increase

To Whom It May Concern:

The article in the Miami Herald about FPL's base rate increase proposal is ridiculous. We all saw how fast prices went up last summer in our fuel / oil, etc. If FPL wants a 12+% return on investment for their shareholders, their CEO and executives should consider the sale of the \$150 + million corporate jet / helicopter holdings. The 3 jets they have are overboard in the price tags, as well as the mileage range these jets have. There is no need for Lew Hay to be picked up via helicopter / rooftop at headquarters and transported to the \$40 million Falcon that has a range of NY to Tokyo to fly to Orlando. There is no justification for the use of a jet fleet that is used by a mid sized international corporation with offices and execs overseas.

I certainly hope that the Public Service Commission takes this lavish spending, the state of the economy, the press that corporations are getting on use of corporate jets and improper use of funds, and look at this rate proposal seriously. It is time for someone to step in and take control, rather than let FPL dictate.

**Ann Cole**

---

**From:** Nathan A. Skop  
**Sent:** Friday, March 20, 2009 12:00 AM  
**To:** Bill McNulty  
**Subject:** Fw: Aloha Customer Refund Escrow Account

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

---

**From:** Jim Colegrove <jimcolegrove10@yahoo.com>  
**To:** 'Karen Vaughn-Kerns' <kkerns1@tampabay.rr.com>; 'shirley sturgeon' <sturgeonshirley@verizon.net>; 'lsilverlcs' <lsilverlcs@tampabay.rr.com>; 'Holly' <hlsilver@tampabay.rr.com>; 'Marge Lurz' <margelurz@hotmail.com>; 'George Valdes' <jvaldes4167@yahoo.com>; 'Ron Jackson' <RonJackson@YourTampaBayMove.com>; 'Karen Lane' <klane@pasco.k12.fl.us>; LERains@aol.com <LERains@aol.com>; 'Krissy Vaughn' <krissyvaughn@verizon.net>; 'Jim Colegrove' <jim@jimcolegrove.com>; 'Susan Colegrove' <susancolegrove@yahoo.com>; Franintrinity@aol.com <Franintrinity@aol.com>; 'WAYNE STUDEBAKER' <wjstudie@verizon.net>; 'Gus and Jennifer Hatzistefanou' <gus13letter@tampabay.rr.com>; 'Jesse and Shannon Erickson' <shannonA73@hotmail.com>; 'Harold and Joyce Hatcher' <harjoy10@aol.com>; 'Stacy Romano' <stacylromano@yahoo.com>; 'Mark Romano' <pastormarkromano@yahoo.com>; 'Toni and Paul Remek' <tonic777@msn.com>; 'Vonda Hudson' <dHUDSON11@tampabay.rr.com>; 'Darrell Triggs' <darrellt@iegllc.com>; 'Bryan Vaughn' <bv99@verizon.net>; 'Bob and Bea Steer' <rsteer@tampabay.rr.com>; 'Becky Jackson' <beck98@verizon.net>; 'wilbert vaughn' <whvmv@frontiernet.net>  
**Cc:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter; Jean Hartman  
**Sent:** Thu Mar 19 21:30:48 2009  
**Subject:** RE: Aloha Customer Refund Escrow Account

Dear PSC Commissioners:

**Aloha** being able to wrongfully keep escrow monies is equivalent to **AIG Executives** being awarded bonus money for running their company into the ground.

**PSC Commissioners** allowing this to happen without a fight would be equivalent to **Congress** awarding taxpayer money to mismanaged companies that don't deserve it.

Don't be Congress. Don't support Aloha, a losing cause. Don't ignore this situation thinking it will just go away, we won't.

Respectfully,

Jim Colegrove  
1953 Winsloe Drive  
Trinity, FL 34655  
----- Original Message -----

**From:** bill.humphrey  
**To:** bill.humphrey@earthlink.net  
**Sent:** Wednesday, March 18, 2009 9:10 PM  
**Subject:** Aloha Customer Refund Escrow Account

**For Fox Wood customers of the former ALOHA UTILITIES:**

3/23/2009

You may have read in the paper how Aloha Utilities is now trying to get to keep the \$350,000 that was placed in escrow by the PSC and later agreed by all parties to be used to fund improvements in Aloha's system so we would have better water (if you didn't the article is at the end of this message). Those improvements were never completed, but Aloha wants to keep the money.

It is essential that we write to the PSC to protest this latest attempt by Aloha to extort money from their former customers

We know that Commissioner Nancy Argenziano supports our efforts (see her email below), but she only one of five – we need for the others to hear from us loud and clear – we want that escrowed money to go to improving the water treatment facilities as originally agreed.

The email addresses of the commissioners are below. Be sure the subject line of your message says **From a customer of the former Aloha Utilities** since the commissioners can not read mail from utilities.

Bill

Addresses for the PSC commissioners are as follow:

[nskop@PSC.state.fl.us](mailto:nskop@PSC.state.fl.us)  
[nargenziano@PSC.state.fl.us](mailto:nargenziano@PSC.state.fl.us)  
[Katrina.McMurrian@psc.state.fl.us](mailto:Katrina.McMurrian@psc.state.fl.us)  
[ledgar@PSC.state.fl.us](mailto:ledgar@PSC.state.fl.us)  
[mcarter@PSC.state.fl.us](mailto:mcarter@PSC.state.fl.us)

CC; Attorney [JHARTMAN@PSC.STATE.FL.US](mailto:JHARTMAN@PSC.STATE.FL.US)

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To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

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3/23/2009

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Wayne Forehand  
1216 Arlinbrook Drive  
Trinity, FL 34655

Reply to above letter from Commissioner Argenziano to Wayne Forehand:

----- Original Message -----

**From:** [Nancy Argenziano](#)

**To:** [wayneforehand@verizon.net](mailto:wayneforehand@verizon.net)

**Sent:** Wednesday, March 18, 2009 6:26 PM

**Subject:** Fw: From a customer of the OLD ALOHA Utilities

I am getting many e mails from aloha customers and I commend them for doing so. I wonder if there is a way that you may help me let them know I am working on the issue and that I believe that money belongs to them. I am having difficulty trying to answer them. I would appreciate any help you can give. \

Thanks.

Nancy

The following is the article from the SPTimes.

---

## Aloha, Pasco customers clash over escrow cash

By [Jodie Tillman](#), Times Staff Writer

In Print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

Here's how the money ended up in the escrow account:

Back in March 2006, Aloha and representatives of its 25,000 customers in the Seven Springs and Trinity area entered into a settlement agreement to resolve a number of outstanding issues.

One of those issues: Aloha's appeal of a 2004 commission order to refund nearly \$300,000 to customers who had been paying temporary rate hikes that were ultimately not approved.

As part of the 2006 settlement, Aloha agreed to drop its appeal of the rate case and put the refund money into an interest-bearing account to help pay for an "anion exchange" treatment system intended to solve long-standing water quality problems.

The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.

The treatment system never got built, of course. And when the Florida Governmental Utility Authority bought Aloha's assets this year, that group scrapped the anion exchange treatment system, saying it had other plans for improving the water quality.

Lawyers for Aloha say that since the treatment system was abandoned, Aloha should get the escrow money, in part to defray what it had spent already on plans for the system. The company also says it would use the money to finish paying off commission fees and fines as well as Pasco County for work it did at Aloha's request.

"Aloha is legally entitled to the money," said lawyer William Sundstrom, who estimates his client spent roughly \$1 million on the plans. "It's not the customers' money, it's Aloha's."

Not so, say customers and Stephen Reilly, a lawyer from the Office of Public Counsel working on their behalf.

Reilly wrote in filings to the commission that customers agreed that Aloha would get the money only if and when construction of the treatment system was finished. He wrote that Aloha's investment "will be fully compensated" by the \$90.5 million sales price.

Trinity resident Wayne Forehand said he was "appalled" by Aloha's request. He said customers will ask the commission to keep the money in escrow to help cover other improvements. Their goal is to defray

future rate increases that come with the authority's purchase of Aloha's assets.

"Let's use it for the good of the community," he said.

State Sen. Mike Fasano, R-New Port Richey, a customer and longtime critic of Aloha, said Tuesday that he would also fight the utility's request.

"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

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Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.0.238 / Virus Database: 270.11.18/2009 - Release Date: 03/18/09 07:17:00

**Ann Cole**

**From:** Nathan A. Skop  
**Sent:** Friday, March 20, 2009 12:01 AM  
**To:** Bill McNulty  
**Subject:** Fw: from a customer of Aloha utilities

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

---

**From:** JOHN DI PRIMA <johnd151@verizon.net>  
**To:** Nathan A. Skop  
**Sent:** Thu Mar 19 22:32:40 2009  
**Subject:** Fw: from a customer of Aloha utilities

Dear PSC Commissioners,

can you please tell me what your position is in regards to the below letter sent to you from Mr. Wayne Forhand.

Sincerely

John Di Prima

---

> To: PSC Commissioners

>

> I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.\* \*This request is totally bizarre and improper.

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> Wayne Forehand

> 1216 Arlinbrook Drive

> Trinity, FL 34655

> The following is the article from Today's SPTimes.

---

3/23/2009



Aloha, Pasco customers clash over escrow cash

By Jodie Tillman <mailto:///Users/joelaza/Library/Thunderbird/Profiles/da2jjch.default/Mail/Local%20Folders/Inbox?number=676213940>, Times Staff Writer  
In Print: Wednesday, March 18, 2009

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"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

**Ann Cole**


---

**From:** Nathan A. Skop  
**Sent:** Friday, March 20, 2009 10:50 AM  
**To:** Bill McNulty  
**Subject:** Fw: FROM A CUSTOMER OF THE FORMER ALOHA UTILITIES

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

---

**From:** aloharmb@aol.com <aloharmb@aol.com>  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** JHARTMEN@pSC.STATE.FL.US <JHARTMEN@pSC.STATE.FL.US>  
**Sent:** Fri Mar 20 10:42:07 2009  
**Subject:** FROM A CUSTOMER OF THE FORMER ALOHA UTILITIES

To: PSC Commissioners

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3/23/2009

Joseph & RoseMarie Beraducci  
10110 Green Ivy Drive  
Trinity, FL 34655

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Live traffic, local info, maps, directions and more with the NEW MapQuest Toolbar. [Get it now!](#)

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Friday, March 20, 2009 8:22 AM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: Aloha Customer Refund Escrow Account

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

---

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Friday, March 20, 2009 8:20 AM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: Aloha Customer Refund Escrow Account

Ann, please place in the file for DN 060606 & 060122. Thank you.

---

**From:** Jim Colegrove [mailto:jimcolegrove10@yahoo.com]  
**Sent:** Thursday, March 19, 2009 9:31 PM  
**To:** 'Karen Vaughn-Kerns'; 'shirley sturgeon'; 'Isilverlcsw'; 'Holly'; 'Marge Lurz'; 'George Valdes'; 'Ron Jackson'; 'Karen Lane'; LERains@aol.com; 'Krissy Vaughn'; 'Jim Colegrove'; 'Susan Colegrove'; Franintrinity@aol.com; 'WAYNE STUDEBAKER'; 'Gus and Jennifer Hatzistefanou'; 'Jesse and Shannon Erickson'; 'Harold and Joyce Hatcher'; 'Stacy Romano'; 'Mark Romano'; 'Toni and Paul Remek'; 'Vonda Hudson'; 'Darrell Triggs'; 'Bryan Vaughn'; 'Bob and Bea Steer'; 'Becky Jackson'; 'wilbert vaughn'  
**Cc:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter; Jean Hartman  
**Subject:** RE: Aloha Customer Refund Escrow Account

Dear PSC Commissioners:

**Aloha** being able to wrongfully keep escrow monies is equivalent to **AIG Executives** being awarded bonus money for running their company into the ground.

**PSC Commissioners** allowing this to happen without a fight would be equivalent to **Congress** awarding taxpayer money to mismanaged companies that don't deserve it.

Don't be Congress. Don't support Aloha, a losing cause. Don't ignore this situation thinking it will just go away, we won't.

Respectfully,

Jim Colegrove  
 1953 Winsloe Drive  
 Trinity, FL 34655  
 ----- Original Message -----

**From:** bill.humphrey  
**To:** bill.humphrey@earthlink.net  
**Sent:** Wednesday, March 18, 2009 9:10 PM

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties ~~X~~ Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

3/20/2009

**Subject:** Aloha Customer Refund Escrow Account

**For Fox Wood customers of the former ALOHA UTILITIES:**

You may have read in the paper how Aloha Utilities is now trying to get to keep the \$350,000 that was placed in escrow by the PSC and later agreed by all parties to be used to fund improvements in Aloha's system so we would have better water (if you didn't the article is at the end of this message). Those improvements were never completed, but Aloha wants to keep the money.

It is essential that we write to the PSC to protest this latest attempt by Aloha to extort money from their former customers

We know that Commissioner Nancy Argenziano supports our efforts (see her email below), but she only one of five – we need for the others to hear from us loud and clear – we want that escrowed money to go to improving the water treatment facilities as originally agreed.

The email addresses of the commissioners are below. Be sure the subject line of your message says **From a customer of the former Aloha Utilities** since the commissioners can not read mail from utilities.

Bill

Addresses for the PSC commissioners are as follow:

[nskop@PSC.state.fl.us](mailto:nskop@PSC.state.fl.us)  
[nargenziano@PSC.state.fl.us](mailto:nargenziano@PSC.state.fl.us)  
[Katrina.McMurrian@psc.state.fl.us](mailto:Katrina.McMurrian@psc.state.fl.us)  
[ledgar@PSC.state.fl.us](mailto:ledgar@PSC.state.fl.us)  
[mcarter@PSC.state.fl.us](mailto:mcarter@PSC.state.fl.us)

CC; Attorney [JHARTMAN@PSC.STATE.FL.US](mailto:JHARTMAN@PSC.STATE.FL.US)

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Wayne Forehand  
1216 Arlinbrook Drive  
Trinity, FL 34655

Reply to above letter from Commissioner Argenziano to Wayne Forehand:

----- Original Message -----

**From:** Nancy Argenziano

**To:** wayneforehand@verizon.net

**Sent:** Wednesday, March 18, 2009 6:26 PM

**Subject:** Fw: From a customer of the OLD ALOHA Utilities

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3/20/2009

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In Print: Wednesday, March 18, 2009

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Version: 8.0.238 / Virus Database: 270.11.18/2009 - Release Date: 03/18/09 07:17:00



Ann Cole

060122

**From:** Ann Cole  
**Sent:** Friday, March 20, 2009 8:21 AM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: from a customer of Aloha utilities

**Tracking:** **Recipient** **Read**  
Katrina McMurrian  
Administrative Assistants - Commission Suite  
Commissioners Advisors  
Roberta Bass Read: 3/20/2009 8:21 AM

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

---

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Friday, March 20, 2009 8:18 AM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: from a customer of Aloha utilities

Ann, please place this in file for DN 060606 & 060122. Thanks.

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**From:** JOHN DI PRIMA [mailto:johnd151@verizon.net]  
**Sent:** Thursday, March 19, 2009 10:55 PM  
**To:** Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** Fw: from a customer of Aloha utilities

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Administrative Parties Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

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> In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less\* \*agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III\* \*rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

> The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

> Wayne Forehand  
 > 1216 Arlinbrook Drive  
 > Trinity, FL 34655  
 > The following is the article from Today's SPTimes.

---

Aloha, Pasco customers clash over escrow cash

By Jodie Tillman <mailto:///Users/Joelaza/Library/Thunderbird/Profiles/da2jjch.default/Mail/Local%20Folders/Inbox?number=676213940>, Times Staff Writer  
 In Print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

Here's how the money ended up in the escrow account:

Back in March 2006, Aloha and representatives of its 25,000 customers in the Seven Springs and Trinity area entered into a settlement agreement to resolve a number of outstanding issues.

One of those issues: Aloha's appeal of a 2004 commission order to refund nearly \$300,000 to customers who had been paying temporary rate hikes that were ultimately not approved.

As part of the 2006 settlement, Aloha agreed to drop its appeal of the rate case and put the refund money into an interest-bearing account to help pay for an "anion exchange" treatment system intended to solve long-standing water quality problems.

The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.

The treatment system never got built, of course. And when the Florida Governmental Utility Authority bought Aloha's assets this year, that group scrapped the anion exchange treatment system, saying it had other plans for improving the water quality.

Lawyers for Aloha say that since the treatment system was abandoned, Aloha should get the escrow money, in part to defray what it had spent already on plans for the system. The company also says it would use the money to finish paying off commission fees and fines as well as Pasco County for work it did at Aloha's request.

"Aloha is legally entitled to the money," said lawyer William Sundstrom, who estimates his client spent roughly \$1 million on the plans. "It's not the customers' money, it's Aloha's."

Not so, say customers and Stephen Reilly, a lawyer from the Office of Public Counsel working on their behalf.

Reilly wrote in filings to the commission that customers agreed that Aloha would get the money only if and when construction of the treatment system was finished. He wrote that Aloha's investment "will be fully compensated" by the \$90.5 million sales price.

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Trinity resident Wayne Forehand said he was "appalled" by Aloha's request. He said customers will ask the commission to keep the money in escrow to help cover other improvements. Their goal is to defray future rate increases that come with the authority's purchase of Aloha's assets.

"Let's use it for the good of the community," he said.

State Sen. Mike Fasano, R-New Port Richey, a customer and longtime critic of Aloha, said Tuesday that he would also fight the utility's request.

"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Friday, March 20, 2009 8:16 AM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: A customer of Aloha utilities: Aloha request for escrow money

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 4:59 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: A customer of Aloha utilities: Aloha request for escrow money

Ann, please place in the file for DNs 060606-WS & 060122-WU. thank you.

**From:** HOWARD LEDDER [mailto:howlaine210@msn.com]  
**Sent:** Wednesday, March 18, 2009 11:59 AM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** wayneforehand@verizon.net  
**Subject:** A customer of Aloha utilities: Aloha request for escrow money

Dear PSC members:

Aloha has supplied absolutely horrible water water to Trinity customers for 14 years. We may still have thousands of dollars in expenses if we develop leaks caused by their water. After all this heartache, insult & inconvenience ( I'd LOVE to be able to use my jacuzzi to help my arthritis!!)

**now** they want the escrow money on top of the millions they just got for treating their customers like dirt for the last 14 years? If this is allowed it will be just one more terrible injustice to the customers. PLEASE do NOT allow this to occur.

Respectfully,  
 Howard & Elaine Ledder  
 1202 Arlinbrook Dr.  
 Trinity Oaks

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Administrative Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

3/20/2009

**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:25 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: From a customer of the former Aloha Utilities

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

---

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:56 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: From a customer of the former Aloha Utilities  
Please place in file for DN 060606 & 060122. Thank you.

---

**From:** bill.humphrey [mailto:bill.humphrey@earthlink.net]  
**Sent:** Wednesday, March 18, 2009 12:44 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey  
2120 Larchwood Court  
Trinity, FL 34655

727-808-4483

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**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:05 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: From An Aloha Customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:55 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: From An Aloha Customer

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DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

Please place in file for DN 060606 & 060122. Thank you.

**From:** Gary Franck [mailto:g.franck@verizon.net]  
**Sent:** Wednesday, March 18, 2009 3:13 PM  
**To:** Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop  
**Cc:** Jean Hartman  
**Subject:** From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

You folks know the details of the agreement to place customer funds in escrow better than I. However, I do know these funds belong to the customers of Aloha. They should either be refunded to us or continue to be held in escrow to offset some of the anticipated rate increases that are the result of making system improvements that should have been made years ago.

Thank you kindly for your consideration in addressing this "outrage".

Respectfully submitted.

Gary Franck  
1118 Hominy Hill Dr  
Trinity, FL

3/19/2009

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:04 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: Aloha Customer Refund Escrow Account

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:53 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: Aloha Customer Refund Escrow Account

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For DNs 060060 & 060122

**From:** MidgenBill [mailto:wscudero@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 9:25 PM  
**To:** Jean Hartman  
**Cc:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase, and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers, of then Aloha, have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) Of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

3/19/2009

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Margaret Scudero  
1430 Jutland Drive  
Trinity, FL 34655

cc: [nskop@PSC.state.fl.us](mailto:nskop@PSC.state.fl.us); [nargenziano@PSC.state.fl.us](mailto:nargenziano@PSC.state.fl.us); [Katrina.McMurrian@psc.state.fl.us](mailto:Katrina.McMurrian@psc.state.fl.us); [ledgar@PSC.state.fl.us](mailto:ledgar@PSC.state.fl.us); [mcarter@PSC.state.fl.us](mailto:mcarter@PSC.state.fl.us)



**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:04 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: From a customer of the former Aloha Utilities

Thank you. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:52 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: From a customer of the former Aloha Utilities

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For DNs 060606 & 060122.

**From:** rowe [mailto:microvent7@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 9:33 PM  
**To:** Katrina McMurrian  
**Subject:** From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?  
Sincerely,  
Former Aloha customer, thank goodness!

**Ann Cole**

060122

---

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:03 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: From a customer of the former Aloha Utilities

This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

---

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:51 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: From a customer of the former Aloha Utilities  
Please place in the file for DNs 060606 & 060122. thank you.

---

**From:** Andrea Nazzaro [mailto:babygirlnazz@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 10:25 PM  
**To:** Katrina McMurrian  
**Subject:** From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro  
1751 Winsloe Dr.  
Trinity, FL 34655  
babygirlnazz@tampabay.rr.com

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Administrative Parties ~~Consumer~~  
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Ann Cole

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:03 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: from a customer of former Utilities company Aloha

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

-----Original Message-----

**From:** Kay Posey On Behalf Of Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:44 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: from a customer of former Utilities company Aloha

Ann, please place in file for DN 060606 & 060122. Thank you.

-----Original Message-----

**From:** Joe Lanza [mailto:jlanza@westnet.com]  
**Sent:** Thursday, March 19, 2009 6:29 AM  
**To:** nskop@PSCstate.fl.us; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; mcarter; Jean Hartman  
**Cc:** wayne forehead; Armstrong, Brian; FASANO; tSchrader@pascocountyfl.net; pmulieri@pascocountyfl.net; mCox@pascocountyfl.net; Jmariano@pascocountyfl.net; Hilderbrandt; Jmariano@pascocountyfl.net; pmulieri@pascocountyfl.net; tSchrader@pascocountyfl.net; mCox@pascocountyfl.net  
**Subject:** from a customer of former Utilities company Aloha

Dear PSC Commissioners,

Please reject the request by the law firm Rose, Sundstrom & Bentley, LLP, dated March 13, 2009, addressed to Patrick L Imhof, General Counsel of the PSC and written by Mr. William Sunstrom for release of escrowed monies to the former private utility Aloha.

I am a former customer of this utility who believes that the documentation in possession of the PSC and the facts per se provide sufficient reason for the rejection of this request. The cronies and insiders who controlled Aloha are not entitled to these monies.

I appreciate the efforts that members of the PSC have made to facilitate the sale of Aloha to the Florida Government Utility Authority. This new authority has an awesome task cleaning up the mess left by Aloha. I would favor remitting the monies in Acc. No. 3720776209 at AMSouth Bank to FGUA Pasco Utilities for use to provide better water which was the original purpose of the funds.

Sincerely,

Catherine F. Lanza  
 Joseph L. Lanza  
 7450 Evesborough Lane,  
 New Port Richey, Florida 34655  
 727 375 7129

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**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:01 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: Aloha Customer Refund Escrow Account

This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:43 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: Aloha Customer Refund Escrow Account

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Please place in file for DN 060606 & 060122. Thank you.

**From:** Steven Beisner [mailto:SBeisner@medquist.com]  
**Sent:** Thursday, March 19, 2009 7:48 AM  
**To:** Katrina McMurrian  
**Subject:** Aloha Customer Refund Escrow Account

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water

3/19/2009

problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

**Steve Beisner**

2043 Larchwood Ct  
Trinity Fl 34655

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If you are not the intended recipient of this e-mail, promptly delete it and all attachments.

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:01 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: from a customer of Aloha utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:40 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: from a customer of Aloha utilities

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for DNs 060606 & 060122

**From:** Joe Abelleira [mailto:abelleira@msn.com]  
**Sent:** Thursday, March 19, 2009 9:12 AM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** from a customer of Aloha utilities

To: PSC Commissioners

>

> I am writing to say that as a customer, I am delighted to finally be  
 > relieved of the unresponsive and negligent management of the Old Aloha  
 > Utilities. However, after the closing of the sale, I'm appalled to  
 > read that Aloha has requested and demanded that the Public Service  
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 > over the past 10 years.  
 > On May 6, 2003, the First DCA affirmed the Commission's Final Order  
 > No. PSC-02-0593-FOF-WU, including the Commission's requirement of a  
 > complete refund of the interim rate increase. The customers have been  
 > waiting a long time.  
 > In 2006, a Settlement Agreement was implemented under the direction  
 > of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of  
 > this Settlement agreed that the customers were willing to apply the  
 > net refund monies (unpaid refunds plus interest less\* \*agreed \$45,000)  
 > to pay for the permanent and effective solution to the long-standing

3/19/2009

> black water problems in the Aloha Utilities system. The customers  
> never agreed that these refund monies would ever be given to the  
> shareholders of Aloha. Quite to the contrary, they would only be  
> considered contributions-in-aid-of-construction (CIAC) of the  
> facilities built to solve the black water problems, and would only be  
> applied as CIAC if and when the facilities were completely  
> constructed, and after the facilities were fully operational. Pursuant  
> to the expressed terms of the Settlement Agreement, not one penny of  
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> Commission issued its Final Order establishing Phase III\* \*rates, and  
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> Commissioners that Aloha never even had approval of a full Phase I  
> increase, much less the required Phase II or Phase III. Aloha did not  
> install the promised improvements to resolve the "Black Water"  
> problems. This escrow remains the customers' refund.  
> The intent of the Settlement Agreement was based on the good faith of  
> the implementation of the improvements within a two-year time period  
> as promised to the customers at signing. Aloha has now sold at an  
> extravagant profit. I as a customer suggest that the customers' refund  
> held in escrow be released to a "rate stabilization escrow fund" to  
> cover future rate increases required to improve the black water  
> condition, not to be released to the obsessive stockholders.

Sincerely,

Joe Abelleira  
7532 Cheltnam Ct.  
New Port Richey, FL 34655

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 4:00 PM  
**To:** Katrina McMurrian  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** RE: From a customer of the former Aloha Utilities

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:39 PM  
**To:** Ann Cole  
**Cc:** Administrative Assistants - Commission Suite; Commissioners Advisors  
**Subject:** FW: From a customer of the former Aloha Utilities

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~X~~ Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

Ann,

Please place in file for DNs 060606-WS & 060122-WU. thanks.

**From:** CARLEEN NARY [mailto:MsTabasco@verizon.net]  
**Sent:** Thursday, March 19, 2009 9:13 AM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** From a customer of the former Aloha Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the

3/19/2009



facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Carleen Nary  
1906 Terralyn Ln  
Trinity, FL 34655

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

3/19/2009

FPSC, CLK - CORRESPONDENCE

Administrative Parties X Consumer

Ann Cole

DOCUMENT NO. 09119-07

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 3:51 PM  
**To:** Katrina McMurrian  
**Cc:** Commissioners Advisors; Administrative Assistants - Commission Suite  
**Subject:** RE: from a customer of Aloha Utilitie

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Thursday, March 19, 2009 3:35 PM  
**To:** Ann Cole  
**Subject:** FW: from a customer of Aloha Utilitie

Ann, please place this in the file for DNs 060606-WS & 060122-WU. Thank you

**From:** John Simmons [mailto:js-ss@hotmail.com]  
**Sent:** Thursday, March 19, 2009 1:02 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** from a customer of Aloha Utilitie

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

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On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund. The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

John Simmons  
8144 Brumby Ct

3/19/2009

Trinity, FL 34655

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Windows Live™ Contacts: Organize your contact list. [Check it out.](#)

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Thursday, March 19, 2009 3:38 PM  
**To:** Bill McNulty  
**Cc:** Jean Hartman; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Cristina Slaton  
**Subject:** RE: Aloha Correspondence

Thank you for this information. The 11 email attachments have been printed and will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

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**From:** Bill McNulty  
**Sent:** Thursday, March 19, 2009 2:12 PM  
**To:** Ann Cole  
**Cc:** Jean Hartman; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Cristina Slaton  
**Subject:** Aloha Correspondence

Ann,

Please place these in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

*Bill McNulty  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
 bmcnulty@psc.state.fl.us*

FPSC, CLK - CORRESPONDENCE  
Administrative Parties  Consumers  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

## Ann Cole

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**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:00 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

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**From:** rowe [mailto:microvent7@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 9:33 PM  
**To:** Nathan A. Skop  
**Subject:** From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?

Sincerely,  
Former Aloha customer, thank goodness!

## Ann Cole

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**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 11:56 AM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** bill.humphrey [mailto:bill.humphrey@earthlink.net]  
**Sent:** Wednesday, March 18, 2009 12:44 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey  
2120 Larchwood Court  
Trinity, FL 34655

727-808-4483

**Ann Cole**

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**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 11:57 AM  
**To:** Bill McNulty  
**Subject:** FW: From An Aloha Customer

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**From:** Gary Franck [mailto:g.franck@verizon.net]  
**Sent:** Wednesday, March 18, 2009 3:13 PM  
**To:** Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop  
**Cc:** Jean Hartman  
**Subject:** From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

You folks know the details of the agreement to place customer funds in escrow better than I. However, I do know these funds belong to the customers of Aloha. They should either be refunded to us or continue to be held in escrow to offset some of the anticipated rate increases that are the result of making system improvements that should have been made years ago.

Thank you kindly for your consideration in addressing this "outrage".

Respectfully submitted.

Gary Franck  
1118 Hominy Hill Dr  
Trinity, Fl.

3/19/2009

**Ann Cole**

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 11:57 AM  
**To:** Bill McNulty  
**Subject:** FW: Aloha Customer Refund Escrow Account

**From:** MidgenBill [mailto:wscudero@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 7:18 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase, and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers, of then Aloha, have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Margaret Scudero  
 1430 Jutland Drive  
 Trinity, FL 34655

cc: [JHARTMAN@PSC.STATE.FL.US](mailto:JHARTMAN@PSC.STATE.FL.US)

Aloha Customer Refund Escrow Account Letter to PSC Commissioners

3/19/2009



## Ann Cole

---

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:00 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** rowe [mailto:microvent7@tampabay.rr.com]  
**Sent:** Wednesday, March 18, 2009 9:33 PM  
**To:** Nathan A. Skop  
**Subject:** From a customer of the former Aloha Utilities

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Sincerely,  
Former Aloha customer, thank goodness!

## Ann Cole

---

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:00 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** Andrea Nazzaro [mailto:[babygirlnazz@tampabay.rr.com](mailto:babygirlnazz@tampabay.rr.com)]  
**Sent:** Wednesday, March 18, 2009 10:24 PM  
**To:** Nathan A. Skop  
**Subject:** From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro  
1751 Winsloe Dr.  
Trinity, FL 34655  
[babygirlnazz@tampabay.rr.com](mailto:babygirlnazz@tampabay.rr.com)

## Ann Cole

---

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:00 PM  
**To:** Bill McNulty  
**Subject:** FW: Aloha Escrow Account

---

**From:** Ravensmom4@aol.com [mailto:Ravensmom4@aol.com]  
**Sent:** Wednesday, March 18, 2009 10:31 PM  
**To:** Nathan A. Skop  
**Subject:** Re: Aloha Escrow Account

I am a former Aloha customer and I want to protest Aloha's refusal to release the escrow monies that was set aside to improve the water. This is our money and should be released to clean up the problems we have with our water.

Patricia Cusumano  
1746 Citron Ct  
Trinity, FL 34655

---

Feeling the pinch at the grocery store? [Make dinner for \\$10 or less.](#)

**Ann Cole**

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**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:00 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** Steven Beisner [mailto:SBeisner@medquist.com]  
**Sent:** Thursday, March 19, 2009 7:46 AM  
**To:** Nathan A. Skop  
**Subject:** From a customer of the former Aloha Utilities

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

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In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

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refund held in escrow be released to a “rate stabilization escrow fund” to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

**Steve Beisner**

Project Manager  
Customer Support Services  
5430 Metric Place  
Suite 200  
Norcross, GA 30092  
Phone: 678.826.5692  
Fax: 856.879.6704  
Cell: 727.992.1713  
[sbeisner@medquist.com](mailto:sbeisner@medquist.com)  
[www.medquist.com](http://www.medquist.com)

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**Ann Cole**

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:01 PM  
**To:** Bill McNulty  
**Subject:** FW: from a customer of Aloha utilities

**From:** Joe Abelleira [mailto:abelleira@msn.com]  
**Sent:** Thursday, March 19, 2009 9:12 AM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** from a customer of Aloha utilities

To: PSC Commissioners

>  
 > I am writing to say that as a customer, I am delighted to finally be  
 > relieved of the unresponsive and negligent management of the Old Aloha  
 > Utilities. However, after the closing of the sale, I'm appalled to  
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 > documentation as is necessary and required to release" the customers'  
 > refund currently maintained in Account No. 3720776209 at AmSouth Bank  
 > to the old stockholders of Aloha Utilities.\* \*This request is totally  
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 > overpayment. On April 30, 2002 (7 years ago), the Commission issued  
 > Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate  
 > increase and ordered a refund of the interim rates. Of course Aloha  
 > appealed the Final Order as they did almost every action by the PSC  
 > over the past 10 years.  
 > On May 6, 2003, the First DCA affirmed the Commission's Final Order  
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 > increase, much less the required Phase II or Phase III. Aloha did not

3/19/2009

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- > problems. This escrow remains the customers' refund.
- > The intent of the Settlement Agreement was based on the good faith of
- > the implementation of the improvements within a two-year time period
- > as promised to the customers at signing. Aloha has now sold at an
- > extravagant profit. I as a customer suggest that the customers' refund
- > held in escrow be released to a "rate stabilization escrow fund" to
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- > condition, not to be released to the obsessive stockholders.

Sincerely,

Joe Abelleira  
7532 Cheltnam Ct.  
New Port Richey, FL 34655

**Ann Cole**

---

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 12:01 PM  
**To:** Bill McNulty  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** CARLEEN NARY [mailto:MsTabasco@verizon.net]  
**Sent:** Thursday, March 19, 2009 9:13 AM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** From a customer of the former Aloha Utilities

To: PSC Commissioners

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Carleen Nary  
1906 Terralyn Ln  
Trinity, FL 34655

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Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

3/19/2009

**Ann Cole**

---

**From:** Nathan A. Skop  
**Sent:** Thursday, March 19, 2009 1:25 PM  
**To:** Bill McNulty  
**Subject:** FW: from a customer of Aloha Utilitie

---

**From:** John Simmons [mailto:js-ss@hotmail.com]  
**Sent:** Thursday, March 19, 2009 1:02 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Subject:** from a customer of Aloha Utilitie

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order NO. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund. The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

John Simmons  
8144 Brumby Ct  
Trinity, FL 34655

---

Windows Live™ Contacts: Organize your contact list. [Check it out.](#)

3/19/2009

Katie Ely

060122

**From:** Ellen Plendl  
**Sent:** Thursday, March 19, 2009 9:24 AM  
**To:** Katie Ely  
**Cc:** Dorothy Menasco; Ann Cole  
**Subject:** emails

**Attachments:** FW: From a customer of the former Aloha Utilities; FW: From a customer of the former Aloha Utilities; FW: Aloha Customer Refund Escrow Account; RE: From a customer of the former Aloha Utilities; RE: From a customer of the former Aloha Utilities; RE: Aloha Customer Refund Escrow Account



FW: From a customer of the former Aloha Utilities; FW: From a customer of the former Aloha Utilities; FW: Aloha Customer Refund Escrow Account; RE: From a customer of the former Aloha Utilities; RE: From a customer of the former Aloha Utilities; RE: Aloha Customer Refund Escrow Account

060122-WU, 090120-WS.

Dockets 010503-WU, 060606-WS,

Emails received and responses sent.

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

**Katie Ely**

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**From:** Lois Graham  
**Sent:** Thursday, March 19, 2009 8:11 AM  
**To:** Ellen Plendl  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** Matthew Carter  
**Sent:** Thursday, March 19, 2009 7:36 AM  
**To:** William C. Garner; Lois Graham  
**Subject:** Fw: From a customer of the former Aloha Utilities

---

**From:** rowe <microvent7@tampabay.rr.com>  
**To:** Matthew Carter  
**Sent:** Wed Mar 18 21:33:09 2009  
**Subject:** From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?

Sincerely,  
Former Aloha customer, thank goodness!

**Katie Ely**

---

**From:** Lois Graham  
**Sent:** Thursday, March 19, 2009 8:12 AM  
**To:** Ellen Plendi  
**Subject:** FW: From a customer of the former Aloha Utilities

---

**From:** Matthew Carter  
**Sent:** Thursday, March 19, 2009 7:36 AM  
**To:** Lois Graham  
**Subject:** Fw: From a customer of the former Aloha Utilities

---

**From:** Andrea Nazzaro <babygirlnazz@tampabay.rr.com>  
**To:** Matthew Carter  
**Sent:** Wed Mar 18 22:25:29 2009  
**Subject:** From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro  
1751 Winsloe Dr.  
Trinity, FL 34655  
[babygirlnazz@tampabay.rr.com](mailto:babygirlnazz@tampabay.rr.com)

3/19/2009

**Katie Ely**

**From:** Lois Graham  
**Sent:** Thursday, March 19, 2009 8:12 AM  
**To:** Ellen Plendl  
**Subject:** FW: Aloha Customer Refund Escrow Account

---

**From:** Matthew Carter  
**Sent:** Thursday, March 19, 2009 7:37 AM  
**To:** William C. Garner; Lois Graham  
**Subject:** Fw: Aloha Customer Refund Escrow Account

---

**From:** MidgenBill <wscudero@tampabay.rr.com>  
**To:** Jean Hartman  
**Cc:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Sent:** Wed Mar 18 21:24:41 2009  
**Subject:** Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase, and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

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The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Margaret Scudero  
 1430 Jutland Drive  
 Trinity, FL 34655

cc: nskop@PSC.state.fl.us; nargenziano@PSC.state.fl.us; Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us

3/19/2009

**Katie Ely**

---

**From:** Ellen Plendl  
**Sent:** Thursday, March 19, 2009 9:08 AM  
**To:** 'microvent7@tampabay.rr.com'  
**Subject:** RE: From a customer of the former Aloha Utilities

microvent7@tampabay.rr.com

Dear Sir/Madam:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

**Katie Ely**

---

**From:** Ellen Plendl  
**Sent:** Thursday, March 19, 2009 9:08 AM  
**To:** 'babygirlnazz@tampabay.rr.com'  
**Subject:** RE: From a customer of the former Aloha Utilities

Ms. Andrea Nazzaro  
babygirlnazz@tampabay.rr.com

Dear Ms. Nazzaro:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)



**Katie Ely**

---

**From:** Ellen Plendl  
**Sent:** Thursday, March 19, 2009 9:09 AM  
**To:** 'wscudero@tampabay.rr.com'  
**Subject:** RE: Aloha Customer Refund Escrow Account

Ms. Margaret Scudero  
wscudero@tampabay.rr.com

Dear Ms. Scudero:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl  
Regulatory Specialist  
Florida Public Service Commission  
Division of Service, Safety, & Consumer Assistance  
1-800-342-3552 (phone)  
1-800-511-0809 (fax)

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 4:29 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Larry Harris; William C. Garner; Roberta Bass; Lorena Holley; Jean Hartman  
**Subject:** RE: A customer of Aloha utilities: Aloha request for escrow money

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

---

**From:** Bill McNulty  
**Sent:** Wednesday, March 18, 2009 3:41 PM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Larry Harris; William C. Garner; Roberta Bass; Lorena Holley; Jean Hartman  
**Subject:** FW: A customer of Aloha utilities: Aloha request for escrow money

Ann,  
Please place this in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.  
Thank You,  
Bill

Bill McNulty  
Chief Advisor to Commissioner Skop  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6028 (office)  
(850) 413-6029 (fax)  
bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE  
Administrative Parties Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

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**From:** HOWARD LEDDER <howlaine210@msn.com>  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** wayneforehand@verizon.net <wayneforehand@verizon.net>  
**Sent:** Wed Mar 18 11:58:43 2009  
**Subject:** A customer of Aloha utilities: Aloha request for escrow money  
Dear PSC members:

Aloha has supplied absolutely horrible water water to Trinity customers for 14 years. We may still have thousands of dollars in expenses if we develop leaks caused by their water. After all this heartache, insult & inconvenience ( I'd LOVE to be able to use my jacuzzi to help my arthritis!!) **now** they want the escrow money on top of the millions they just got for treating their customers like dirt for the last 14 years? If this is allowed it will be just one more terrible injustice to the customers. PLEASE do NOT allow this to occur.

Respectfully,  
Howard & Elaine Ledder  
1202 Arlinbrook Dr.  
Trinity Oaks

3/18/2009

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 4:28 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Jean Hartman  
**Subject:** RE: From An Aloha Customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

---

**From:** Bill McNulty  
**Sent:** Wednesday, March 18, 2009 3:40 PM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Jean Hartman  
**Subject:** FW: From An Aloha Customer

Ann,

Please place this in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

FPSC, CLK - CORRESPONDENCE  
Administrative Parties X Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION:

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**From:** Gary Franck [mailto:g.franck@verizon.net]  
**Sent:** Wednesday, March 18, 2009 3:13 PM  
**To:** Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop  
**Cc:** Jean Hartman  
**Subject:** From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

You folks know the details of the agreement to place customer funds in escrow better than I. However, I do know these funds belong to the customers of Aloha. They should either be refunded to us or continue to be held in escrow to offset some of the anticipated rate increases that are the result of making system improvements that should have been made years ago.

Thank you kindly for your consideration in addressing this "outrage".

3/18/2009

Respectfully submitted.

Gary Franck  
1118 Hominy Hill Dr  
Trinity, Fl.

3/18/2009

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**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 3:55 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Jean Hartman  
**Subject:** RE: From a customer of the former Aloha Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

**From:** Bill McNulty  
**Sent:** Wednesday, March 18, 2009 3:16 PM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Jean Hartman  
**Subject:** FW: From a customer of the former Aloha Utilities

Ann,

Please place this in the correspondence side of the docket file for the following dockets:  
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

FPSC, CLK - CORRESPONDENCE  
Administrative Parties / Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

**From:** bill.humphrey [mailto:bill.humphrey@earthlink.net]  
**Sent:** Wednesday, March 18, 2009 12:44 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter  
**Cc:** Jean Hartman  
**Subject:** From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey  
2120 Larchwood Court  
Trinity, FL 34655

727-808-4483

3/18/2009

**Ann Cole**

060127

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 3:14 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Larry Harris; Lorena Holley; William C. Garner; Roberta Bass; Jean Hartman  
**Subject:** RE: Aloha Wants Escrow Cash - SPTimes 3/18/09

Thanks, Bill. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

-----Original Message-----

**From:** Bill McNulty  
**Sent:** Wednesday, March 18, 2009 11:54 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Larry Harris; Lorena Holley; William C. Garner; Roberta Bass; Jean Hartman  
**Subject:** FW: Aloha Wants Escrow Cash - SPTimes 3/18/09

Ann,

Please place this in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,  
 Bill

Bill McNulty  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
 bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE  
 \_\_Administrative Parties X Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

-----Original Message-----

**From:** Hubert Fladung [<mailto:hubert.fladung@gmail.com>]  
**Sent:** Wednesday, March 18, 2009 8:10 AM  
**To:** Nancy Argenziano; Nathan A. Skop  
**Cc:** John - Chairman BWN Andrews; wayne forehand  
**Subject:** Aloha Wants Escrow Cash - SPTimes 3/18/09

Honorable Commissioners N. Kop, N. Argenziano,

Please make the right decision here. I think it is quite obvious who's money it is, otherwise you would have never held it in the escrow account.

3/18/2009

It is NOT Aloha's money, but to be used for the customers benefits.

Hubertus J Fladung  
1214 Trafalgar Dr  
New Port Richey, FL  
(727) 375-0879

The following article appears in the St. Petersburg Times,  
3/18/09, Pasco Times section, p1.

John Andrews  
CBWN Chairman

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### Aloha Wants Escrow Cash

The utility wants the \$375,000 it collected but did not use.  
Not so fast, say customers.

By Jodie Tillman, Times Staff Writer

In print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater

3/18/2009

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assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

Here's how the money ended up in the escrow account:

Back in March 2006, Aloha and representatives of its 25,000 customers in the Seven Springs and Trinity area entered into a settlement agreement to resolve a number of outstanding issues.

One of those issues: Aloha's appeal of a 2004 commission order to refund nearly \$300,000 to customers who had been paying temporary rate hikes that were ultimately not approved.

As part of the 2006 settlement, Aloha agreed to drop its appeal of the rate case and put the refund money into an interest-bearing account to help pay for an "anion exchange" treatment system intended to solve long-standing water quality problems.

The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.



The treatment system never got built, of course. And when the Florida Governmental Utility Authority bought Aloha's assets this year, that group scrapped the anion exchange treatment system, saying it had other plans for improving the water quality.

Lawyers for Aloha say that since the treatment system was abandoned, Aloha should get the escrow money, in part to defray what it had spent already on plans for the system. The company also says it would use the money to finish paying off commission fees and fines as well as Pasco County for work it did at Aloha's request.

"Aloha is legally entitled to the money," said lawyer William Sundstrom, who estimates his client spent roughly \$1 million on the plans. "It's not the customers' money, it's Aloha's."

Not so, say customers and Stephen Reilly, a lawyer from the Office of Public Counsel working on their behalf.

Reilly wrote in filings to the commission that customers agreed that Aloha would get the money only if and when construction of the treatment system was finished. He wrote that Aloha's investment "will be fully compensated" by the \$90.5 million sales price.

Trinity resident Wayne Forehand said he was "appalled" by Aloha's request. He said customers will ask the commission to keep the money in escrow to help cover other improvements. Their goal is to defray future rate increases that come with the authority's purchase of Aloha's assets.

"Let's use it for the good of the community," he said.

State Sen. Mike Fasano, R-New Port Richey, a customer and longtime critic of Aloha, said Tuesday that he would also fight the utility's request.

"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

-----  
Jodie Tillman can be reached at jtillman@sptimes.com or (727) 869-6247.

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<BR><BR><BR>\*\*\*\*\*<BR>Feeling the pinch at the grocery store? Make dinner for \$10 or less.  
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 3:03 PM  
**To:** Larry Harris  
**Cc:** Kay Posey; Lorena Holley; Roberta Bass; William C. Garner; Bill McNulty  
**Subject:** RE: Aloha Wants Escrow Cash - SPTimes 3/18/09

Sure thing. This will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

-----Original Message-----

**From:** Larry Harris  
**Sent:** Wednesday, March 18, 2009 9:27 AM  
**To:** Ann Cole  
**Cc:** Kay Posey; Lorena Holley; Roberta Bass; William C. Garner; Bill McNulty  
**Subject:** FW: Aloha Wants Escrow Cash - SPTimes 3/18/09

Ann, please place the following in the Aloha Dockets, which I believe are 060606-WS and 060122-WU. Thank you, Larry

-----Original Message-----

**From:** Hubert Fladung [<mailto:hubert.fladung@gmail.com>]  
**Sent:** Wednesday, March 18, 2009 8:10 AM  
**To:** Nancy Argenziano; Nathan A. Skop  
**Cc:** John - Chairman BWN Andrews; wayne forehand  
**Subject:** Aloha Wants Escrow Cash - SPTimes 3/18/09

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

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It is NOT Aloha's money, but to be used for the customers benefits.

Hubertus J Fladung  
1214 Trafalgar Dr  
New Port Richey, FL  
(727) 375-0879

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3/18/09, Pasco Times section, p1.

John Andrews

CBWN Chairman

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## Aloha Wants Escrow Cash

The utility wants the \$375,000 it collected but did not use.  
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By Jodie Tillman, Times Staff Writer

In print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

Here's how the money ended up in the escrow account:

Back in March 2006, Aloha and representatives of its 25,000 customers

in the Seven Springs and Trinity area entered into a settlement agreement to resolve a number of outstanding issues.

One of those issues: Aloha's appeal of a 2004 commission order to refund nearly \$300,000 to customers who had been paying temporary rate hikes that were ultimately not approved.

As part of the 2006 settlement, Aloha agreed to drop its appeal of the rate case and put the refund money into an interest-bearing account to help pay for an "anion exchange" treatment system intended to solve long-standing water quality problems.

The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.

The treatment system never got built, of course. And when the Florida Governmental Utility Authority bought Aloha's assets this year, that group scrapped the anion exchange treatment system, saying it had other plans for improving the water quality.

Lawyers for Aloha say that since the treatment system was abandoned, Aloha should get the escrow money, in part to defray what it had spent already on plans for the system. The company also says it would use the money to finish paying off commission fees and fines as well as Pasco County for work it did at Aloha's request.

"Aloha is legally entitled to the money," said lawyer William

Sundstrom, who estimates his client spent roughly \$1 million on the plans. "It's not the customers' money, it's Aloha's."

Not so, say customers and Stephen Reilly, a lawyer from the Office of Public Counsel working on their behalf.

Reilly wrote in filings to the commission that customers agreed that Aloha would get the money only if and when construction of the treatment system was finished. He wrote that Aloha's investment "will be fully compensated" by the \$90.5 million sales price.

Trinity resident Wayne Forehand said he was "appalled" by Aloha's request. He said customers will ask the commission to keep the money in escrow to help cover other improvements. Their goal is to defray future rate increases that come with the authority's purchase of Aloha's assets.

"Let's use it for the good of the community," he said.

State Sen. Mike Fasano, R-New Port Richey, a customer and longtime critic of Aloha, said Tuesday that he would also fight the utility's request.

"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

-----  
Jodie Tillman can be reached at [jtillman@sptimes.com](mailto:jtillman@sptimes.com) or (727) 869-6247.

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<BR><BR><BR>\*\*\*\*\*<BR>Feeling the pinch at the grocery store? Make dinner for \$10 or less.  
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Tuesday, March 17, 2009 5:38 PM  
**To:** Jean Hartman  
**Subject:** RE: From a customer of the OLD ALOHA Utilities

Thank you for this information. Unless otherwise instructed, I will place this in *Docket Correspondence - Consumers and their Representatives* for Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

**From:** Jean Hartman  
**Sent:** Tuesday, March 17, 2009 5:22 PM  
**To:** Ann Cole  
**Subject:** FW: From a customer of the OLD ALOHA Utilities

Ann - Could you please file a copy of Mr. Forehand's email in the Aloha dockets: 010503-WU, 060606-WS, 060122-WU, and 090120-WS. Thanks. Jean

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Tuesday, March 17, 2009 4:24 PM  
**To:** Jean Hartman  
**Cc:** Steve Reilly OPC  
**Subject:** Fw: From a customer of the OLD ALOHA Utilities

FPSC, CLK - CORRESPONDENCE  
Administrative Parties  Consumer  
DOCUMENT NO. 09-719-07  
DISTRIBUTION: \_\_\_\_\_

Forwarded as information.

From: Wayne Forehand in Trinity, Florida where we have 361 days with sunshine!

----- Original Message -----

**From:** wayne forehand

**To:** Katrina McMurrian PSC Commissioner ; L Edgar PSC Commissioner ; Matthew Carter PSC Commissioner ; Nancy Argenziano PSC Commissioner ; Nathan Skop PSC Commissioner

**Cc:** Senator Mike Fasano ; Steve Reilly OPC

**Sent:** Tuesday, March 17, 2009 4:20 PM

**Subject:** From a customer of the OLD ALOHA Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stock holders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago) the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU,

3/18/2009



including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of and facilitated by the PSC General Council. Paragraph 3 (d) of this Settlement agreed the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers refund monies were to be applied as CIAC until the Commission Issued its Final Order establishing Phase III rates and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements with in a 2 year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the Black water condition, not to be released to the obsessive stock holders.

Wayne Forehand  
1216 Arlinbrook Drive  
Trinity, FL 34655

**Ann Cole**

060122

**From:** Ann Cole  
**Sent:** Wednesday, March 18, 2009 5:29 PM  
**To:** Bill McNulty  
**Cc:** Cristina Slaton; Roberta Bass; Larry Harris; William C. Garner; Lorena Holley; Jean Hartman; Bart Fletcher  
**Subject:** RE: From a customer of the OLD ALOHA Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

**From:** Bill McNulty  
**Sent:** Wednesday, March 18, 2009 8:32 AM  
**To:** Ann Cole  
**Cc:** Cristina Slaton; Roberta Bass; Larry Harris; William C. Garner; Lorena Holley; Jean Hartman; Bart Fletcher  
**Subject:** FW: From a customer of the OLD ALOHA Utilities

Ann,

Please place this in the correspondence side of Docket Nos. 060122-WU and 060606-WS.

Thanks,  
 Bill

*Bill McNulty*  
 Chief Advisor to Commissioner Skop  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0855  
 (850) 413-6028 (office)  
 (850) 413-6029 (fax)  
 bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

**From:** wayne forehand <wayneforehand@verizon.net>  
**To:** Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
**Cc:** Senator Mike Fasano <FASANO.MIKE.S11@flsenate.gov>; Steve Reilly OPC <reilly.steve@leg.state.fl.us>  
**Sent:** Tue Mar 17 16:20:18 2009  
**Subject:** From a customer of the OLD ALOHA Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stock holders of Aloha

3/18/2009

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Wayne Forehand  
1216 Arlinbrook Drive  
Trinity, FL 34655

060122

STATE OF FLORIDA

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

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# Public Service Commission

November 19, 2008

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DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Mr. Wayne Forehand  
1216 Arlinbrook Drive  
New Port Richey, FL 34655

**Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.**

**DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.**

Dear Mr. Forehand:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6193.

Sincerely,

for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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060122

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KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



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MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

Public Service Commission

November 19, 2008

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Brian P. Armstrong  
Nabors Law Firm  
c/o Florida Governmental Utility Authority  
1500 Mahan Drive, Suite 200  
Tallahassee, FL 32308

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 Administrative  Parties  Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Armstrong:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

*Jean E. Hartman*  
for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

060122

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
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GENERAL COUNSEL  
(850) 413-6199

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Public Service Commission

November 19, 2008

Richard Power  
1534 Haverhill Drive  
New Port Richey, FL 34655

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 Administrative  Parties  Consumer  
DOCUMENT NO. 09119-08  
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Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Power:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

*Jean E. Hartman*  
for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

060122

STATE OF FLORIDA

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

Public Service Commission

November 19, 2008

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Pasco Health Investors, LLC  
4415 Pheasant Ridge Road, Suite 301  
Roanoke, VA 24014

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 Administrative  Parties  Consumer  
DOCUMENT NO. 09119-07  
DISTRIBUTION:

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Pasco Health Investors:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

060122

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

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Public Service Commission

November 19, 2008

Bruce May  
Holland & Knight Law Firm  
315 South Calhoun Street, Suite 600  
Tallahassee, FL 32301

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. May:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6193.

Sincerely,

*Jennifer Brubaker*  
for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)



060122

STATE OF FLORIDA

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

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Public Service Commission

November 19, 2008

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DOCUMENT NO. 09119-07  
DISTRIBUTION: \_\_\_\_\_

Mr. John H. Gaul  
1120 N.W. 5<sup>th</sup> Avenue  
Delray Beach, FL 33444

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Gaul:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6193.

Sincerely,

for Jean E. Hartman  
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Thursday, April 10, 2008 8:01 AM  
**To:** Roberta Bass  
**Cc:** William C. Garner; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** FW: From An Aloha Customer

FPSC, CLK - CORRESPONDENCE  
 \_\_\_Administrative\_\_\_ Parties  Consumer  
 DOCUMENT NO. 09119-07  
 DISTRIBUTION: \_\_\_\_\_

Hey, Roberta.

This emails corrects a typographical error. This correspondence will be placed in Docket Nos. 060606-WS and 060122-WU, as instructed.

---

**From:** Ann Cole  
**Sent:** Wednesday, April 09, 2008 5:11 PM  
**To:** Roberta Bass  
**Cc:** William C. Garner; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** RE: From An Aloha Customer

Thanks, Roberta.

This email will be placed in *Docket Correspondence - Consumers and their representatives*, in Docket Nos. 060606-WS and 080121-WS tomorrow morning.

-----Original Message-----

**From:** Roberta Bass  
**Sent:** Wednesday, April 09, 2008 4:26 PM  
**To:** Ann Cole  
**Cc:** William C. Garner; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** FW: From An Aloha Customer

Please place this correspondence in Docket Nos. 060606-WS and 060122-WU. Thank you.

Roberta

Roberta S. Bass  
 Chief Advisor to Commissioner Edgar

Florida Public Service Commission  
 2540 Shumard Oak Blvd  
 Tallahassee, Florida 32399-0854

Office (850) 413-6016  
 Fax (850) 413-6017  
 Email Roberta.Bass@PSC.STATE.FL.US

----- Original Message -----

**From:** Sheila Forehand <sheilaforehand@verizon.net>  
**To:** Nathan Skop <nscop@PSC.state.fl.us>; Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano  
**Sent:** Wed Apr 09 16:14:01 2008  
**Subject:** From An Aloha Customer

4/10/2008

April 9, 2008

Dear Commissioners:

Thank you to each and every one of you for acknowledging the concerns that customers have expressed about Aloha Utilities.

Fining Aloha Utilities \$15,000 rather than \$5,000 was fair and appropriate.

I have lived with their water and the problems that come with it for 14 years now. Even now, the water consistently smells bad – more consistently than in the past. We customers wonder if Aloha is exercising good maintenance techniques, knowing that discussions about a sale are taking place.

Sheila Forehand

1216 Arlinbrook Drive

Trinity, FL 34655

sheilaforehand@verizon.net

4/10/2008

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Wednesday, April 09, 2008 1:05 PM  
**To:** Kimberley Pena; Cathi Lindsley  
**Subject:** PSC Letter Of Protest

Ryder Rudd has informed me that an attachment letter was not filed with the Commission.

Cathi, please file this information in the correspondence file.

-----Original Message-----

From: Ryder Rudd  
Sent: Wednesday, February 27, 2008 12:17 PM  
To: Ann Cole  
Subject: Re: PSC Letter Of Protest

Okay, I will hunt it down.

----- Original Message -----

From: Ann Cole  
To: Ryder Rudd  
Sent: Wed Feb 27 12:16:09 2008  
Subject: RE: PSC Letter Of Protest

Hey Ryder, The original email mentions an attachment letter. If you would like the email you sent me, and its attachment, placed in the correspondence docket, I will need more information (or clarification).

Thank you.

-----Original Message-----

From: Ryder Rudd  
Sent: Wednesday, February 27, 2008 9:26 AM  
To: Ann Cole  
Subject: FW: PSC Letter Of Protest

Ryder  
(850) 413-6800 (office)  
(850) 210-3223 (mobile)

-----Original Message-----

From: Richard [mailto:db\_design@hotmail.com]  
Sent: Wednesday, February 27, 2008 9:23 AM  
To: wayne forehand  
Cc: Ryder Rudd  
Subject: Re: PSC Letter Of Protest

Wayne ... I will do that ... do you want me to send anything now?  
I am all for letting everybody know that we are ticked off

----- Original Message -----

From: "wayne forehand" <wayneforehand@verizon.net>  
To: "Richard" <db\_design@hotmail.com>  
Sent: Wednesday, February 27, 2008 8:56 AM  
Subject: Re: PSC Letter Of Protest

> Richard  
>  
> Perhaps we need to include: Ryder Rudd" <RRUDD@PSC.STATE.FL.US> in  
> communications.

**FPSC, CLK - CORRESPONDENCE**  
Administrative Parlee  Consumer  
**DOCUMENT NO. 09119-07**  
**DISTRIBUTION:** \_\_\_\_\_

>  
>  
> From: Wayne Forehand in Trinity Florida!  
> ----- Original Message -----  
> From: "Richard" <db\_design@hotmail.com>  
> To: "Governor Charlie Crist" <Charlie.Crist@eog.myflorida.com>; "John  
> Andrews" <swerdnaj@aol.com>; "Wayne Forehand"  
> <wayneforehand@verizon.net>  
> Sent: Wednesday, February 27, 2008 6:59 AM  
> Subject: Re: PSC Letter Of Protest  
>  
>  
>> John and Wayne ... this was my uncaring reply from the Governor's office.  
>> I guess his claims to being a "peoples" governor are just political  
>> words.  
>>  
>> Richard  
>>  
>> ----- Original Message -----  
>> From: "Governor Charlie Crist" <Charlie.Crist@eog.myflorida.com>  
>> To: "Richard" <db\_design@hotmail.com>  
>> Sent: Tuesday, February 26, 2008 3:58 PM  
>> Subject: RE: PSC Letter Of Protest  
>>  
>>  
>> Dear Richard:  
>>  
>> Thank you for contacting Governor Charlie Crist. The Governor  
>> appreciates your concerns and asked me to respond on his behalf.  
>>  
>> As you may know, the agency that regulates public utilities is the  
>> Public Service Commission (PSC), which is an arm of the legislative  
>> branch of government and therefore, not under the administrative  
>> authority of the Governor's office. Please continue working with  
>> this agency. I am forwarding a copy of your email to them for review  
>> and response. If you have questions, please call the Public Service  
>> Commission at 1-800-342-3552, or use the contact information provided below:  
>>  
>> Florida Public Service Commission  
>> 2540 Shumard Oak Boulevard  
>> Tallahassee, Florida 32399-0850  
>> (850) 413-6100  
>>  
>> Thank you again for contacting the Governor's office. For  
>> information about the Governor's initiatives and to subscribe to his  
>> weekly "Notes from the Capitol" newsletter, please visit our Web site at [www.flgov.com](http://www.flgov.com).  
>>  
>> Sincerely,  
>>  
>>  
>> Julie A. Jordan  
>> Office of Citizen Services  
>>  
>>  
>> -----Original Message-----  
>> From: Richard [mailto:db\_design@hotmail.com]  
>> Sent: Tuesday, February 19, 2008 8:52 AM  
>> To: FASANO.MIKE.WEB; Governor Charlie Crist; Wayne Forehand  
>> Subject: PSC Letter Of Protest  
>>  
>>  
>> Attachment Letter to the PSC Commissioners  
>>  
>> Richard  
>>  
>  
>

**Tracking:**

**Recipient**  
Kimberley Pena  
Cathi Lindsley

**Read**

Read: 4/9/2008 1:09 PM

**Ann Cole**

**From:** Ann Cole  
**Sent:** Monday, March 24, 2008 2:03 PM  
**To:** Bridget Groom  
**Subject:** RE: Aloha Water unhappy customer

PPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Consumer
DICTIONARY NO. 09119-07		
DISTRIBUTION		

Thanks, Bridget.

We will place this information in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

---

**From:** Bridget Groom  
**Sent:** Monday, March 24, 2008 1:55 PM  
**To:** Ann Cole  
**Subject:** FW: Aloha Water unhappy customer

Ann,

Could you enter this into the correspondence side of docket 060122-WU (Aloha)? Thank you.

Bridget

---

**From:** Richard [mailto:db\_design@hotmail.com]  
**Sent:** Tuesday, March 18, 2008 5:21 PM  
**To:** Office of Commissioner Skop  
**Subject:** Aloha Water unhappy customer

Nathan ... I just wanted to let you know that I filed the following complain at the PSC ...

In changing my whole-house water filter today (March 18, 2007), to my amaze there were large pieces of Kleenex caught in the filter. Of course the filter was still black and sulfur smelling. I have saved the filter and its contents if you would like to send an individual from your organization to review the contents first hand. Luckily the filter stopped this junk before getting into our water pipes. This is just another failure from Aloha Utilities.

Now lets see if the PSC does anything about it. Normally, the PSC does nothing about my complaints.

Richard Power

060122

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, March 19, 2008 7:41 AM  
**To:** Office Of Commissioner Edgar  
**Subject:** RE: Customer Protest Concerning Aloha Utilities Rate Increase

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, in Docket Nos. 060122-WU and 060606-WS today.

---

**From:** Office Of Commissioner Edgar  
**Sent:** Tuesday, March 18, 2008 4:27 PM  
**To:** Ann Cole  
**Cc:** William C. Garner; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** FW: Customer Protest Concerning Aloha Utilities Rate Increase

Please place in Docket Nos. 060122-Wu and 060606-WS. Thank you.

*Roberta*

Roberta S. Bass  
Chief Advisor to Commissioner Edgar

Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, Florida 32399-0854

Office (850) 413-6016  
Fax (850) 413-6017  
Email Roberta.Bass@PSC.STATE.FL.US

---

**From:** Richard [mailto:db\_design@hotmail.com]  
**Sent:** Wednesday, March 12, 2008 8:52 PM  
**To:** Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of the Chairman; Office of Commissioner McMurrian; Office of Commissioner Skop; Ryder Rudd  
**Cc:** Wayne Forehand  
**Subject:** Customer Protest Concerning Aloha Utilities Rate Increase

*Richard L. Power*

---

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006  
email db\_design@hotmail.com

March 12, 2008

3/19/2008



PSC Commissioners  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Ref: Docket No. 060122-WU -- Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to **PROTEST** your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

1. The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

Page 2 – Protest to Aloha's Rate Increase – Docket No. 060122-WU

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,

A rectangular box with a small 'x' icon in the top-left corner, indicating a redacted signature.

Richard Power

Electronic Signature for Purposes of Expediting Response

CC: Wayne Forehand via email

3/19/2008



**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Thursday, March 13, 2008 8:17 AM  
**To:** Ryder Rudd  
**Subject:** RE: Customer Protest Concerning Aloha Utilities Rate Increase  
**Tracking: Recipient Read**  
Ryder Rudd Read: 3/13/2008 8:18 AM

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be filed in *Docket Correspondence - Consumers and their representatives*, in Docket No. 060122-WU.

-----Original Message-----

**From:** Ryder Rudd  
**Sent:** Thursday, March 13, 2008 7:04 AM  
**To:** Ann Cole  
**Subject:** Fw: Customer Protest Concerning Aloha Utilities Rate Increase

----- Original Message -----

**From:** Richard <db\_design@hotmail.com>  
**To:** Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of the Chairman; Office of Commissioner McMurrian; Office of Commissioner Skop; Ryder Rudd  
**Cc:** Wayne Forehand <wayneforehand@verizon.net>  
**Sent:** Wed Mar 12 20:51:46 2008  
**Subject:** Customer Protest Concerning Aloha Utilities Rate Increase

Richard L. Power

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006

email db\_design@hotmail.com

March 12, 2008

PSC Commissioners

Florida Public Service Commission

2540 Shumard Oak Blvd.

Tallahassee, FL 32399-0850

Ref: Docket No. 060122-WU – Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by

3/13/2008

Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to PROTEST your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

1. The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

Page 2 – Protest to Aloha's Rate Increase – Docket No. 060122-WU

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,

Richard Power

Electronic Signature for Purposes of Expediting Response

CC: Wayne Forehand via email

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Friday, March 07, 2008 3:20 PM  
**To:** Tim Devlin  
**Cc:** Kay Posey  
**Subject:** RE: Rate increase - from an Aloha customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

---

**From:** Tim Devlin  
**Sent:** Friday, March 07, 2008 3:00 PM  
**To:** Ann Cole  
**Cc:** Kay Posey  
**Subject:** FW: Rate increase - from an Aloha customer

Ann, please place in the docket file. We were not aware of this particular email until now.

---

**From:** Tim Devlin  
**Sent:** Friday, March 07, 2008 2:58 PM  
**To:** 'glpjr@verizon.net'  
**Subject:** RE: Rate increase - from an Aloha customer

Dear Grady and Julie Peeler:

First, I apologize for the lateness of this email.

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately owned utilities in counties that have not approved County rate regulation.

A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the

3/7/2008

Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the County. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,

Tim Devlin

---

**From:** Grady Peeler [mailto:glpjr@verizon.net]  
**Sent:** Sunday, February 17, 2008 6:21 PM  
**To:** Katrina McMurrin; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
**Cc:** FASANO.MIKE.S11  
**Subject:** Rate increase - from an Aloha customer

Commissioners:

As you all are aware, for several years Aloha Utilities has provided its customers memorably bad service and frequently putred, odorific, black water. As a result of the sulfuric content and particulate matter, I am never quite sure what will come out the tap, so I invested in a water purifier. I wish I could send you my monthly filters so you could see what treats those without cleaning systems are ingesting. I have lived literally all over the United States. I had to come to Aloha Water's territory to finally, for the first time, find water I am afraid to even give my dog, unless filtered and micro-scrubbed to remove the nasty stuff. My dog licks other dogs' butts, but even he refuses to drink Aloha water, ever since I gave him an alternative.

Adding to the poor water quality, Aloha has been downright testy, evasive, and uncooperative with its customers as they sought to correct the many problems of Aloha's service and water quality. I thought this was pretty bad, but even worse is their refusal to carry out agreements that the Commissioners oversaw and signed on to as measures to correct the problems. I say "refusal" because when a company continually sandbags you, doesn't

3/7/2008

keep meetings, and doesn't deliver reports, or the agreed upon solution within the time agreed upon, you ought to be concluding that they have no more respect for your Commission than they do their customers, people like me.

Given what a surly, low water quality providing miscreant Aloha is, imagine my surprise when I learned that you all had awarded Aloha a 100% rate increase based on their future compliance with measures they were to have already accomplished quite some time ago. It is as though you are rewarding them for making their customers' lives very difficult, and for all their lies, misrepresentations, procrastinations, and delaying tactics throughout the years, not to mention providing them the opportunity once again to charge high rates for what they will promise to *deliver and will not*. Frankly, if Aloha was a business and not a monopoly, operating under the protection of your Commission, they would have been out of business years ago, replaced by a water company committed to even minimal service and water quality.

I am not pleased with you all on the Commission. YOU ALL are supposed to be watching out for us, to be OUR representatives to insure good service and quality water, and to protect us from companies like Aloha Water. Yet, we find you not only NOT protecting us, but helping to ENRICH the individuals who prey on us. We have nowhere else to turn except to your Commission, in the hope that you will do your jobs. Instead of doing your jobs with a view toward protecting our interests, you approve a 100% rate increase for the very people who are determined to continue their same dishonorable behavior.

It is my opinion that Aloha Water, for years, has refused to clean up both its conduct and water because they know they can count on you all on the Commission to do their bidding. Please change course and, instead, do the bidding of Aloha's customers and the people who you are obligated to represent. We aren't seeking anything extraordinary. We'd just like to have a reputable water service provide our water to us so we can have high quality water that is commensurate with the rates we are charged, and so we, our children, and, yes, even my dog, don't have to worry about our health. It would be great, too, if we had a company who didn't think "customer service" was a derogatory term.

**I hope that you will reconsider this rate increase, rescind it, and, instead, bring the strongest possible sanctions to bear on this lousy provider of service and water.**

Grady & Julie Peeler  
Trinity, FL 34655

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, March 05, 2008 8:17 AM  
**To:** Ryder Rudd  
**Subject:** RE: "Ruling goes against Aloha" - Suncoast News

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION:		

Thank you for this information, which will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

-----Original Message-----

From: Ryder Rudd  
 Sent: Wednesday, March 05, 2008 7:52 AM  
 To: Ann Cole  
 Subject: Fw: "Ruling goes against Aloha" - Suncoast News

----- Original Message -----

From: FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>  
 To: +SDIST11 (Sen & Staff) <?+SDIST11Sen&Staff@leg.state.fl.us>; tcouet@rpof.org <tcouet@rpof.org>; wayne forehand <wayneforehand@verizon.net>; Ryder Rudd  
 Sent: Wed Mar 05 06:57:33 2008  
 Subject: "Ruling goes against Aloha" - Suncoast News

Ruling Goes Against Aloha

<[http://ads.mgnetwork.com/RealMedia/ads/click\\_ix.ads/www.tbo.com/pasco/story.htm/2140633236/Position2/default/empty](http://ads.mgnetwork.com/RealMedia/ads/click_ix.ads/www.tbo.com/pasco/story.htm/2140633236/Position2/default/empty)>  
 <[http://ads.mgnetwork.com/RealMedia/ads/click\\_nx.ads/www.tbo.com/pasco/story.htm@Position2?x](http://ads.mgnetwork.com/RealMedia/ads/click_nx.ads/www.tbo.com/pasco/story.htm@Position2?x)>

By CHRISTIAN M. WADE, The Tampa Tribune

Published: March 5, 2008

**NEW PORT RICHEY** - The Florida Public Service Commission on Tuesday ruled that Aloha Utilities cannot force a local restaurant owner to pay for installing a new reclaimed water line, ending a contentious, yearlong battle between the two parties.

Commissioners voted unanimously that Alli Gators Florida Grill, represented by Warren Dunphy of Realm Management, should not have to pay \$300,000 to construct a 2,000-foot line serving the restaurant and other nearby commercial properties.

"I just don't think you have the authority to force them to install the line," PSC Commissioner Nancy Argenziano said. "The state statutes on this issue are clear."

Marshall Deterding of Aloha said mandates from the Florida Department of Environmental Protection and Southwest Florida Water Management District require the private New Port Richey-based utility to provide reclaimed water to all new developments.

"Our state permits require us to use reclaimed water," he told the PSC board Tuesday.

He warned that not requiring the developer to pay would mean the installation cost would have to be absorbed by other customers on the reclaimed water system.

"It's going to increase water costs," Deterding said. "They're all going to pay more."

The dispute dates back to 2006, when Dunphy began developing the Little Road plaza, which includes the restaurant and bar as well as two adjacent medical office buildings.

Dunphy signed an agreement with Aloha requiring him to construct a reclaimed water line from his property to an existing line, but the contract didn't outline project costs.

3/5/2008



Before it hooked up water and wastewater services to the restaurant, Aloha required Dunphy to provide a letter of credit for \$300,000.

Dunphy objected, arguing that he was being forced to pay more than his fair share given that his \$6 million development would be using only 5 percent of the water.

In April he filed a complaint with the PSC.

Aloha had offered to help Realm handle those costs by collecting fees from new development in the area over the next five years and refunding some of the money. The fees would be based on how much reclaimed water each new customer used.

But Realm's attorney Floyd Self said there's no indication that future development is coming to the area. He said Aloha's offer was nothing more than an empty gesture.

"It's a promise that is never going to be fulfilled," he told the PSC board.

Reclaimed water is treated wastewater from sewage treatment plants that's typically used for residential and commercial agricultural purposes such as lawn and flower bed irrigation.

Tampa Bay Water managers and state regulators envision that reclaimed water will replace drinking water for irrigation by 2025 as part of a statewide conservation effort.

The conflict between Aloha and Realm highlights how such state mandates are likely to cause disputes between commercial developers and utilities over who should foot the bill for expanding reclaimed water systems. In this case, the PSC sided with the developer.

Aloha serves about 25,000 water and wastewater customers in the Trinity and Seven Springs areas of west Pasco County and in recent years has been expanding its commercial service area.

Reporter Christian M. Wade can be reached at (727) 815-1082 or [cwade@tampatrib.com](mailto:cwade@tampatrib.com).

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, March 04, 2008 8:52 AM  
**To:** Lorena Holley  
**Cc:** Kay Posey  
**Subject:** RE: From an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

**From:** Lorena Holley  
**Sent:** Monday, March 03, 2008 5:41 PM  
**To:** Ann Cole  
**Cc:** Kay Posey  
**Subject:** FW: From an Aloha Utilities customer

Ann - Please place the attached e-mail correspondence in the appropriate Aloha docket file if not already done so. Thank you!

Lorena A. Holley  
 Chief Advisor to Commissioner McMurrian  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, Florida 32399-0850  
 (850) 413-6040 (telephone)  
 (850) 413-6023 (facsimile)  
 (850) 273-0633 (mobile)  
 lorena.holley@psc.state.fl.us

**From:** Katrina McMurrian  
**Sent:** Sunday, March 02, 2008 3:16 PM  
**To:** Lorena Holley  
**Subject:** FW: From an Aloha Utilities customer

Lorena, I am unsure whether Mr. Forehand is talking about the cancelled inspection right after our Agenda consideration or another more recent scheduled inspection. Can you please find out? Also, please make sure this is placed in the appropriate docket file as necessary. Thanks, Katrina

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Sat 3/1/2008 10:42 AM  
**To:** wayne forehand; Nathan A. Skop; Nancy Argenziano; Matthew Carter; Lisa Edgar; Katrina McMurrian  
**Cc:** Senator Mike Fasano; Michael Cooke; John - Chairman BWN Andrews; Tom Anderson Representative; Steve Reilly OPC  
**Subject:** Re: From an Aloha Utilities customer

3/4/2008

From: Wayne Forehand in Trinity Florida!

----- Original Message -----

**From:** wayne forehand

**To:** Nathan Skope PSC Commissioner ; Nancy Argenziano PSC Commissioner ; Matthew Carter PSC Commissioner ; L Edgar PSC Commissioner ; Katrina McMurrian PSC Commissioner

**Cc:** Senator Mike Fasano ; Michael Cooke PSC General Counsel ; John - Chairman BWN Andrews ; Tom Anderson Representative ; Steve Reilly OPC

**Sent:** Friday, February 15, 2008 3:20 PM

**Subject:** From an Aloha Utilities customer

To: PSC commissioners;

I am forwarding the emails below from Catherine and Joseph Lanza and from Ken Tucker directly to you as information. These are just some of many communications I have received. They clearly demonstrate the upset within the community down here in the Aloha Utilities area of Pasco County.

On Tuesday, the Aloha Utilities President agreed to allow Steve Reilly of the OPC and the OPC water consultant to do a site review two days after the agenda conference. Yet once again, after Steve Reilly and water consultant Ken Hatcher arrived in Pasco County to do this, Aloha abruptly refused the visit with the excuse that the Aloha consultant from Jacksonville could not be available to accompany them. Is no one else besides a consultant who is located four hours away qualified to provide such a tour? We believe that Mr. Watford, the company president, would be knowledgeable about his water operation and be qualified to lead a tour and unlock gates at the facilities. Further, we also know that the utility is required to have "Certified Water Operators" working for them who clearly would also be able to provide the tour and unlock the gates. Remember, please, the OPC visits in November, December and again in January were also cancelled. This inconsiderate and arrogant action by the utility is appalling to me and should be appalling to each of you also.

In closing, the customers feel that their interest have been neglected and I request reconsideration of the rate increase granted by the PSC to the utility on Tuesday and that enforcement actions against this utility begin.

Respectfully requested,

From: Wayne Forehand in Trinity Florida!

---

----- Original Message -----

**From:** "joseph lanza" <jlanza@westnet.com>

**To:** <contact@psc.state.fl.us>; "FASANO.MIKE.S11"

<FASANO.MIKE.S11@flsenate.gov>; <fasano.mike.web@flsenate.gov>; "Wayne Forehand" <wayneforehand@verizon.net>

**Sent:** Thursday, February 14, 2008 7:04 PM

**Subject:** complaint to PSC

- > Cheers PSC commissioners and staff,
- > Aloha reneged on an agreement to allow our representatives inspect their
- > facilities today. This follows permission by the you to raise our rates
- > 100% on Feb 12th and it was
- > part of this agreement that the Office of Public Counsel and their

3/4/2008

> engineer could inspect Aloha's disgusting facilities. There will not be  
 > a true up for two years so we have to brace for even more outrageous  
 > behavior by this corporate miscreant.  
 > Don't ask me what a true up is because it is something that the staff of  
 > PSC made it up to appear to be holding Aloha to some standard. This  
 > agreement is not worth the paper that it is written on. I will ask the OPC  
 > to protest your action @Aloha on Feb. 12th. Only one of the commissioners  
 > seems not to have fallen off the cabbage truck, in other words, the  
 > Commission of the PSC and staff are -naive!!!! I am convinced that I will  
 > be paying 100% more for bad water from Aloha because they will never open  
 > the faucet for Pasco County water. The action of the PSC means that we  
 > will paying more for Aloha's disgusting black smelly water. Thank you very  
 > much, fellow citizens of Florida.  
 >  
 > Ciao,  
 > Catherine and Joseph Lanza  
 > 7450 Evesborough Lane,  
 > New Port Richey, Florida 34655

---

----- Original Message -----

From: <[contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)>

To: <[webmaster@psc.state.fl.us](mailto:webmaster@psc.state.fl.us)>

Cc: <[ken@timeline1.com](mailto:ken@timeline1.com)>

Sent: Wednesday, February 13, 2008 10:24 AM

Subject: My contact

Contact from a Web user

Contact Information:

Name: Ken Tucker

Company:

Primary Phone: 727-236-8494

Secondary Phone:

Email: [ken@timeline1.com](mailto:ken@timeline1.com)

Response requested? No

CC Sent? Yes

Comments:

To the five members of the commission. On behalf 25,000 users of Aloha Water, of which 90 plus percent who are senior citizens and mostly on fixed incomes, we would like to thank you all for siding with a rogue utility who provides just short of substandard water to us. And, thank you again for siding with a utility regarding a very serious health issue. Aloha Utilities once again proved that lawyers carry more power than the people who vote people into office. And finally, once again thank you for trusting a company that makes promises but never carries them through. The commission has truly shown the people where they stand. You don't need to use their water to cook, shower and drink like we do!

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
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**Ann Cole**

**From:** Ann Cole  
**Sent:** Thursday, February 28, 2008 11:54 AM  
**To:** Katrina McMurrian; Michael Cooke; Jean Hartman; Lorena Holley  
**Subject:** RE: "Pasco in bid to buy utilities... at top of list is Aloha" "The deal temporarily halts Aloha's plan for a \$6-million "anion exchange" system to clean up its water supply." - St. Petersburg Times

Unless otherwise instructed, this will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

Thank you.

---

**From:** Katrina McMurrian  
**Sent:** Thursday, February 28, 2008 10:45 AM  
**To:** Michael Cooke; Jean Hartman; Lorena Holley  
**Cc:** Ann Cole  
**Subject:** FW: "Pasco in bid to buy utilities... at top of list is Aloha" "The deal temporarily halts Aloha's plan for a \$6-million "anion exchange" system to clean up its water supply." - St. Petersburg Times

---

**From:** FASANO.MIKE.S11 [mailto:FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Thursday, February 28, 2008 9:33 AM  
**To:** Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Chairman Carter & Staff; Ann Cole; wayne forehand; Ryder Rudd; GIORDANO.GREGORY.S11; Tim Devlin; wayne forehand; REILLY.STEVE; REILLY.STEVE  
**Subject:** "Pasco in bid to buy utilities... at top of list is Aloha" "The deal temporarily halts Aloha's plan for a \$6-million "anion exchange" system to clean up its water supply." - St. Petersburg Times

**"The deal temporarily halts Aloha's plan for a \$6-million "anion exchange" system to clean up its water supply."**

## **Pasco in bid to buy utilities**

**Troubled Aloha leads a list of four.**

By Chuin-Wei Yap, Times Staff Writer  
 Published February 28, 2008

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NEW PORT RICHEY - Commissioners voted Wednesday to join a multicounty agency that specializes in acquiring private water companies.

Its first order of business is to pursue a buyout of Aloha Utilities, Mad Hatter Utility, Lindrick Service Corp. and Holiday Utility.

At the top of the list is Aloha, which residents say is years late in cleaning up the smelly, discolored water it sometimes delivers to 25,000 customers

in southwest Pasco.

The agency, the Florida Governmental Utility Authority, is a nonprofit association of nine county and three city governments, created in 1999 when Sarasota County sought to buy out Avatar Utilities. It's controlled by a board of directors with one representative per member government, staffed by a contracted manager with the sole task of buying and running private utilities for local governments.

Commissioners agreed Wednesday to pay the agency's \$238,700 fee to work on Pasco's buyout plan.

The move signals shifting sentiment on the prospect of Aloha's sale to Pasco.

"In the past, we sent letters but they said they didn't want to sell," County Administrator John Gallagher told commissioners. "But recently they've decided that they want to sell....But we just don't have time to go through that long detailed negotiation."

William Sundstrom, Aloha's attorney, was more reserved about the proposal. "We are neither in favor of nor opposed to this," he said.

The deal temporarily halts Aloha's plan for a \$6-million "anion exchange" system to clean up its water supply.

Residents say they don't object to this new delay, as Aloha has been late anyway in delivering the fix.

Bob Nabors, counsel for the utility authority, said he plans to return to the County Commission in four months with a tentative purchase price for Aloha.

What happens next, depending on the outcome of public hearings, could go something like this:

If the authority agrees on a purchase price with Aloha and Pasco, it floats bonds for the purchase, to be repaid with revenues from the utility. The county then has the option to take control of Aloha any time from the authority, under the same financing arrangements.

This model has worked in six utility purchases since 1999, Nabors said.

As a guiding principle, which doesn't amount to a commitment, customers will not see any rate increases for at least five years, Nabors said.

This means Aloha may not get the 100 percent rate increase it recently won from the Florida Public Service Commission. That deal depended on tying into Pasco's water system to feed Aloha's growing service area.

If the purchase goes through, the authority will open an office in Pasco County to handle customers, Nabors said.

"We will put a full court press on this project," Nabors said. "Our challenge is to move as quickly as we can but with prudence. We don't want to be rushed into any deal."

*Chuin-Wei Yap can be reached at [cyap@sptimes.com](mailto:cyap@sptimes.com) or (813) 909-4613.*

**In other news:**

Commissioners approved an interlocal agreement with the school district. The two sides sidestepped disagreements on who should pay for road improvements off school sites by setting an appeal process: Unresolved disputes will go to the county administrator and schools superintendent; then to a two-person committee comprised of one commissioner and one school board member; and, if all else fails, the courts.

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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

February 27, 2008

Ms. Elaine Ledder  
1202 Arlinbrook Drive  
New Port Richey, FL 34655

Dear Ms. Ledder:

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DOCUMENT NO. 09119-07		
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COMMISSION  
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There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha, signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately-owned utilities in counties that have not approved county rate regulation.

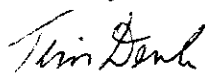
A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the county. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

Ms. Elaine Ledder  
Page 2  
February 27, 2008

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano  
Chairman Matthew M. Carter II  
Commissioner Lisa Polak Edgar  
Commissioner Katrina J. McMurrin  
Commissioner Nancy Argenziano  
Commissioner Nathan A. Skop



COMMISSIONERS:  
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NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

# Public Service Commission

February 27, 2008

Mr. William Scudero  
1430 Jutland Drive  
New Port Richey, FL 34655

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Dear Mr. Scudero:

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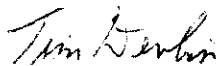
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Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

Mr. William Scudero  
Page 2  
February 27, 2008

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano  
Chairman Matthew M. Carter II  
Commissioner Lisa Polak Edgar  
Commissioner Katrina J. McMurrin  
Commissioner Nancy Argenziano  
Commissioner Nathan A. Skop

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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

February 27, 2008

Mr. Hubert Fladung  
1214 Trafalgar Drive  
New Port Richey, FL 34655

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Dear Mr. Fladung:

I am responding to your letter to the Commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the county. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

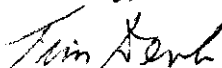
Mr. Hubert Fladung

Page 2

February 27, 2008

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Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano

Chairman Matthew M. Carter II

Commissioner Lisa Polak Edgar

Commissioner Katrina J. McMurrin

Commissioner Nancy Argenziano

Commissioner Nathan A. Skop

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# Public Service Commission

February 27, 2008

Mr. William F. Humphrey  
2120 Larchwood Court  
New Port Richey, FL 34655

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DOCUMENT NO. <u>09119-07</u>		
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Dear Mr. Humphrey:

I am responding to your email to the Commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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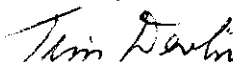
Mr. William F. Humphrey

Page 2

February 27, 2008

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Sincerely,



Tim Devlin

Director

TJD

Cc: Senator Mike Fasano

Chairman Matthew M. Carter II

Commissioner Lisa Polak Edgar

Commissioner Katrina J. McMurrian

Commissioner Nancy Argenziano

Commissioner Nathan A. Skop

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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

February 27, 2008

Mr. Joseph Lanza  
7450 Evesborough Lane  
New Port Richey, FL 34655

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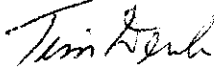
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Mr. Joseph Lanza  
Page 2  
February 27, 2008

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Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano  
Chairman Matthew M. Carter II  
Commissioner Lisa Polak Edgar  
Commissioner Katrina J. McMurrin  
Commissioner Nancy Argenziano  
Commissioner Nathan A. Skop



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NATHAN A. SKOP

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

# Public Service Commission

February 27, 2008

Mr. Daniel Ewing  
3221 Lodi Drive  
New Port Richey, FL 34655

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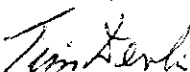
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Mr. Daniel Ewing  
Page 2  
February 27, 2008

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Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Fasano  
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Commissioner Lisa Polak Edgar  
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Commissioner Nancy Argenziano  
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COMMISSION  
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# Public Service Commission

February 27, 2008

Mr. John Simmons  
8144 Brumby Court  
New Port Richey, FL 34655

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
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Dear Mr. Simmons:

I am responding to your email to the Commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha, signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately-owned utilities in counties that have not approved county rate regulation.

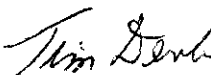
A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the county. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

Mr. John Simmons  
Page 2  
February 27, 2008

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano  
Chairman Matthew M. Carter II  
Commissioner Lisa Polak Edgar  
Commissioner Katrina J. McMurrin  
Commissioner Nancy Argenziano  
Commissioner Nathan A. Skop

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

February 27, 2008

Mr. Richard Power  
1534 Haverhill Drive  
New Port Richey, FL 34655

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RECEIVED-FPSC  
08 FEB 28 AM 9:32  
COMMISSION  
CLERK

Dear Mr. Power:

I am responding to your letter to the Commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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Mr. Richard Power  
Page 2  
February 27, 2008

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Sincerely,



Tim Devlin  
Director

TJD

Cc: Senator Mike Fasano  
Chairman Matthew M. Carter II  
Commissioner Lisa Polak Edgar  
Commissioner Katrina J. McMurrin  
Commissioner Nancy Argenziano  
Commissioner Nathan A. Skop

**Ann Cole****Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

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**From:** Tim Devlin  
**Sent:** Thursday, February 28, 2008 9:26 AM  
**To:** Ann Cole  
**Subject:** RE: Unhappy Aloha Utility Customer in Pasco County

yes, go ahead, thanks

---

**From:** Ann Cole  
**Sent:** Thursday, February 28, 2008 9:00 AM  
**To:** Tim Devlin  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

Unless otherwise instructed, this email will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

---

**From:** William F. Humphrey [mailto:bill.humphrey@earthlink.net]  
**Sent:** Wednesday, February 27, 2008 9:21 PM  
**To:** Tim Devlin; 'Tod Jeffers'  
**Cc:** FASANO.MIKE.S11@flsenate.gov; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** RE: Unhappy Aloha Utility Customer in Pasco County

Mr. Devlin:

I have read you letter to Mr. Jeffers and would like to offer the following observation:

Why is a monopoly utility allowed to operate when the majority of it's product is purchased (at an above market rate) for another utility, marked up 17% and resold to it's customers? Aloha's franchise should be reduced to a size that it can support by procuding water from it's own wells. Why should Aloha customers be forced to buy Pasco County Water from Aloha at rates far in excess of what Pasco Utilities would charge if it was the supplier?

I would really like to hear how anyone at the PSC can explain why this makes economic sense! The only positive aspect of Aloha buying Pasco Utilities water is that their rotten product will be diluted 50% buy the good water purchased from Pasco Utilities.

William F. Humphrey  
 2120 Larchwood Court  
 Trintiy FL 34655

-----Original Message-----

**From:** Tim Devlin [mailto:TDevlin@PSC.STATE.FL.US]  
**Sent:** Tuesday, February 26, 2008 3:14 PM  
**To:** Tod Jeffers  
**Cc:** FASANO.MIKE.S11@flsenate.gov; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

2/28/2008

Dear Mr. Jeffers:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

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Sincerely,

Tim Devlin



----- Original Message -----

From: Tod Jeffers <tjeffers@MDSI.org>

To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano;

Nathan A. Skop

Cc: FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>

Sent: Mon Feb 18 00:15:10 2008

Subject: Unhappy Aloha Utility Customer in Pasco County

PSC Commissioners;

I wish you lived where we lived and had to use the water we do.....I think your decision to give a 100% rate increase to Aloha Utilities Customers would have been much different. I am not sure if clean water is important to you and your families, but it sure is to mine .....the big drawback here is that I don't have a choice on the utility company I have servicing my house. The last time I checked we live in the United States of America, not a Third World County.....I say this because that is the kind of water we are paying good money for and, I for one, along with my other neighbors am sick of it.

Have you ever had to take a shower and in the middle of the shower you get this black film in your hair and all over your body....no...come to my house and you can experience this. I also hate it when my 4 year old and 2 year old are brushing their teeth and black water comes out of the faucet. If you are looking for this type of fun, please feel free to come by and stay for a while.

I am making a point here.....but this really needs to move in a direction where the customers get what we pay for.....good clean water....is that too much to ask????

What are you getting out of siding with Aloha? Are you getting kickbacks from Aloha or some type of favors that the public needs to know about? Do you think the people of Trinity and Pasco County deserve good clean water? If so, why do you continually side with Aloha when they don't hold up their end of the bargain and never intended to in the first place.

This reminds me if Iran (sort of).....they keeping saying they are going to do something and they never do....but in this case we can prove they aren't doing it.

Hold Aloha accountable to their previous commitments and take care of the people of this county....I believe that is what you signed on for, correct?

Regards,

Tod Jeffers

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:45 PM  
**To:** Tim Devlin  
**Subject:** RE: Tim

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Thank you.

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**From:** Tim Devlin  
**Sent:** Wednesday, February 27, 2008 12:44 PM  
**To:** Ann Cole  
**Subject:** RE: Tim

yes

---

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:39 PM  
**To:** Tim Devlin  
**Subject:** RE: Tim

Please confirm that you would like this placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

Thank you.

-----Original Message-----

**From:** FASANO.MIKE.S11 [mailto:FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Wednesday, February 27, 2008 10:39 AM  
**To:** Tim Devlin; bdg249@aim.com  
**Cc:** Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole; wayne forehand; Ryder Rudd; GIORDANO.GREGORY.S11  
**Subject:** Tim

Thanks, Tim for the response. However, I have been dealing with this company for 14 years and I know they will never meet their obligation and responsibility regarding the agreement that was made over 14 months ago unless the commission begins enforcement action against them immediately.

Tim, when you go home tonight you will turn your tap on in your home to get water - the water will be clean and clear. You, my friend are fortunate unlike the 25 thousand residents in the Seven Springs Aloha servicing area who haven't seen clear clean water in over 15 years.

God bless.  
Mike

-----Original Message-----

**From:** Tim Devlin [mailto:TDevlin@PSC.STATE.FL.US]  
**Sent:** Wednesday, February 27, 2008 10:20 AM  
**To:** FASANO.MIKE.S11; bdg249@aim.com  
**Cc:** Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole; wayne forehand; Ryder Rudd; GIORDANO.GREGORY.S11  
**Subject:** RE: Tim

2/27/2008

Good morning, Senator

I can only speak for myself that I believe this project will be successful. This is based on the independent expertise of Dr. Fred Taylor of the University of Central Florida who the Commission engaged to evaluate various technical options for resolving Aloha's hydrogen sulfide issue.

Yes, Senator, there has been significant delays in the planning and permitting phases of this project. And, now there are environmental issues, i.e. the brine issue, that need to be resolved. These environmental problems can be mitigated.

I am committed to monitoring and analyzing each step in the process and do whatever I can to facilitate a successful outcome for Aloha's customers.

Please let me know if there is anything I can do for you.

Tim.

-----Original Message-----

From: FASANO.MIKE.S11 [mailto:FASANO.MIKE.S11@flsenate.gov]

Sent: Wednesday, February 27, 2008 8:30 AM

To: Tim Devlin; bdg249@aim.com

Cc: Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole; wayne forehand; Ryder Rudd; GIORDANO.GREGORY.S11

Subject: Tim

Tim,

Tim,

Thank you for responding to our constituent.

I do question, however, your comments to Mr. Schmalzbauer. You state:

"Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer Representatives and Aloha agreed anion treatment would be the best Method to address the water quality problems."

Tim, does anyone from the PSC truly believe the anion construction project will ever come to fruition after the many delays by Aloha, almost 14 months behind on the agreement with no deadline insight along with questions if DEP will approve Aloha's proposal knowing the negative impact it will have on the environment. Aloha knows it will never happen yet they sit back knowing the PSC will never take any action against them.

I have great respect for you Tim; however, you're reaching on this one, my friend.

God bless.

Mike

-----Original Message-----

From: Tim Devlin [mailto:TDevlin@PSC.STATE.FL.US]

Sent: Tuesday, February 26, 2008 3:43 PM

To: bdg249@aim.com

Cc: FASANO.MIKE.S11; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole

Subject: FW: From an ALOHA CUSTOMER

Dear Mr. Schmalzbauer:

2/27/2008

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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Sincerely,

Tim Devlin

-----Original Message-----

----- Original Message -----

From: bdg249@aim.com <bdg249@aim.com>  
 To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
 Cc: FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>  
 Sent: Tue Feb 19 16:34:29 2008  
 Subject: From an ALOHA CUSTOMER

Please come and have a drink from my faucet. You may change your mind and try to help us for a change.

Your response to me would be welcome since we have been tolerating this treatment for over 10 years.

John Schmalzbauer  
 BDG249@msn.com

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2/27/2008

d=aimcmp0005000000001> !

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:31 PM  
**To:** Tim Devlin  
**Subject:** RE: From an ALOHA CUSTOMER

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DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

---

**From:** Tim Devlin  
**Sent:** Wednesday, February 27, 2008 11:17 AM  
**To:** Ann Cole  
**Subject:** FW: From an ALOHA CUSTOMER

---

**From:** bdg249@aim.com [mailto:bdg249@aim.com]  
**Sent:** Tuesday, February 26, 2008 9:05 PM  
**To:** Tim Devlin  
**Subject:** Re: From an ALOHA CUSTOMER

Thanks for the reply. Maybe the commission could try making ALOHA honor the commitment instead of giving them more of our money to finance their stall tactics.

John Schmalzbauer  
[BDG249@msn.com](mailto:BDG249@msn.com)

-----Original Message-----

**From:** Tim Devlin <TDevlin@PSC.STATE.FL.US>  
**To:** bdg249@aim.com  
**Cc:** FASANO.MIKE.S11@flsenate.gov; Chairman Carter & Staff  
 <ChairmanCarter&Staff@PSC.STATE.FL.US>; Commissioner Edgar & Staff  
 <CommissionerEdgar&Staff@PSC.STATE.FL.US>; Commissioner McMurrian & Staff  
 <CommissionerMcMurrian&Staff@PSC.STATE.FL.US>; Commissioner Argenziano & Staff  
 <CommissionerArgenziano&Staff@PSC.STATE.FL.US>; Commissioner Skop & Staff  
 <CommissionerSkop&Staff@PSC.STATE.FL.US>; Ann Cole <ACOLE@PSC.STATE.FL.US>  
**Sent:** Tue, 26 Feb 2008 3:43 pm  
**Subject:** FW: From an ALOHA CUSTOMER

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2/27/2008

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Sincerely,

Tim Devlin

-----Original Message-----

----- Original Message -----

From: [bdg249@aim.com](mailto:bdg249@aim.com) <[bdg249@aim.com](mailto:bdg249@aim.com)>  
 To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
 Cc: [FASANO.MIKE.S11@flsenate.gov](mailto:FASANO.MIKE.S11@flsenate.gov) <[FASANO.MIKE.S11@flsenate.gov](mailto:FASANO.MIKE.S11@flsenate.gov)>  
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2/27/2008



John Schmalzbauer  
BDG249@msn.com

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**More new features than ever. Check out the new AIM(R) Mail!**

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:28 PM  
**To:** Tim Devlin  
**Subject:** RE: My contact

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

-----Original Message-----

**From:** Tim Devlin  
**Sent:** Wednesday, February 27, 2008 11:15 AM  
**To:** 'ken@timeline1.com'  
**Cc:** Ann Cole  
**Subject:** RE: My contact

Dear Mr. Tucker:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,  
  
Tim Devlin

-----Original Message-----

From: Webmaster  
Sent: Wednesday, February 13, 2008 10:19 AM  
To: Consumer Contact  
Subject: FW: My contact

-----Original Message-----

From: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) [<mailto:contact@psc.state.fl.us>]  
Sent: Wednesday, February 13, 2008 10:25 AM  
To: Webmaster  
Cc: [ken@timeline1.com](mailto:ken@timeline1.com)  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Ken tUCKER  
Company:  
Primary Phone: 727-236-8494  
Secondary Phone:  
Email: [ken@timeline1.com](mailto:ken@timeline1.com)

Response requested? No

CC Sent? Yes

Comments:

To the five members of the commission. On behalf 25,000 users of Aloha Water, of which 90 plus percent who are senior citizens and mostly on fixed incomes, we would like to thank you all for siding with a rogue utility who provides just short of substandard water to us. And, thank you again for siding with a utility regarding a very serious health issue. Aloha Utilities once again proved that lawyers carry more power than the people who vote people into office. And finally, once again thank you for trusting a company that makes promises but never carries them through. The commission has truly shown the people where they stand. You don't need to use their water to cook, shower and drink like we do!

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:25 PM  
**To:** Tim Devlin  
**Subject:** RE: My contact

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

-----Original Message-----

**From:** Tim Devlin  
**Sent:** Wednesday, February 27, 2008 11:10 AM  
**To:** 'thand@pasco.k12.fl.us'  
**Cc:** Ann Cole  
**Subject:** RE: My contact

Dear Tracie Hand:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately owned utilities in counties that have not approved County rate regulation.

A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the County. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,

Tim Devlin

2/27/2008

-----Original Message-----

From: Webmaster  
Sent: Wednesday, February 13, 2008 9:52 AM  
To: Consumer Contact  
Subject: FW: My contact

-----Original Message-----

From: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) [<mailto:contact@psc.state.fl.us>]  
Sent: Wednesday, February 13, 2008 9:49 AM  
To: Webmaster  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Tracie Hand  
Company:  
Primary Phone: 727-271-3743  
Secondary Phone: 727-271-3743  
Email: [thand@pasco.k12.fl.us](mailto:thand@pasco.k12.fl.us)

Response requested? Yes  
CC Sent? No

Comments:

I would like an explanation of the rate increase approved for Aloha Utilities in New Port Richey. I pay about \$50.00 a month for horrible water already and now I read that I am going to be facing a doubling of my rates. How in the world is this in the best interests of the the consumer? I have to purchase bottled water, I have installed low flow shower heads and toilets and I do not run my sprinklers. Aloha has already inflated it's rates to cover "fixing" it's system with no results. Please explain why this was approved.

2/27/2008

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 12:23 PM  
**To:** Tim Devlin  
**Subject:** RE: My contact

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU.

-----Original Message-----

From: Tim Devlin  
 Sent: Wednesday, February 27, 2008 11:01 AM  
 To: 'snoopyone@verizon.net'  
 Cc: Ann Cole  
 Subject: RE: My contact

Dear Mr. Wise:

Dear Mr. Wise:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately owned utilities in counties that have not approved County rate regulation.

A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the County. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

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Sincerely,

2/27/2008

Tim Devlin

-----Original Message-----

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]

Sent: Tuesday, February 12, 2008 5:43 PM

To: Webmaster

Cc: snoopyone@verizon.net

Subject: My contact

Contact from a Web user

Contact Information:

Name: Robert Wise

Company: retired

Primary Phone: 727-372-9399

Secondary Phone: 727-505-9393

Email: snoopyone@verizon.net

Response requested? Yes

CC Sent? Yes

Comments:

I WOULD LIKE TO KNOW HOW YOU CAN GRANT A RATE INCREASE TO ALOHA UTILITIES NOT BECAUSE THEY DESERVE THE RAISE BECAUSE OF INCREASED COSTS. WE HAVE BEEN SUBJECT TO BELOW STANDARD WATER QUALITY FOR OVER 14 YEARS AND NOBODY IS DOING ANYTHING ABOUT THE WATER QUALITY. WE CANNOT UNDERSTAND HOW YOU CAN WITH A CLEAR CONCIENCE OK A RATE INCREASE WHEN THE WATER QUALITY IS SO LOW. PLEASE RECONSIDER ANY INCREASES UNTIL ALOHA MAKES AN EFFORT TO AT LEAST SELL ACCEPTABLE WATER.

ROBERT WISE

2/27/2008

**Cathi Lindsley**

**From:** Ann Cole  
**Sent:** Tuesday, March 18, 2008 2:04 PM  
**To:** Cathi Lindsley  
**Subject:** FW: PSC Letter Of Protest

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION:		

Please please print and place this in *Docket Correspondence - Consumers and their representatives*, in Docket No. 060122-WU.

Thank you.

*please insert in 2/27/08 data order.*

*Thanks,  
Ann*

-----Original Message-----

**From:** Ryder Rudd  
**Sent:** Wednesday, February 27, 2008 9:26 AM  
**To:** Ann Cole  
**Subject:** FW: PSC Letter Of Protest

Ryder  
(850) 413-6800 (office)  
(850) 210-3223 (mobile)

-----Original Message-----

**From:** Richard [mailto:db\_design@hotmail.com]  
**Sent:** Wednesday, February 27, 2008 9:23 AM  
**To:** wayne forehand  
**Cc:** Ryder Rudd  
**Subject:** Re: PSC Letter Of Protest

Wayne ... I will do that ... do you want me to send anything now?  
I am all for letting everybody know that we are ticked off

----- Original Message -----

**From:** "wayne forehand" <wayneforehand@verizon.net>  
**To:** "Richard" <db\_design@hotmail.com>  
**Sent:** Wednesday, February 27, 2008 8:56 AM  
**Subject:** Re: PSC Letter Of Protest

> Richard

>

> Perhaps we need to include: Ryder Rudd" <RRUDD@PSC.STATE.FL.US> in  
> communications.

>

>

> From: Wayne Forehand in Trinity Florida!

> ----- Original Message -----

> From: "Richard" <db\_design@hotmail.com>

> To: "Governor Charlie Crist" <Charlie.Crist@eog.myflorida.com>; "John

> Andrews" <swerdnaj@aol.com>; "Wayne Forehand"

> <wayneforehand@verizon.net>

> Sent: Wednesday, February 27, 2008 6:59 AM

> Subject: Re: PSC Letter Of Protest

>

>

>> John and Wayne ... this was my uncaring reply from the Governor's office.

>> I guess his claims to being a "peoples" governor are just political

3/18/2008



>> words.

>>

>> Richard

>>

>> ----- Original Message -----

>> From: "Governor Charlie Crist" <Charlie.Crist@eog.myflorida.com>

>> To: "Richard" <db\_design@hotmail.com>

>> Sent: Tuesday, February 26, 2008 3:58 PM

>> Subject: RE: PSC Letter Of Protest

>>

>>

>> Dear Richard:

>>

>> Thank you for contacting Governor Charlie Crist. The Governor  
>> appreciates your concerns and asked me to respond on his behalf.

>>

>> As you may know, the agency that regulates public utilities is the  
>> Public Service Commission (PSC), which is an arm of the legislative  
>> branch of government and therefore, not under the administrative  
>> authority of the Governor's office. Please continue working with  
>> this agency. I am forwarding a copy of your email to them for review  
>> and response. If you have questions, please call the Public Service  
>> Commission at 1-800-342-3552, or use the contact information provided below:

>>

>> Florida Public Service Commission

>> 2540 Shumard Oak Boulevard

>> Tallahassee, Florida 32399-0850

>> (850) 413-6100

>>

>> Thank you again for contacting the Governor's office. For  
>> information about the Governor's initiatives and to subscribe to his  
>> weekly "Notes from the Capitol" newsletter, please visit our Web site at [www.flgov.com](http://www.flgov.com).

>>

>> Sincerely,

>>

>>

>> Julie A. Jordan

>> Office of Citizen Services

>>

>>

>> -----Original Message-----

>> From: Richard [[mailto:db\\_design@hotmail.com](mailto:db_design@hotmail.com)]

>> Sent: Tuesday, February 19, 2008 8:52 AM

>> To: FASANO.MIKE.WEB; Governor Charlie Crist; Wayne Forehand

>> Subject: PSC Letter Of Protest

>>

>>

>> Attachment Letter to the PSC Commissioners

>>

>> Richard

>>

>

>

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 8:41 AM  
**To:** Tim Devlin  
**Subject:** RE: Unhappy Aloha Utility Customer in Pasco County

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information, which will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

-----Original Message-----

**From:** Tim Devlin  
**Sent:** Tuesday, February 26, 2008 3:48 PM  
**To:** 'TMyers@vitalityinc.com'  
**Cc:** 'FASANO.MIKE.S11@flsenate.gov'; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrin & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

Dear Mr. Myers:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately owned utilities in counties that have not approved County rate regulation.

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Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,

2/27/2008

Tim Devlin

----- Original Message -----

From: Myers, Tom <TMyers@vitalityinc.com>

To: Tod Jeffers <tjeffers@MDSI.org>; Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

Cc: FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>

Sent: Mon Feb 18 07:10:06 2008

Subject: RE: Unhappy Aloha Utility Customer in Pasco County

My Dear PSC Commissioners,

As I analyze this situation I can only come up with two reasons we are still in a battle (after years) trying to get what you have in your house good clean water, one is stupidity and the other and most likely is political corruption. Steve Watford, Aloha and their ambulance chasers are certainly crooks and that is very clear. For them to continue to operate however means there has to be corruption. There can be no other explanation. Certainly you will not admit to being stupid so that means you must be corrupt. First let me be clear, I will gladly pay the higher cost for good clean water that does not stink. I have no problem with that. However for you to grant a rate increase to Aloha under the current circumstances is truly laughable and could only happen in Government where corruption is rampant. I know you are so proud when you tell your families and friends what great public servants you all are but none of you could survive without the Government Teat your so skillful at sucking on and corruption of which you are obviously expert at taking advantage of.

Sleep well scumbags!

Tom Myers

Ph: 813-301-4616

---

From: Tod Jeffers [mailto:tjeffers@MDSI.org]

Sent: Monday, February 18, 2008 12:15 AM

To: Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us

Cc: FASANO.MIKE.S11@flsenate.gov

Subject: Unhappy Aloha Utility Customer in Pasco County

PSC Commissioners;

I wish you lived where we lived and had to use the water we do.....I think your decision to give a 100% rate increase to Aloha Utilities Customers would have been much different. I am not sure if clean water is important to you and your families, but it sure is to mine .....the big drawback here is that I don't have a choice on the utility company I have servicing my house. The last time I checked we live in the United States of America, not a Third World County.....I say this because that is the kind of water we are paying good money for and, I for one, along with my other neighbors am sick of it.

2/27/2008

Have you ever had to take a shower and in the middle of the shower you get this black film in your hair and all over your body....no...come to my house and you can experience this. I also hate it when my 4 year old and 2 year old are brushing their teeth and black water comes out of the faucet. If you are looking for this type of fun, please feel free to come by and stay for a while.

I am making a point here.....but this really needs to move in a direction where the customers get what we pay for.....good clean water....is that too much to ask???

What are you getting out of siding with Aloha? Are you getting kickbacks from Aloha or some type of favors that the public needs to know about? Do you think the people of Trinity and Pasco County deserve good clean water? If so, why do you continually side with Aloha when they don't hold up their end of the bargain and never intended to in the first place.

This reminds me if Iran (sort of).....they keeping saying they are going to do something and they never do....but in this case we can prove they aren't doing it.

Hold Aloha accountable to their previous commitments and take care of the people of this county....I believe that is what you signed on for, correct?

Regards,

Tod Jeffers

2/27/2008

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 8:40 AM  
**To:** Tim Devlin  
**Subject:** RE: From an ALOHA CUSTOMER

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information, which will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

-----Original Message-----

**From:** Tim Devlin  
**Sent:** Tuesday, February 26, 2008 3:43 PM  
**To:** 'bdg249@aim.com'  
**Cc:** 'FASANO.MIKE.S11@flsenate.gov'; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** FW: From an ALOHA CUSTOMER

Dear Mr. Schmalzbauer:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

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Sincerely,

2/27/2008

Tim Devlin

-----Original Message-----

----- Original Message -----

From: bdg249@aim.com <bdg249@aim.com>  
To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
Cc: FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>  
Sent: Tue Feb 19 16:34:29 2008  
Subject: From an ALOHA CUSTOMER

Please come and have a drink from my faucet. You may change your mind and try to help us for a change.

Your response to me would be welcome since we have been tolerating this treatment for over 10 years.

John Schmalzbauer  
BDG249@msn.com

---

More new features than ever. Check out the new AIM(R) Mail <<http://o.aolcdn.com/cdn.webmail.aol.com/mailtour/aol/en-us/text.htm?ncid=aimcmp00050000000001>> !

2/27/2008

**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 8:40 AM  
**To:** Tim Devlin  
**Subject:** RE: from an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

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**From:** Tim Devlin  
**Sent:** Tuesday, February 26, 2008 3:38 PM  
**To:** 'johnd151@verizon.net'  
**Cc:** 'FASANO.MIKE.S11@flsenate.gov'; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** FW: from an Aloha Utilities customer

Dear Mr. Di Prima:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

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Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

2/27/2008

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,

Tim Devlin

---

**From:** JOHN DI PRIMA [mailto:johnd151@verizon.net]  
**Sent:** Monday, February 18, 2008 2:31 PM  
**To:** Katrina McMurrian  
**Cc:** FASANO.MIKE.S11@flsenate.gov  
**Subject:** from an Aloha Utilities customer

I have been receiving copies of messages being sent to you regarding your decision on Aloha. I suspect that you have not received one message congratulating you your decisions, unless it was Aloha. This begs the question, what was the relational of the committee's decision on approving the 100% increase, knowing the background and of over 10 years of being involved in attempting to obtain clean water for the citizens of this area. I'm particular interested as to why the committee chose not to address Senator Farsano's request to terminate the Aloha utility for what is basically a breach of contract. As citizens that are directly affected by the decision, we have a right to know your reasoning and would appreciate your response.

The way that I see it, you have been selected by the Governor of Florida and as such, you have been put in a position of trust. It appears to me as well as those that have taken the time to e-mail you, that you have failed in that sacred trust and, if we are right, it follows that the Governor should be made aware of the citizens beliefs. In all fairness, before I forwarded this message as well as all other e-mails that I may receive regarding these matters, I will wait for your response. If I do not hear from you, I will take that as not being concerned and I will proceed with my corresponding with the governor.

Sincerely

John Di Prima

2/27/2008



**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 27, 2008 8:39 AM  
**To:** Tim Devlin  
**Subject:** RE: Unhappy Aloha Utility Customer in Pasco County

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Thank you for this information, which will be filed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060122-WU, today.

-----Original Message-----

**From:** Tim Devlin  
**Sent:** Tuesday, February 26, 2008 3:14 PM  
**To:** 'tjeffers@MDSI.org'  
**Cc:** 'FASANO.MIKE.S11@flsenate.gov'; Chairman Carter & Staff; Commissioner Edgar & Staff; Commissioner McMurrian & Staff; Commissioner Argenziano & Staff; Commissioner Skop & Staff; Ann Cole  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

Dear Mr. Jeffers:

I am responding to your email to the commissioners in which you express concern about a recent Commission decision. It is important to know that action by the Commission is for the purpose of facilitating interconnection between Aloha and Pasco County and that no rate increase will take effect unless and until the interconnection is placed into service and water is received from Pasco County.

There are specific reasons why the Commission acted at this time. First, the matter was brought to the Commission for decision in keeping with a procedural agreement between the Office of Public Counsel (the statutorily charged consumer advocate for the Citizens of Florida) and Aloha signed on February 3, 2006. At the request of the Office of Public Counsel and Aloha, the Commission accepted the agreement with an order issued on March 1, 2006. One requirement of the agreement was that the Commission make a decision within 120 days of the utility requesting a rate increase to cover the cost of purchasing water from Pasco County. Therefore, the Commission was required to render its decision by February 12, 2008. Moreover, the Commission is mandated by state law to set rates for privately owned utilities in counties that have not approved County rate regulation.

A second reason the Commission acted at this time is Aloha is not meeting water management district requirements. The purchased water will bring Aloha into compliance with a mandate from the Southwest Florida Water Management District to eliminate the over-pumping of its wells. Pasco County is the only source of water for Aloha other than its own wells and Aloha must pay the rate charged by the county, which accounts for 83% of the total potential rate increase. As noted above, no rate increase will take effect until the interconnection is placed into service and customers actually receive water from Pasco County. When the interconnection is completed, Aloha will be receiving over 50% of its water from the County. With the use of Pasco County water, Aloha customers may also see an improvement in their water quality.

Finally, the amount of water to be purchased from Pasco County is an issue that needed to be resolved so that the anion construction project can move forward. The Office of Public Counsel, customer representatives, and Aloha agreed anion treatment would be the best method to address the water quality problems. The Florida Public Service Commission is deeply concerned about the ongoing water quality issues and the Commission's decision serves to keep the anion construction project moving forward.

The Commission understands customer frustration that the process is taking so long to complete; however, bulk water purchased from Pasco County will be an important step toward better water for all of Aloha's customers. Again, it is important to note that a rate increase will not go into effect until Aloha customers actually begin receiving water from Pasco County. The Commission is continuing to examine the actions or alleged inaction of Aloha with respect to numerous issues, and will hold the company accountable for any proven misconduct.

Sincerely,

2/27/2008

Tim Devlin

----- Original Message -----

From: Tod Jeffers <tjeffers@MDSI.org>

To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

Cc: FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>

Sent: Mon Feb 18 00:15:10 2008

Subject: Unhappy Aloha Utility Customer in Pasco County

PSC Commissioners;

I wish you lived where we lived and had to use the water we do.....I think your decision to give a 100% rate increase to Aloha Utilities Customers would have been much different. I am not sure if clean water is important to you and your families, but it sure is to mine .....the big drawback here is that I don't have a choice on the utility company I have servicing my house. The last time I checked we live in the United States of America, not a Third World Country.....I say this because that is the kind of water we are paying good money for and, I for one, along with my other neighbors am sick of it.

Have you ever had to take a shower and in the middle of the shower you get this black film in your hair and all over your body....no...come to my house and you can experience this. I also hate it when my 4 year old and 2 year old are brushing their teeth and black water comes out of the faucet. If you are looking for this type of fun, please feel free to come by and stay for a while.

I am making a point here.....but this really needs to move in a direction where the customers get what we pay for.....good clean water....is that too much to ask????

What are you getting out of siding with Aloha? Are you getting kickbacks from Aloha or some type of favors that the public needs to know about? Do you think the people of Trinity and Pasco County deserve good clean water? If so, why do you continually side with Aloha when they don't hold up their end of the bargain and never intended to in the first place.

This reminds me if Iran (sort of).....they keeping saying they are going to do something and they never do....but in this case we can prove they aren't doing it.

Hold Aloha accountable to their previous commitments and take care of the people of this county....I believe that is what you signed on for, correct?

Regards,

Tod Jeffers

2/27/2008



**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Tuesday, February 26, 2008 10:06 AM  
**To:** Bridget Groom  
**Cc:** Roberta Bass; William C. Garner; Lorena Holley; Larry Harris  
**Subject:** RE: Thank you Commissioner Skop - From a captive ALOHA UTILITIES customer with smelly black water

Thank you for this information. This will be placed in Docket Correspondence - Consumers and their Representatives, in Docket File No. 060122-WU.

-----Original Message-----

From: Bridget Groom  
Sent: Tuesday, February 26, 2008 8:25 AM  
To: Ann Cole  
Cc: Roberta Bass; William C. Garner; Lorena Holley; Larry Harris  
Subject: FW: Thank you Commissioner Skop - From a captive ALOHA UTILITIES customer with smelly black water

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Ann,

Can you please place the following email into the correspondence side of the record for the appropriate Aloha dockets? Thanks.

Bridget

-----Original Message-----

From: Nathan A. Skop  
Sent: Monday, February 25, 2008 4:59 PM  
To: Bridget Groom  
Cc: Mary Macko  
Subject: Fw: Thank you Commissioner Skop - From a captive ALOHA UTILITIES customer with smelly black water

Please request the clerk to place the following e-mail into the correspondence side of the record for the appropriate Aloha dockets. Thanks.

----- Original Message -----

From: Hubert Fladung <hubert.fladung@gmail.com>  
To: Nathan A. Skop  
Cc: Mary Macko; FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>; GIORDANO.GREGORY.S11 @flsenate.gov <GIORDANO.GREGORY.S11@flsenate.gov>; wayne forehand <wayneforehand@verizon.net>; john andrews >> John - Chairman BWN Andrews <swerdnaj@aol.com>  
Sent: Mon Feb 25 16:25:54 2008  
Subject: Thank you Commissioner Skop - From a captive ALOHA UTILITIES customer with smelly black water

Dear Mr. Skop, Honorable Commissioner Skop,

Thank you very much for your quick response. I appreciate your call today and the valuable time you took to discuss the issues around Aloha water.

It is good to know that you meant what you said during the conference on Feb 12th. You said you would talk personally to consumers, and you did prove that point today. Therefore I have no doubt that you will also pull through with your efforts to bring a solution. As I heard you say during the conference, in the business world, there are project plans with milestones and the responsible parties are held accountable. That is the approach that is necessary to be taken. If the plan is not executed in a timely manner, other solutions we replace the faulty, non-performing parts.

I fully understand that being on the commission for a relatively short time makes you deal with inherited problems that have been caused and originated in the past. After today's discussion you have convinced me and I trust your willingness to move forward with the right steps. Time is of essence. Aloha has for too long been too successful to use time (=delays) to their advantage.

Staying on focus and taking action swiftly, proves to this under-performing utility - and the consumers - that the 'old days' at the PSC are gone.

Thanks again!

Hubert J Fladung  
1214 Trafalgar Dr  
New Port Richey, FL 34655

Mary Macko wrote:

>  
> Mr. Fladung,  
>  
> Commissioner Skop would like to get your contact number. Can you  
> please provide me with a telephone number?  
>  
> Thank-you,  
>  
> Mary Macko  
> Executive Assistant to Comm. Skop  
> Florida Public Service Commission  
> 850-413-6042  
>  
>  
> ----- Original Message -----  
> From: Hubert Fladung <hubert.fladung@gmail.com>  
> To: Lisa Edgar  
> Cc: Nancy Argenziano; Nathan A. Skop; Matthew Carter; Katrina  
> McMurrian;  
> FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>;  
> GIORDANO.GREGORY.S11@flsenate.gov <GIORDANO.GREGORY.S11@flsenate.gov>;  
> John - Chairman BWN Andrews <swerdnaj@aol.com>; Aloha Black Water  
> Blog <aloha.blackwater@gmail.com>  
> Sent: Mon Feb 25 09:01:53 2008  
> Subject: From a captive ALOHA UTILITIES customer with smelly black  
> water  
>  
> Dear Mrs. Polak Edgar, Honorable Commissioner Edgar,  
>  
> THANK YOU! Your memorandum dated Feb. 20th, 2008 is encouraging to me  
> as a captive Aloha Utility customer. During the conference on Feb.  
> 12th,  
> 2008 there were some commissioners talking about some of the things  
> that you are requesting now, but they have not followed through.  
> Others seemingly ignored the very same issues that you have brought  
> back into the light.  
>  
> THANK YOU! I truly appreciate this action. Please, stay on it!  
>  
> I am sure, that our TRUE representative, Senator Mike Fasano will  
> appreciate this as well.  
>  
> Thanks again, may God bless you!  
>  
>  
> Hubert J Fladung  
> 1214 Trafalgar Dr.  
> New Port Richey, FL 34655

>  
>  
>

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Monday, February 25, 2008 5:02 PM  
**To:** Ryder Rudd  
**Subject:** RE: From a captive ALOHA UTILITIES customer with smelly black water

Thank you for this information. This will be placed in Docket Correspondence - Consumers and their Representatives, in Docket File No. 060122-WU.

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

-----Original Message-----

From: Ryder Rudd  
Sent: Monday, February 25, 2008 9:24 AM  
To: Ann Cole  
Subject: FW: From a captive ALOHA UTILITIES customer with smelly black water

Ryder  
(850) 413-6800 (office)  
(850) 210-3223 (mobile)

-----Original Message-----

From: FASANO.MIKE.S11 [mailto:FASANO.MIKE.S11@flsenate.gov]  
Sent: Monday, February 25, 2008 9:22 AM  
To: Ryder Rudd  
Subject: FW: From a captive ALOHA UTILITIES customer with smelly black water

-----Original Message-----

From: Hubert Fladung [mailto:hubert.fladung@gmail.com]  
Sent: Monday, February 25, 2008 9:02 AM  
To: L Edgar  
Cc: N Argenziano; N Skop; M Carter; Katrina McMurrian; FASANO.MIKE.S11; GIORDANO.GREGORY.S11; John - Chairman BWN Andrews; Aloha Black Water Blog  
Subject: From a captive ALOHA UTILITIES customer with smelly black water

Dear Mrs. Polak Edgar, Honorable Commissioner Edgar,

THANK YOU! Your memorandum dated Feb. 20th, 2008 is encouraging to me as a captive Aloha Utility customer. During the conference on Feb. 12th,

2008 there were some commissioners talking about some of the things that

you are requesting now, but they have not followed through. Others seemingly ignored the very same issues that you have brought back into the light.

THANK YOU! I truly appreciate this action. Please, stay on it!

I am sure, that our TRUE representative, Senator Mike Fasano will appreciate this as well.

Thanks again, may God bless you!

Hubert J Fladung  
1214 Trafalgar Dr.  
New Port Richey, FL 34655

**Ann Cole**

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

**From:** Ann Cole  
**Sent:** Monday, February 25, 2008 5:00 PM  
**To:** Ryder Rudd  
**Subject:** RE: From a captive ALOHA UTILITIES customer with smelly black water

Thank you for this information. Unless otherwise instructed, this will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket File No. 060122-WU.

---

**From:** Ryder Rudd  
**Sent:** Monday, February 25, 2008 4:09 PM  
**To:** Ann Cole  
**Subject:** FW: From a captive ALOHA UTILITIES customer with smelly black water

Ryder  
(850) 413-6800 (office)  
(850) 210-3223 (mobile)

---

**From:** FASANO.MIKE.WEB [mailto:FASANO.MIKE.WEB@flsenate.gov]  
**Sent:** Monday, February 25, 2008 2:06 PM  
**To:** Ryder Rudd  
**Subject:** FW: From a captive ALOHA UTILITIES customer with smelly black water

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**From:** Hubert Fladung [mailto:hubert.fladung@gmail.com]  
**Sent:** Monday, February 25, 2008 11:40 AM  
**To:** Nancy Argenziano  
**Cc:** L Edgar; wayne forehand; John - Chairman BWN Andrews; FASANO.MIKE.WEB; GIORDANO.GREGORY.S11  
**Subject:** Re: From a captive ALOHA UTILITIES customer with smelly black water

Dear Mrs. Argenziano, Honorable Commissioner Argenziano,

Thank you very much for responding so quickly to my e-mail. That is very much appreciated as well as your fight during the conference on the Feb 12th.

In fact, during the earlier part of the conference on Feb.12th, I was watching with great enthusiasm your questioning of Aloha Utilities practices and you seemed to be the most vigorous advocate for the consumers concerns. As a matter of fact, I was surprised, when you asked about how Aloha could have been over-pumping without consequences, that Mr Wharton and Mr. Watford could so much and easily diffuse the discussion that we never got a real answer how it can happen that they have been over-pumping without being penalized..

I do understand that the black water issue was not necessarily the issue at hand during this meeting, but the mere fact that Aloha got what they asked for - even so only conditionally - it is very, very

2/25/2008



disappointing. Besides talk and non-executable proposals & suggestions, Aloha has produced nothing of value.

All their suggestions and solution proposals have only one purpose: Delay! Mr. Watford and especially the owner of Aloha have been longer involved in the legal processes of the PSC than anybody else. They know how 'to work the system' to their advantage. My criticism is directed at the chairman of the PSC, which I addressed in an earlier e-mail (dated 2/15/08, you were CC'ed) to him.

Thank you for working relentless on this issue and staying focused on a workable solution. Aloha Utilities, it's management and owner need to be proven, that the 'old buddy system' times are over. Aloha needs to deliver or will be out of this business, one way or the other. This PSC means business and will get things done. You and Mrs. L. Edgar Polak have an opportunity to make it happen.

Thank you Mrs. Argenziano, honorable Commissioner.

Hubert J Fladung  
1214 Trafalgar Dr  
New Port Richey, FL 34655

Nancy Argenziano wrote:

Dear mr Fladung, I appreciate your writing and I appreciate your patience with this nightmare you have been living with. Let me assure you that even though you have not received a memo from me, I have been working on these and other issues concernig Aloha. I prefer not to send out memos until I actually get something done that proves to be a real solution. I did however call many Aloha customers . if you recall the hearing on the 12th, I made sure the protective language that the Office Of Public Council wanted was included. I made mention I did not want Aloha to get the cost recovery without first getting the interconnection in place first. That almost didn't happen. The black water issue was not on the docket before us and we were unable to address that in that hearing I have a very real concern about the anion exchange system. I am not certain it will come to fruition because of the brine disposal problem. The very minute the hearing on the 12th ended I started to get to work on these issues and I have several things in the making that I hope may help. I appreciate your taking the time to write and hear your concerns.

Nancy

----- Original Message -----

From: Hubert Fladung <[hubert.fladung@gmail.com](mailto:hubert.fladung@gmail.com)>

To: Lisa Edgar

Cc: Nancy Argenziano; Nathan A. Skop; Matthew Carter; Katrina McMurrian; FASANO.MIKE.S11

<[FASANO.MIKE.S11@flsenate.gov](mailto:FASANO.MIKE.S11@flsenate.gov)>; [GIORDANO.GREGORY.S11@flsenate.gov](mailto:GIORDANO.GREGORY.S11@flsenate.gov)

<[GIORDANO.GREGORY.S11@flsenate.gov](mailto:GIORDANO.GREGORY.S11@flsenate.gov)>; John - Chairman BWN Andrews <[swerdnaj@aol.com](mailto:swerdnaj@aol.com)>; Aloha Black Water Blog <[aloha.blackwater@gmail.com](mailto:aloha.blackwater@gmail.com)>

Sent: Mon Feb 25 09:01:53 2008

Subject: From a captive ALOHA UTILITIES customer with smelly black water

Dear Mrs. Polak Edgar, Honorable Commissioner Edgar,

THANK YOU! Your memorandum dated Feb. 20th, 2008 is encouraging to me as a captive Aloha Utility customer. During the conference on Feb. 12th, 2008 there were some commissioners talking about some of the things that you are requesting now, but they have not followed through. Others seemingly ignored the very same issues that you have brought back into the light.

THANK YOU! I truly appreciate this action. Please, stay on it!

I am sure, that our TRUE representative, Senator Mike Fasano will appreciate this as well.

2/25/2008

Thanks again, may God bless you!

Hubert J Fladung  
1214 Trafalgar Dr.  
New Port Richey, FL 34655

**\*\*CLK OFFICIAL DOCUMENT...\*\***

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<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>0919-07</u>		
DISTRIBUTION:		

**Kimberley Pena**

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**From:** Kimberley Pena  
**Sent:** Friday, February 22, 2008 11:16 AM  
**To:** Jean Hartman  
**Cc:** Ann Cole  
**Subject:** RE: from an Aloha customer

Per this e-mail, we will place in the Parties Correspondence file in dockets 060122 and 060606 .

-----Original Message-----

**From:** Jean Hartman  
**Sent:** Friday, February 22, 2008 11:12 AM  
**To:** Kimberley Pena  
**Cc:** Ann Cole  
**Subject:** RE: from an Aloha customer

can you put in two dockets? 060606 and 060122 -----Original Message-----

**From:** Kimberley Pena  
**Sent:** Friday, February 22, 2008 11:06 AM  
**To:** Jean Hartman  
**Cc:** Ann Cole  
**Subject:** FW: from an Aloha customer

Jean, could you identify the appropriate dockets? Thanks.

-----Original Message-----

**From:** Bridget Groom  
**Sent:** Friday, February 22, 2008 10:00 AM  
**To:** Ann Cole  
**Cc:** William C. Garner; Roberta Bass; Lorena Holley; Larry Harris  
**Subject:** FW: from an Aloha customer

Ann,

Can you place the following e-mail into the correspondence side of the record for the appropriate Aloha dockets. Thanks.

Bridget Groom

-----Original Message-----

**From:** Nathan A. Skop  
**Sent:** Wednesday, February 20, 2008 5:22 PM  
**To:** Bridget Groom  
**Cc:** Mary Macko  
**Subject:** Fw: from an Aloha customer

Please request the clerk to place the following e-mail into the correspondence side of the record for the

**\*\*CLK OFFICIAL DOCUMENT...\*\***

appropriate Aloha dockets. Thanks.

----- Original Message -----

From: wayne forehand <wayneforehand@verizon.net>

To: Nathan A. Skop

Sent: Wed Feb 20 12:22:33 2008

Subject: from an Aloha customer

Commissioner

A little more background.

From: Wayne Forehand in Trinity Florida!

---

----- Original Message -----

From: wayne forehand <mailto:wayneforehand@verizon.net>

To: Steve Reilly OPC <mailto:reilly.steve@leg.state.fl.us>

Sent: Friday, October 19, 2007 8:54 AM

Subject: call to Mike Cooke

Steve

I talked with Mike Cooke yesterday afternoon. I reminded him that at the meeting Wednesday, we all kind of over looked the fact that Aloha reported being behind on purchasing the property for the booster station; was to be completed 1st week in August. Pasco and DEP permitting was to be completed by 1st week in September and booster station bid awards all done by 2nd week in Oct. We asked if the country water was on schedule and as I recall the reply was positive. Mike remembered it the same way and agreed to look into today.

It appears that other work on Anion is set up for further delays than the 10 months behind after 15 months in the project.

Also we should have a concern when something goes wrong with Anion; Aloha now has no where to go for technical support. As this settlement was prepared, the customers and I suspect that the PSC did not understand that David Porter was not technically competent to implement an Anion project. Aloha should have developed a back up, because in any new start up; we all know things go wrong and technical support is needed. Mike Cook will also look into this today?

Aloha has not updated their web site with new information on anion and the monthly bill arrived with a new

**\*\*CLK OFFICIAL DOCUMENT...\*\***

flyer on how to save water. I could sure save a lot of water if I did not need to flush the black out of the system so often. I also told him that Todd Brown of the PSC PR staff did not have the following quite right. "Aloha intends to update its Web site with the new time line and other information, Brown added. The company also might provide customers with project updates through billing inserts on a regular basis." Mike waffled on that a little.

We also discussed the need for Aloha to sell and that the PSC needs to encourage a sale to the county. Mike told me that the PSC only controls 4% of the water in the state of Florida. Perhaps a significant fine and consent order by the PSc would provide some encouragement. We need you help on that. The county is clearly foot dragging on a purchase and at this rate it will never happen. I now appears Ann H being a politician does not tell Gallagher to go get it done!

I expressed my concern that Troy Rendell of the PSC Staff does not appear supportive of the customers recognition of the inflated cost of chloramination being moved forward by Aloha.

We are eager to hear from the OPC water consultant before I push that too much further.

From: Wayne Forehand in Trinity Florida!

**Kimberley Pena**

060122

**From:** Ann Cole  
**Sent:** Friday, February 22, 2008 10:51 AM  
**To:** Kimberley Pena  
**Cc:** Hong Wang; Ann Cole  
**Subject:** FW: Aloha Customer Letter to Commissioners

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Please handle

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Friday, February 22, 2008 9:18 AM  
**To:** Ann Cole; Michael Cooke; Jean Hartman; Mary Bane; Marshall Willis; Lorena Holley  
**Subject:** FW: Aloha Customer Letter to Commissioners

**From:** FASANO.MIKE.S11 [mailto:FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Thursday, February 21, 2008 6:30 AM  
**To:** Ryder Rudd; Nancy Argenziano; Katrina McMurrian; Nathan A. Skop; Lisa Edgar; Matthew Carter  
**Subject:** Aloha Customer Letter to Commissioners

3221 Lodi Dr  
 New Port Richey FL, 34655  
 727-375-5425

# Daniel Ewing

February 21, 2008

**Florida Public Service Commission**  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

Dear Commissioners:

I purchased my home at 3221 Lodi Dr in March of 2004 and shortly thereafter discovered that there was something seriously wrong with the water. Since then my astonishment at the quality of the water has only been surpassed by my amazement at how long our consumer rights and health concerns have been ignored. A July 18, 2002 Complaint (Docket # 020896-WS) addresses the problem of the horrible black water. However, it does not address the problem of the water being so over chlorinated it can make you sick or the problem of the water being so full of mineral deposits that has a damaging affect on everything it touches.

In only four years time I've had to replace or have replaced my water heater, several valves, all of my faucets except the laundry room, my toilet flappers (multiple times) and all of my stems because of leaks. I presume the leaks are caused the high chlorine content of the water damaging the rubber seals. I've also given up on cooking with the Aloha water because it was ruining all of my pots and pans by leaving a hard white residue behind that will not come completely off despite my best efforts with Comet cleanser and a scratch pad. The water leaves a horrible hard white substance in a little ring anywhere a water spot is allowed to dry and those are equally as hard to remove. We don't drink the water for fear of our health and Al gets to charge me a great deal in extra gallons used because I have to run the water for a period of time to get rid of the black water when I give my 4-year-old a bath.

Given all the money I've already lost due to Aloha Utilities' negligence, I was absolutely appalled to read the news that

2/22/2008

the commission ruled to allow Aloha to double it's rates. The paper stated that Aloha needs to recoup the costs of buying decent water from Pasco County. The article goes on to say that the approval decision "prevents Aloha from implementing the new rates until the utility gets state environmental permits"(1). If I'm reading that correctly, Aloha doesn't have to actually be tied in and purchasing water before they start "recouping" costs they have yet to expend!

My research has led me to believe that Aloha utilities has apparently never provided a decent product to the consumer who have no choice but to buy from them or sell their homes and move. They settled out of court in 2006 (Order No. PSC-0270-AS-WU) promising to make things better and they have done nothing to make good on that promise! Allowing them to raise their rates based on the acquisition of permits seems the equivalent of offering a raise to an employee who consistently does a bad job if he or she promises to go through the enrollment process at the local community college, regardless of whether he or she actually takes a class. It just doesn't make sense. In addition, should Aloha actually make good on this promise I can only assume that a small amount of decent Pasco water mixed in with horrible Aloha water will make a negligible improvement if any on the total water quality. The people will pay even more for roughly the same substandard, barely potable water.

The people paying this company to damage their homes and poison their bodies appear to have no recourse to the substandard product, the exorbitant fees or the horrible customer service. However, we do not live in a communist dictatorship and Aloha Utilities is not the state sponsored utility. This is The United States of America and you, the Public Service Commission have to have the power and the responsibility to do what is right for the people. I implore you to remove Aloha Utilities before they cause any more harm to persons or property. Allow the county or another company who will provide a decent product at a fair price to take over. Aloha doesn't deserve our money and the American people have the right to better.

Thank you for your time.

Sincerely,

Daniel Ewing

1. [http://www.sptimes.com/2008/02/13/Pasco/Aloha\\_water\\_bills\\_to\\_.shtml](http://www.sptimes.com/2008/02/13/Pasco/Aloha_water_bills_to_.shtml)

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 0919-07  
DISTRIBUTION:

*Need  
attachment*

**Ann Cole**

---

**To:** Kimberley Pena  
**Cc:** Hong Wang; Ann Cole  
**Subject:** FW: Document1  
**Attachments:** Doc1.doc

Please place the attached documents in the Dockets as requested.

---

**From:** Roberta Bass  
**Sent:** Thursday, February 21, 2008 11:37 AM  
**To:** Ann Cole  
**Cc:** Roberta Bass  
**Subject:** Document1

Please place the attached document in Docket Nos. 060122-WU and 060606-WS. Thank you.





## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

---

**DATE:** February 20, 2008  
**TO:** Mary Andrews Bane, Executive Director  
Michael G. Cooke, General Counsel  
**FROM:** Lisa Polak Edgar, Commissioner  
**RE:** Aloha

---

Several non-rate related issues were raised during the discussion of Aloha's request for an increase in rates at the last Agenda Conference. Those issues include the timing of the interconnection with Pasco County, a scheduled water facilities site visit, and the possibility of regulatory enforcement action by this Commission. I am requesting additional information, as outlined below, on each of these three issues.

As to the pending interconnection with Pasco County, please provide a timeline and specific milestones for each step of the project. The party responsible for completion for each milestone should be identified.

I understand the water facilities site visit scheduled for February 14<sup>th</sup> was postponed. The participants should provide details of the circumstances resulting in the postponement, when the participants were notified of the delay, and whether the site visit has been rescheduled.

Concerns were also heard regarding Aloha's compliance with the existing settlement agreement between Aloha, the Office of Public Counsel, and a customer representative. I am requesting that staff continue to review and analyze the status of the March 9, 2006 settlement agreement and the necessary compliance activities of Aloha and other entities. If justified, staff should prepare a recommendation for the Commission to consider at the earliest possible Agenda Conference.

Thank you for your attention to this matter.

cc: Matthew M. Carter II, Chairman  
Katrina J. McMurrian, Commissioner  
Nancy Argenziano, Commissioner  
Nathan A. Skop, Commissioner  
John L. Wharton, Aloha Utilities, Inc.  
Stephen Reilly, Office of Public Counsel  
Wayne Forehand  
John H. Gaul  
Sandy Mitchell, Jr.

**Kimberley Pena**

060122

**From:** Ann Cole  
**Sent:** Thursday, February 21, 2008 9:00 AM  
**To:** Kimberley Pena  
**Cc:** Hong Wang; Ann Cole  
**Subject:** FW: from an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Another correspondence complaint from a customer

**From:** Kay Posey **On Behalf Of** Katrina McMurrian  
**Sent:** Wednesday, February 20, 2008 3:15 PM  
**To:** Ann Cole; Michael Cooke; Jean Hartman; Mary Bane; Marshall Willis; Lorena Holley  
**Subject:** FW: from an Aloha Utilities customer

**From:** JOHN DI PRIMA [mailto:johnd151@verizon.net]  
**Sent:** Monday, February 18, 2008 2:31 PM  
**To:** Katrina McMurrian  
**Cc:** FASANO.MIKE.S11@flsenate.gov  
**Subject:** from an Aloha Utilities customer

I have been receiving copies of messages being sent to you regarding your decision on Aloha. I suspect that you have not received one message congratulating you your decisions, unless it was Aloha. This begs the question, what was the relational of the committee's decision on approving the 100% increase, knowing the background and of over 10 years of being involved in attempting to obtain clean water for the citizens of this area. I'm particular interested as to why the committee chose not to address Senator Farsano's request to terminate the Aloha utility for what is basically a breach of contract. As citizens that are directly affected by the decision, we have a right to know your reasoning and would appreciate your response.

The way that I see it, you have been selected by the Governor of Florida and as such, you have been put in a position of trust. It appears to me as well as those that have taken the time to e-mail you, that you have failed in that sacred trust and, if we are right, it follows that the Governor should be made aware of the citizens beliefs. In all fairness, before I forwarded this message as well as all other e-mails that I may receive regarding these matters, I will wait for your response. If I do not hear from you, I will take that as not being concerned and I will proceed with my corresponding with the governor.

Sincerely

John Di Prima

**\*\*CLK OFFICIAL DOCUMENT...\*\*b>**

**Kimberley Pena**

060122

**From:** Ann Cole  
**Sent:** Thursday, February 21, 2008 8:55 AM  
**To:** Kimberley Pena  
**Cc:** Hong Wang  
**Subject:** FW: Aloha Customer Letter to Commissioners

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

From Carol: I'm not completely sure, but I believe this would be considered correspondence. Ann told me to forward correspondence to you and you would handle.

-----Original Message-----

**From:** Ryder Rudd  
**Sent:** Thursday, February 21, 2008 7:12 AM  
**To:** Ann Cole  
**Subject:** Fw: Aloha Customer Letter to Commissioners

----- Original Message -----

**From:** FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>  
**To:** Ryder Rudd; Nancy Argenziano; Katrina McMurrian; Nathan A. Skop; Lisa Edgar; Matthew Carter  
**Sent:** Thu Feb 21 06:29:33 2008  
**Subject:** Aloha Customer Letter to Commissioners

3221 Lodi Dr

New Port Richey FL, 34655

727-375-5425

Daniel Ewing

February 21, 2008

Florida Public Service Commission

2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Dear Commissioners:

I purchased my home at 3221 Lodi Dr in March of 2004 and shortly thereafter discovered that there was something seriously wrong with the water. Since then my astonishment at the quality of the water has only been surpassed by my amazement at how long our consumer rights and health concerns have been ignored. A July 18, 2002 Complaint (Docket No. 020896-WS) addresses the problem of the horrible black water. However, it does

## **\*\*CLK OFFICIAL DOCUMENT...\*\***

not address the problem of the water being so over chlorinated it can make you sick or the problem of the water being so full of mineral deposits that has a damaging affect on everything it touches.

In only four years time I've had to replace or have replaced my water heater, several valves, all of my faucets except the laundry room, my toilet flappers (multiple times) and all of my stems because of leaks. I presume the leaks are caused by the high chlorine content of the water damaging the rubber seals. I've also given up on cooking with the Aloha water because it was ruining all of my pots and pans by leaving a hard white residue behind that will not come completely off despite my best efforts with Commit cleanser and a scratch pad. The water leaves a horrible hard white substance in a little ring anywhere a water spot is allowed to dry and those are equally as hard to remove. We don't drink the water for fear of our health and Aloha gets to charge me a great deal in extra gallons used because I have to run the water for a period of time to get rid of the black water when I give my 4-year-old a bath.

Given all the money I've already lost due to Aloha Utilities' negligence, I was absolutely appalled to read the news that the commission ruled to allow Aloha to double it's rates. The paper stated that Aloha needs to recoup the costs of buying decent water from Pasco County. The article goes on to say that the approval decision "prevents Aloha from implementing the new rates until the utility gets state environmental permits"(1). If I'm reading that correctly, Aloha doesn't have to actually be tied in and purchasing water before they start "recouping" costs they have yet to expend!

My research has led me to believe that Aloha utilities has apparently never provided a decent product to the consumers who have no choice but to buy from them or sell their homes and move. They settled out of court in 2006 (Order No. PSC-06-0270-AS-WU) promising to make things better and they have done nothing to make good on that promise! Allowing them to raise their rates based on the acquisition of permits seems the equivalent of offering a raise to an employee who consistently does a bad job if he or she promises to go through the enrollment process at the local community college, regardless of whether he or she actually takes a class. It just doesn't make sense. In addition, should Aloha actually make good on this promise I can only assume that a small amount of decent Pasco water mixed in with horrible Aloha water will make a negligible improvement if any on the total water quality. The people will pay even more for roughly the same substandard, barely potable water.

The people paying this company to damage their homes and poison their bodies appear to have no recourse to the substandard product, the exorbitant fees or the horrible customer service. However, we do not live in a communist dictatorship and Aloha Utilities is not the state sponsored utility. This is The United States of America and you, the Public Service Commission have to power and the responsibility to do what is right for the people. I implore you to remove Aloha Utilities now before they cause any more harm to persons or property. Allow the county or another company who will provide a decent product at a fair price to take over. Aloha doesn't deserve our money and the American people have the right to better.

Thank you for your time.

Sincerely,

Daniel Ewing

**\*\*CLK OFFICIAL DOCUMENT...\*\*b>**

1. [http://www.sptimes.com/2008/02/13/Pasco/Aloha\\_water\\_bills\\_to\\_.shtml](http://www.sptimes.com/2008/02/13/Pasco/Aloha_water_bills_to_.shtml)

**\*\*CLK OFFICIAL DOCUMENT...\*\***

**Kimberley Pena**

**From:** Ann Cole  
**Sent:** Wednesday, February 20, 2008 10:22 AM  
**To:** Kimberley Pena  
**Cc:** Ryder Rudd  
**Subject:** FW: Aloha letter from customer  
  
**Attachments:** image001.gif; image002.gif

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

If this was not place in Docket Correspondence - Consumers & their representative, in Docket No. 060122-UW, please add it.

Thank you.

-----Original Message-----

**From:** Katrina McMurrian  
**Sent:** Tuesday, February 19, 2008 1:55 PM



image001.gif  
(157 B)

**To:** Mi hael Cooke; Jean Hartman; Marshall Willis; Mary Bane; Lorena Holley  
**Cc:** Ryder Rudd; Kay Posey; Ann Cole  
**Subject:** Fw: Aloha letter from customer

----- Original Message -----

**From:** FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>  
**To:** Ryder Rudd; Nancy Argenziano; Katrina McMurrian  
**Sent:** Tue Feb 19 12:19:49 2008  
**Subject:** Aloha letter from customer

Richard L. Power

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006

email db\_design@hotmail.com

February 19, 2008

PSC Commissioners (Separate Letters)

Florida Public Service Commission

2540 Shumard Oak Blvd.

Tallahassee, FL 32399-0850

**\*\*CLK OFFICIAL DOCUMENT...\*\***

Ref: Docket No. 060122-WU – Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to PROTEST your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

1. The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

Page 2 – Protest to Aloha's Rate Increase – Docket No. 060122-WU



image002.gif (2 KB)

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

**\*\*CLK OFFICIAL DOCUMENT...\*\***

Please make sure this letter is posted on Aloha's docket.

Sincerely,

Richard Power

Electronic Signature for Purposes of Expediting Response

CC: Senator Fasano via email

Florida Governor via email

Wayne Forehand via email



**Ann Cole**

**From:** Ann Cole  
**Sent:** Wednesday, February 20, 2008 10:02 AM  
**To:** Ryder Rudd  
**Subject:** RE: From an ALOHA CUSTOMER

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information.

Unless otherwise instructed, this will be placed in Docket Correspondence - Consumers & their representatives, in Docket File No. 060122-WU, today.

-----Original Message-----

From: Ryder Rudd  
Sent: Tuesday, February 19, 2008 5:11 PM  
To: Ann Cole  
Subject: Fw: From an ALOHA CUSTOMER

----- Original Message -----

From: FASANO.MIKE.S11 <FASANO.MIKE.S11@flsenate.gov>  
To: Ryder Rudd  
Sent: Tue Feb 19 17:10:08 2008  
Subject: FW: From an ALOHA CUSTOMER

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From: bdg249@aim.com [mailto:bdg249@aim.com]  
Sent: Tuesday, February 19, 2008 4:34 PM  
To: Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
Cc: FASANO.MIKE.S11  
Subject: From an ALOHA CUSTOMER

Please come and have a drink from my faucet. You may change your mind and try to help us for a change.

Your response to me would be welcome since we have been tolerating this treatment for over 10 years.

John Schmalzbauer  
BDG249@msn.com

---

More new features than ever. Check out the new AIM(R) Mail  
<<http://o.aolcdn.com/cdn.webmail.aol.com/mailtour/aol/en-us/text.htm?ncid=aimcmp00050000000001>> !

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, February 19, 2008 2:13 PM  
**To:** Ryder Rudd  
**Cc:** Michael Cooke  
**Subject:** RE: Aloha Records

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information. The attachments have been printed and they will be placed in Correspondence - consumers & their representatives, Docket No. 060122-WU

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**From:** Ryder Rudd  
**Sent:** Tuesday, February 19, 2008 1:46 PM  
**To:** Ann Cole  
**Cc:** Michael Cooke  
**Subject:** Aloha Records

Ann,

Attached you will find several e-mails forwarded to me by Sen. Fasano's office. Please include these in the correspondence folder.

Thank you,

Ryder

## Ann Cole

---

**From:** GIORDANO.GREGORY.S11 [GIORDANO.GREGORY.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:50 AM  
**To:** Ryder Rudd  
**Subject:** FW: Aloha Water

*Greg Giordano*  
Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue 310 Senate Office Building  
New Port Richey, FL 34653 Tallahassee, FL 32399  
(727) 848-5885 (850) 487-5062

---

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Saturday, February 16, 2008 12:59 PM  
**To:** MidgenBill  
**Cc:** GIORDANO.GREGORY.S11; REILLY.STEVE; Sheila Forehand  
**Subject:** Re: Aloha Water

Midge

Thank you for your support, your note is well done! This has been long and tough road, we will not quit! It appears we need to ask for a protest through our OPC attorney, Steve Reilly.

From: Wayne Forehand in Trinity Florida!  
----- Original Message -----

**From:** MidgenBill  
**To:** Katrina.McMurrian@psc.state.fl.us ; ledgar@PSC.state.fl.us ; mcarter@PSC.state.fl.us ; nargenziano@PSC.state.fl.us ; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11@flsenate.gov  
**Sent:** Saturday, February 16, 2008 11:57 AM  
**Subject:** Aloha Water

I am a resident of Trinity. We receive water from ALOHA. It is unfair to receive increases in water bills when the water we receive is not potable water. Most of the time it smells and is unfit for consumption. I am forced to buy water in bottles for drinking and cooking. Why should we have to pay more, more, and more to Aloha for water that we use only for our lawns and flushing. I say only for the lawns and flushing because to use it to shower makes the body smell. Would you like to smell after a shower?

Why did the PSC agree to higher rates to the customer, when Aloha receives the benefits for themselves They profess to be needing increases to do corrections on the water system they agreed to in front of many, many people, including the PSC, and State attorneys, but they should be doing that BEFORE asking their customers to pay more for water service. How dare people in those public and high positions take it fully upon themselves to give Aloha raises, when the people they are supposed to represent do not want raises until and unless the water they are receiving is improved and able to be used in their homes. How dare you feel you have the right to go against the wishes and needs of the people you represent.

Although I am but one customer, I KNOW I speak for many people.

2/19/2008

PLEASE, do something For The People receiving Aloha water. It has been over 15 years that this has been going on.

Mr. and Mrs. William Scudero  
1430 Jutland Drive  
Trinity, FL 34655

**Ann Cole**

---

**From:** GIORDANO.GREGORY.S11 [GIORDANO.GREGORY.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:50 AM  
**To:** Ryder Rudd  
**Subject:** FW: From a Aloha Utility FORCED CUSTOMER

*Greg Giordano*

Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue    310 Senate Office Building  
 New Port Richey, FL 34653    Tallahassee, FL 32399  
 (727) 848-5885    (850) 487-5062

---

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Saturday, February 16, 2008 7:08 AM  
**Cc:** GIORDANO.GREGORY.S11  
**Subject:** Fw: From a Aloha Utility FORCED CUSTOMER

From: Wayne Forehand in Trinity Florida!

----- Original Message -----

**From:** Hubert Fladung

**To:** M Carter

**Cc:** N Skop ; N Argenziano ; L Edgar ; Katrina McMurrian ; Sen. Michael FASANO ; wayne forehand ; John -  
 Chairman BWN Andrews

**Sent:** Friday, February 15, 2008 4:58 PM

**Subject:** From a Aloha Utility FORCED CUSTOMER

Dear Commissioner Carter,

The discussion that took place on agenda # 14, during this weeks PSC conference was - at best - unbelievable.

As chairman of this commission and of this conference / meeting I am addressing you first.

Since 14+ years residents in this southwest corner of Pasco County, Fl are forced to **consume smelly, dirty water** that is also causes a serious impact to their health. **It is TOXIC.**

SOURCE (WIKIPEDIA) [http://en.wikipedia.org/wiki/Hydrogen\\_sulfide](http://en.wikipedia.org/wiki/Hydrogen_sulfide)

**Hydrogen sulfide** (or **hydrogen sulphide**) is the chemical compound with the formula H<sub>2</sub>S. This colorless, toxic and flammable gas is responsible for the foul odour of rotten eggs and flatulence. It often results from the bacterial break down of organic matter in the absence of oxygen, such as in swamps and sewers (anaerobic digestion). It also occurs in volcanic gases, natural gas and some well waters. The odor of H<sub>2</sub>S is commonly misattributed to elemental sulfur, which is in fact odorless.

2/19/2008

**Instead of protecting** the consumer, you and your co-commissioners have **given again your blessings** to this, by giving the ALOHA a nod on their request for a increase. **How in all the world can you do this?**

The PSC has plenty (!) of documentation that this company / utility has NEVER lived up to any of their promises - in all those 14+ years. Instead they have **'robbed' the people of Florida**, by over-pumping.

**And they (Mr. Watford and Mr. Wharton) lied again this week - flat out into your face.** How can you take this?

After canceling / denying visits to their plants already **4 x** in the past (as discussed right in front of you) they agreed to a visit of OPC on THU 2/14/08. All this right in front of you again. You did hear that, right? If not, it is documented on your video broadcast.

OPC comes in on Thursday and - THE VISIT IS CANCELED AGAIN. **That is the rudest thing to do.** They not only did this to OPC - but to **YOU!** - Do you realize that **they lied to YOU, right in your face?**

Yes, I know all that has nothing directly to do with the presented reasons for the price increase - Do you realize that this company ALOHA, it's management and it's owners, has been 'playing' the commission for 14+ years.

As **Senator Fasano** said: Why did this meeting even take place ?

This company would not exist anymore since a long time if it had not the continued protection of this commission and the staff serving.

What is wrong with this picture ? ..... **You know it!**

**After being lied to in front of the cameras, you also know what to do - don't you?**

With all my heart and faith in GOD, I ask you to do the right thing. Please.

Hubert.us J Fladung  
1214 Trafalgar Dr.  
New Port Richey, FL

**Ann Cole**


---

**From:** GIORDANO.GREGORY.S11 [GIORDANO.GREGORY.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:50 AM  
**To:** Ryder Rudd  
**Subject:** FW: to the PSC Commissioners

*Greg Giordano*

Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue 310 Senate Office Building  
 New Port Richey, FL 34653 Tallahassee, FL 32399  
 (727) 848-5885 (850) 487-5062

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**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Friday, February 15, 2008 1:23 PM  
**To:** GIORDANO.GREGORY.S11  
**Subject:** Fw: to the PSC Commissioners

Greg

Info for your file!

**From:** Wayne Forehand in Trinity Florida!  
 --- Original Message ---  
**From:** MidgenBill  
**To:** wayne forehand  
**Sent:** Friday, February 15, 2008 10:57 AM  
**Subject:** Re: to the PSC Commissioners

Thank you Wayne for the update again. What is it with this Aloha Co. They have to be hiding something and why doesn't the state government say, "enough is enough"?

They should be closed down the way they close down a landlord for keeping a property with no water or health facilities for the renters. The only difference is, we, the people receiving disgusting water, cannot "go" anywhere else to get clean water and good facilities to produce "clean water". How can we be denied the ability to LEAVE such a health-violating company? Payola is one thing, but to ignore blatantly the concerns of people with no way out of receiving this water is and should be a crime! They should be closed down by the Board of Health.

Midge

--- Original Message ---

**From:** wayne forehand  
**To:** [abelleira](#) ; [Aloha Black water](#) ; [amasey@ij.net](#) ; [andrews john- Chairman BWN Andrews](#) ; [BDG249@aol.com](#) ; [Mac MacKenzie](#) ; [blumberg joe and roe](#) ; [Joan Levinson](#) ; [clarharrington@aol.com](#) ; [Cliff Harris](#) ; [Dick Wiltsey](#) ; [Tal Hand](#) ; [E Lynch](#) ; [fomar@juno.com](#) ; [frednmarik@verizon.net](#) ; [Grady Peeler](#) ; [Heidi Gagnon](#) ; [Howard/Elaine Ledder](#) ; [Hubert Fladung BWN](#) ; [jal1148@verizon.net](#) ; [Jim Shanahan](#) ; [John Simmons](#) ; [jerrycgordon](#) ; [John Gaffney](#) ; [Jim Wilder](#) ; [John Schwatz](#) ; [John Kulikowski](#) ; [Joel Kurtz](#) ; [John Gaul](#) ; [John Di Prima](#) ; [John Parese](#) ; [joseph lanza](#) ; [John Tomsuden](#) ; [Jim Parrot](#) ; [Karlo Leckich](#) ; [Larry Klau](#) ; [Larry Dalla Betta](#) ; [Les Garone](#) ; [Matt Faivre](#) ; [mildred589l@verizon.net](#) ; [Manny Messina](#) ; [Mary Ellen Palinkas](#) ; [John](#)

2/19/2008

Newman ; ray flanders ; Richard ; rick & Tanya Williams ; Dick Letvin ; Bob Niemieck ; ROBERT GALLETTA ; Bob Genhold ; sandywhy1@aol.com ; Sheila Forehand ; Tom Walters ; Bob Wise ; Ray Haydu ; Steve Reilly OPC ; Susan Hendrick ; John Stewart ; timmins ; Tod Jeffers BWN ; TMyers@vitalityinc.com ; Tony Salvati ; Troy Casper ; Tom Toner ; Bill Day ; wfugate2002@yahoo.com ; William F. Humphrey ; Bill and Midge Scudero ; wayne forehand  
Cc: Steve Reilly OPC ; Michael Cooke PSC General Counsel  
Sent: Thursday, February 14, 2008 7:15 PM  
Subject: to the PSC Commissioners

The following letter was written by Senator Fasano to the PSC Commissioners and is forwarded for your information. This letter displays the senators disappointment with the recent PSC Staff and PSC Commissioners decisions and their lack of enforcement action.

I was further appalled to hear today that after our OPC attorney and water consultant drove from Tallahassee to assess the Aloha Utilities processing operation, they were advised upon arrival that they could not see the Aloha facilities. A guide is needed because many of the facilities are hidden from view by solid tall fences and gates are locked.

As you remember, over the years Aloha has repeatedly denied customers the opportunity view the Aloha water operations for many and various excuses. For 10 years the utility has denied my request to view their water operations. What is it that this utility has to hide from the OPC, the water consultant and the customers?

Perhaps this PSC decision should be protested by the customers because of the continued lack of cooperation by the utility which was promised on Tuesday.

From: Wayne Forehand in Trinity Florida!

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February 14, 2008

The Honorable Matthew Carter, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Dear Chairman Carter:

Despite the apparent agreement of the parties involved I am very disappointed that the Commission chose to vote on the Aloha staff recommendations this past Tuesday. Even with the agreed to language in the stipulation there was absolutely no reason to move forward with this issue until Aloha committed to a time certain for the interconnection with Pasco County. Despite the fact that the rates won't take effect until after that occurs, the reality is that Aloha has been given what it has asked for without living up to its end of the bargain once again..

What is even more disturbing to me is that despite pleas that enforcement action be undertaken against the utility, something that your own staff acknowledged could be a consideration regarding the Dr. Audrey Levine situation; you have chosen to move forward without addressing this issue at all. What more will it take to demonstrate to this commission that Aloha has blatantly thumbed its nose at the commission by purposely delaying notifying the commission that Dr. Levine's report was going to be



months behind? That single report was the key to the carrying out of the entire anion exchange project and yet Aloha chose not to notify you until it had no other choice but to do so.

To top it all off, Aloha Utilities' engineer David Porter was scheduled to meet with Steve Reilly of the Office of Public Counsel and the Counsel's engineering consultant Kenneth Hatcher to tour Aloha's facilities today. The meeting was confirmed yesterday. Mr. Reilly and Mr. Hatcher came to Pasco County and were notified today that the meeting was canceled due to an emergency in Mr. Porter's family. If this was the first time such a meeting had been cancelled that would be understandable, however this is the fourth meeting in as many months that have been cancelled. It is my opinion that this is yet another slap in the face to Aloha's customers. Steve Watford is a certified water operator. There is absolutely no reason he could not have toured Mr. Reilly and Mr. Hatcher through his facilities.

Two days after this commission voted to move forward with the rate case Aloha continues its pattern of arrogance and disregard for the customer and their legal representatives. If the time is not ripe for enforcement action against this company it never will be. Please know that I will not rest until this commission has the courage to step up and sanction Aloha. I promise to bring every violation, complaint, e-mail or problem that I am made aware of to your attention. I will keep doing so until you finally do what is right for the customer.

Yours truly,

Mike Fasano  
State Senator, District 11

MF/gg

Cc: The Honorable Lisa Edgar  
The Honorable Nathan Skop  
The Honorable Nancy Argenziano  
The Honorable Katrina McMurrian

**Ann Cole**

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**From:** GIORDANO.GREGORY.S11 [GIORDANO.GREGORY.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:50 AM  
**To:** Ryder Rudd  
**Subject:** FW: From an Aloha Utilities customer  
**Attachments:** Wayne Forehand.vcf

*Greg Giordano*

Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue    310 Senate Office Building  
 New Port Richey, FL 34653    Tallahassee, FL 32399  
 (727) 848-5885    (850) 487-5062

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**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Friday, February 15, 2008 3:21 PM  
**To:** Nathan Skope PSC Commissioner; Nancy Argenziano PSC Commissioner; Matthew Carter PSC Commissioner; L Edgar PSC Commissioner; Katrina McMurrian PSC Commissioner  
**Cc:** FASANO.MIKE.S11; Michael Cooke PSC General Counsel; John - Chairman BWN Andrews; Anderson, Tom; REILLY.STEVE  
**Subject:** From an Aloha Utilities customer

To: PSC commissioners;

I am forwarding the emails below from Catherine and Joseph Lanza and from Ken Tucker directly to you as information. These are just some of many communications I have received. They clearly demonstrate the upset within the community down here in the Aloha Utilities area of Pasco County.

On Tuesday, the Aloha Utilities President agreed to allow Steve Reilly of the OPC and the OPC water consultant to do a site review two days after the agenda conference. Yet once again, after Steve Reilly and water consultant Ken Hatcher arrived in Pasco County to do this, Aloha abruptly refused the visit with the excuse that the Aloha consultant from Jacksonville could not be available to accompany them. Is no one else besides a consultant who is located four hours away qualified to provide such a tour? We believe that Mr. Watford, the company president, would be knowledgeable about his water operation and be qualified to lead a tour and unlock gates at the facilities. Further, we also know that the utility is required to have "Certified Water Operators" working for them who clearly would also be able to provide the tour and unlock the gates. Remember, please, the OPC visits in November, December and again in January were also cancelled. This inconsiderate and arrogant action by the utility is appalling to me and should be appalling to each of you also.

In closing, the customers feel that their interest have been neglected and I request reconsideration of the rate increase granted by the PSC to the utility on Tuesday and that enforcement actions against this utility begin.

Respectfully requested,

2/19/2008

From: Wayne Forehand in Trinity Florida!

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----- Original Message -----

From: "joseph lanza" <jlanza@westnet.com>

To: <contact@psc.state.fl.us>; "FASANO.MIKE.S11"

<FASANO.MIKE.S11@flsenate.gov>; <fasano.mike.web@flsenate.gov>; "Wayne Forehand" <wayneforehand@verizon.net>

Sent: Thursday, February 14, 2008 7:04 PM

Subject: complaint to PSC

> Cheers PSC commissioners and staff,  
> Aloha renege on an agreement to allow our representatives inspect their  
> facilities today. This follows permission by the you to raise our rates  
> 100% on Feb 12th and it was  
> part of this agreement that the Office of Public Counsel and their  
> engineer could inspect Aloha's disgusting facilities. There will not be  
> a true up for two years so we have to brace for even more outrageous  
> behavior by this corporate miscreant.  
> Don't ask me what a true up is because it is something that the staff of  
> PSC made it up to appear to be holding Aloha to some standard. This  
> agreement is not worth the paper that it is written on. I will ask the OPC  
> to protest your action @Aloha on Feb. 12th. Only one of the commissioners  
> seems not to have fallen off the cabbage truck, in other words, the  
> Commission of the PSC and staff are -naive!!!! I am convinced that I will  
> be paying 100% more for bad water from Aloha because they will never open  
> the faucet for Pasco County water. The action of the PSC means that we  
> will paying more for Aloha's disgusting black smelly water. Thank you very  
> much, fellow citizens of Florida.  
>  
> Ciao,  
> Catherine and Joseph Lanza  
> 7450 Evesborough Lane,  
> New Port Richey, Florida 34655

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----- Original Message -----

From: <contact@psc.state.fl.us>

To: <webmaster@psc.state.fl.us>

Cc: <ken@timeline1.com>

Sent: Wednesday, February 13, 2008 10:24 AM

Subject: My contact

Contact from a Web user

Contact Information:

Name: Ken Tucker

Company:

Primary Phone: 727-236-8494

2/19/2008

Secondary Phone:  
Email: [ken@timeline1.com](mailto:ken@timeline1.com)

Response requested? No  
CC Sent? Yes

Comments:

To the five members of the commission. On behalf 25,000 users of Aloha Water, of which 90 plus percent who are senior citizens and mostly on fixed incomes, we would like to thank you all for siding with a rogue utility who provides just short of substandard water to us. And, thank you again for siding with a utility regarding a very serious health issue. Aloha Utilities once again proved that lawyers carry more power than the people who vote people into office. And finally, once again thank you for trusting a company that makes promises but never carries them through. The commission has truly shown the people where they stand. You don't need to use their water to cook, shower and drink like we do!

**Ann Cole**

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**From:** GIORDANO.GREGORY.S11 [GIORDANO.GREGORY.S11@flsenate.gov]

**Sent:** Monday, February 18, 2008 8:49 AM

**To:** Ryder Rudd

**Subject:** Copies of constituent e-mails

Ryder,

You no doubt have been receiving copies of constituent e-mails that have been cc to Senator Fasano. Senator Fasano and I will be sending you copies of these e-mails as we receive them. Please make sure that these messages are made part of the official record of the open docket.

Thank you,

Greg

P.S. I will be forwarding to you a batch of e-mails in just a moment.

*Greg Giordano*

Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue 310 Senate Office Building

New Port Richey, FL 34653 Tallahassee, FL 32399

(727) 848-5885

(850) 487-5062

**Ann Cole**

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**From:** FASANO.MIKE.WEB [FASANO.MIKE.WEB@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:34 AM  
**To:** Ryder Rudd  
**Subject:** FW: From An ANGRY Aloha customer

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**From:** Richard [mailto:db\_design@hotmail.com]  
**Sent:** Saturday, February 16, 2008 1:38 PM  
**To:** Katrina.McMurrian@psc.state.fl.us; L Edgar PSC Commissioner; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** Governor Charlie Crist; FASANO.MIKE.WEB; Wayne Forehand  
**Subject:** From An ANGRY Aloha customer

PSC Commissioners;

You should be ashamed of yourselves for approving the Aloha Utility rate increase this past week! Aloha would not even commit to a time frame for connection to Pasco County water. You gave Aloha a rate increase based on estimated cost and not true cost ... this is unbelievable! But then it is obvious that you do not care about the Aloha customers getting black, smelly, and unhealthy water nor ignoring Senator's Fasano plea not to give Aloha any rate increase until we get better water. You ignored a State Senator!

We do not need a 100+% water bill increase because we will still be getting black, smelly, and unhealthy water because Aloha will still be pumping that rotten water from their wells. If they were to connect to Pasco water, we would be getting a blended water product. And believe me Aloha will be pumping the cheap water cost from their wells to their maximum allowed limit and then supplement Pasco County water charging us with the Pasco rate. Knowing how Aloha works they will make the connection to Pasco County water, but they may not be drawing any water and they will think the rate increase should go into affect. Aloha needs to prove by meter readings and bills that they are indeed drawing water from Pasco County.

It is like you and the staff (well that is another story) have blinders on. You only do what Aloha wants you to do. The customers of Aloha have been pleading with the PSC for 15 years to delete Aloha's territory so Pasco County can purchase the utility. We have provided thousands of documents and petitions to the PSC showing that Aloha is in violation of many Federal, State, and county rules. And that the customers want a change. But you ignore our pleas. I thought you are to protect the public.

Aloha Utilities as NO intention of satisfying the PSC/Aloha/OPC/Customer agreement. They are already 2+ years behind in satisfying the agreement and they have no intentions of compliance.

I also can not believe you do not issue penalties, warnings, or sanctions toward Aloha for not following the rules. You need to DEMAND completion dates and then assign stiff penalties when they do not comply.

2/19/2008

The True-Up language has so many loop holes in Aloha's favor that customers will never get any rebates.

I believe the last straw was this week when Aloha again cancelled the on-site inspection with Steve Riley and Mr. Hatcher. This is the fourth time they have done this. What is Aloha trying to hide? The other three times they cancelled they indicated we could be potential terrorist! What a bunch of crap!

I am amazed how the new Commissioners were beaten to comply to vote yes on the rate increase by the senior Commissioners.

I am strongly requesting that the Commissioners reverse the decision to allow Aloha a rate increase until Aloha does connect to Pasco County water and they can prove the actual expenses they have incurred and that they are drawing water from Pasco County.

The ONLY solution to this situation is to start deletion proceedings against Aloha for failure to comply with many orders. And then work with Pasco County on having them purchase Aloha Utilities at a fair and reasonable price based on outside-independent consultants (unrelated to Aloha Utilities) for a fair appraisal. The PSC and customers have plenty of documentation for issuing deletion of territory.

Richard Power

**Ann Cole**

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**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:21 AM  
**To:** Ryder Rudd  
**Subject:** FW: Rate increase - from an Aloha customer

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**From:** Grady Peeler [mailto:glpjr@verizon.net]  
**Sent:** Sunday, February 17, 2008 6:21 PM  
**To:** Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11  
**Subject:** Rate increase - from an Aloha customer

Commissioners:

As you all are aware, for several years Aloha Utilities has provided its customers memorably bad service and frequently putred, odorific, black water. As a result of the sulfuric content and particulate matter, I am never quite sure what will come out the tap, so I invested in a water purifier. I wish I could send you my monthly filters so you could see what treats those without cleaning systems are ingesting. I have lived literally all over the United States. I had to come to Aloha Water's territory to finally, for the first time, find water I am afraid to even give my dog, unless filtered and micro-scrubbed to remove the nasty stuff. My dog licks other dogs' butts, but even he refuses to drink Aloha water, ever since I gave him an alternative.

Adding to the poor water quality, Aloha has been downright testy, evasive, and uncooperative with its customers as they sought to correct the many problems of Aloha's service and water quality. I thought this was pretty bad, but even worse is their refusal to carry out agreements that the Commissioners oversaw and signed on to as measures to correct the problems. I say "refusal" because when a company continually sandbags you, doesn't keep meetings, and doesn't deliver reports, or the agreed upon solution within the time agreed upon, you ought to be concluding that they have no more respect for your Commission than they do their customers, people like me.

Given what a surly, low water quality providing miscreant Aloha is, imagine my surprise when I learned that you all had awarded Aloha a 100% rate increase based on their future compliance with measures they were to have already accomplished quite some time ago. It is as though you are rewarding them for making their customers' lives very difficult, and for all their lies, misrepresentations, procrastinations, and delaying tactics throughout the years, not to mention providing them the opportunity once again to charge high rates for what they will promise to deliver and will not. Frankly, if Aloha was a business and not a monopoly, operating under the protection of your Commission, they would have been out of business years ago, replaced by a water company committed to even minimal service and water quality.

I am not pleased with you all on the Commission. YOU ALL are supposed to be watching out for us, to be OUR representatives to insure good service and quality water, and to protect us from companies like Aloha Water. Yet, we find you not only NOT protecting us, but helping to ENRICH the individuals who prey on us. We have nowhere else to turn except to your Commission, in the hope that you will do your jobs. Instead of doing your jobs with a view toward protecting our interests, you approve a 100% rate increase for the very people who are determined to continue their same dishonorable behavior.

It is my opinion that Aloha Water, for years, has refused to clean up both its conduct and water because they know they can count on you all on the Commission to do their bidding. Please change course and, instead, do the bidding of Aloha's customers and the people who you are obligated to represent. We aren't seeking anything extraordinary. We'd just like to have a reputable water service provide our water to us so we can have high quality water that is commensurate with the rates we are charged, and so we, our children, and, yes, even my dog, don't have to worry about our health. It would be great, too, if we had a company who didn't think "customer service" was a derogatory term.

**I hope that you will reconsider this rate increase, rescind it, and, instead, bring the strongest possible sanctions to bear on this lousy provider of service and water.**

Grady & Julie Peeler  
Trinity, FL 34655

2/19/2008



**Ann Cole**

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**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:09 AM  
**To:** Ryder Rudd  
**Subject:** FW: Aloha Rate increase

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**From:** William F. Humphrey [mailto:bill.humphrey@earthlink.net]  
**Sent:** Sunday, February 17, 2008 8:11 PM  
**To:** Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11  
**Subject:** Aloha Rate increase

Commissioners:

I am a customer of Aloha Utilities and I am disgusted with the action taken by the Commission in approving the rate increase for this monopoly.

As a regulated utility, the company is entitled to earn a reasonable rate of return on their investment. But for that to happen, the company should be required to provide a quality product, responsive customer service and should have access to product (water) at reasonable cost.

Aloha has been granted a monopoly to serve a territory that far exceeds it's ability to serve. So they are going to purchase water from Pasco Utilities at a rate much higher than Pasco Utilities sells it to it's own customers and in turn, they expect to mark up this water and resell it to their customers. Why should I pay double what my neighbor pays Pasco Utilities? Aloha should not simply be allowed to pass along whatever unreasonable costs they incur.

That a group of educated adults who have been appointed to regulate this company can not see the ridiculous nature of this situation is beyond my comprehension. The company should have territory removed from their monopoly service area to the extent necessary to allow them to supply there customer base without resorting to purchasing water from Pasco Utilities or over pumping their wells.

And before any rate increase is allowed, the company should be required to provide a product that is pleasant to drink!

William F. Humphrey  
Sue Humphrey  
2120 Larchwood Court  
Trinity, FL 34655

**Ann Cole**

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**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:09 AM  
**To:** Ryder Rudd  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

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**From:** Tod Jeffers [mailto:tjeffers@MDSI.org]  
**Sent:** Monday, February 18, 2008 12:15 AM  
**To:** Katrina.McMurrin@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11  
**Subject:** Unhappy Aloha Utility Customer in Pasco County

PSC Commissioners;

I wish you lived where we lived and had to use the water we do.....I think your decision to give a 100% rate increase to Aloha Utilities Customers would have been much different. I am not sure if clean water is important to you and your families, but it sure is to mine .....the big drawback here is that I don't have a choice on the utility company I have servicing my house. The last time I checked we live in the United States of America, not a Third World Country.....I say this because that is the kind of water we are paying good money for and, I for one, along with my other neighbors am sick of it.

Have you ever had to take a shower and in the middle of the shower you get this black film in your hair and all over your body....no...come to my house and you can experience this. I also hate it when my 4 year old and 2 year old are brushing their teeth and black water comes out of the faucet. If you are looking for this type of fun, please feel free to come by and stay for a while.

I am making a point here.....but this really needs to move in a direction where the customers get what we pay for.....good clean water....is that too much to ask????

What are you getting out of siding with Aloha? Are you getting kickbacks from Aloha or some type of favors that the public needs to know about? Do you think the people of Trinity and Pasco County deserve good clean water? If so, why do you continually side with Aloha when they don't hold up their end of the bargain and never intended to in the first place.

This reminds me if Iran (sort of).....they keeping saying they are going to do something and they never do....but in this case we can prove they aren't doing it.

Hold Aloha accountable to their previous commitments and take care of the people of this county....I believe that is what you signed on for, correct?

Regards,

Tod Jeffers

**Ann Cole**

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**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:09 AM  
**To:** Ryder Rudd  
**Subject:** FW: Unhappy Aloha Utility Customer in Pasco County

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**From:** Myers, Tom [mailto:TMyers@vitalityinc.com]  
**Sent:** Monday, February 18, 2008 7:10 AM  
**To:** Tod Jeffers; Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11  
**Subject:** RE: Unhappy Aloha Utility Customer in Pasco County

My Dear PSC Commissioners,

As I analyze this situation I can only come up with two reasons we are still in a battle (after years) trying to get what you have in your house good clean water, one is stupidity and the other and most likely is political corruption. Steve Watford, Aloha and their ambulance chasers are certainly crooks and that is very clear. For them to continue to operate however means there has to be corruption. There can be no other explanation. Certainly you will not admit to being stupid so that means you must be corrupt. First let me be clear, I will gladly pay the higher cost for good clean water that does not stink. I have no problem with that. However for you to grant a rate increase to Aloha under the current circumstances is truly laughable and could only happen in Government where corruption is rampant. I know you are so proud when you tell your families and friends what great public servants you all are but none of you could survive without the Government Teat your so skillful at sucking on and corruption of which you are obviously expert at taking advantage of.

Sleep well scumbags!

Tom Myers  
Ph: 813-301-4616

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**From:** Tod Jeffers [mailto:tjeffers@MDSI.org]  
**Sent:** Monday, February 18, 2008 12:15 AM  
**To:** Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us  
**Cc:** FASANO.MIKE.S11@flsenate.gov  
**Subject:** Unhappy Aloha Utility Customer in Pasco County

PSC Commissioners;

I wish you lived where we lived and had to use the water we do.....I think your decision to give a 100% rate increase to Aloha Utilities Customers would have been much different. I am not sure if clean water is important to you and your families, but it sure is to mine .....the big drawback here is that I don't have a choice on the utility company I have servicing my house. The last time I checked we live in the United States of America, not a Third

2/19/2008

World County.....I say this because that is the kind of water we are paying good money for and, I for one, along with my other neighbors am sick of it.

Have you ever had to take a shower and in the middle of the shower you get this black film in your hair and all over your body....no...come to my house and you can experience this. I also hate it when my 4 year old and 2 year old are brushing their teeth and black water comes out of the faucet. If you are looking for this type of fun, please feel free to come by and stay for a while.

I am making a point here.....but this really needs to move in a direction where the customers get what we pay for.....good clean water....is that too much to ask????

What are you getting out of siding with Aloha? Are you getting kickbacks from Aloha or some type of favors that the public needs to know about? Do you think the people of Trinity and Pasco County deserve good clean water? If so, why do you continually side with Aloha when they don't hold up their end of the bargain and never intended to in the first place.

This reminds me if Iran (sort of).....they keeping saying they are going to do something and they never do....but in this case we can prove they aren't doing it.

Hold Aloha accountable to their previous commitments and take care of the people of this county....I believe that is what you signed on for, correct?

Regards,

Tod Jeffers

2/19/2008

**Ann Cole**

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**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:06 AM  
**To:** Ryder Rudd  
**Subject:** FW: From An ANGRY Aloha customer

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**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Saturday, February 16, 2008 8:52 PM  
**To:** abelleira@msn.com; vakurian@bellsouth.net; alfiemena@verizon.net; John - Chairman BWN Andrews; BDG249@aol.com; Mac MacKenzie; rojoe7327@verizon.net; Cliff Harris; Dick Wiltsey; Tal Hand; E Lynch; FASANO.MIKE.S11; fomar@juno.com; frednmarik@verizon.net; Bill Coogan; Grady Peeler; Heidi Gagnon; Howard/Elaine Ledder; aloha.blackwater@gmail.com; Hubert Fladung BWN; jal1148@verizon.net; Jim Shanahan; John Simmons; jerrygordon; John Gaffney; Jim Wilder; John Schwatz; John Kulikowski; Joel Kurtz; John Gaul; John Di Prima; John Parese; John Tomsuden; Jim Parrot; Karlo Leckich; Larry Klau; Larry Dalla Betta; Les Garone; Matt Faivre; mildred589l@verizon.net; Manny Messina; Mary Ellen Palinkas; John Newman; ray flanders; Richard; rick & Tanya Williams; Dick Letvin; Bob Niemieck; ROBERT GALLETTA; Bob Genhold; sandywhy1@aol.com; Sheila Forehand; Tom Walters; Bob Wise; Ray Haydu; REILLY.STEVE; Susan Hendrick; John Stewart; timmins; Tod Jeffers BWN; TMyers@vitalityinc.com; Tod Jeffers; Tony Salvati; Troy Casper; Tom Toner; Wayne Forehand; Bill Day; wfugate2002@yahoo.com; Bill Humphrey; Bill and Midge Scudero; John Simmons  
**Subject:** Fw: From An ANGRY Aloha customer

Hi

I have been copied on six letters of protest sent to the PSC commissioners. We need about 50.

I'm forwarding the letter from Richard Power below to provide some thought starters to help you formulate a note expressing upset with the hasty decision to provide for a 100% rate increase with no planned improvements for customers in the well #8 and #9 area. This is the first of four planned increases. Outrageous!

Again, I suggest you make the subject line read: "from an Aloha Utilities customer" as the commissioners are not allowed to open email from utilities, only from customers.

Email address are as follow:

[Katrina.McMurrian@psc.state.fl.us](mailto:Katrina.McMurrian@psc.state.fl.us)  
[ledgar@PSC.state.fl.us](mailto:ledgar@PSC.state.fl.us)  
[mcarter@PSC.state.fl.us](mailto:mcarter@PSC.state.fl.us)  
[nargenziano@PSC.state.fl.us](mailto:nargenziano@PSC.state.fl.us)  
[nskop@PSC.state.fl.us](mailto:nskop@PSC.state.fl.us)

You may want to cc Senator Mike Fasano: [FASANO.MIKE.S11@flsenate.gov](mailto:FASANO.MIKE.S11@flsenate.gov) as he will be following up for us.

From: Wayne Forehand in Trinity Florida!

2/19/2008

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----- Original Message -----

**From:** Richard

**To:** [Katrina.McMurrian@psc.state.fl.us](mailto:Katrina.McMurrian@psc.state.fl.us) ; [L. Edgar PSC Commissioner](mailto:L. Edgar PSC Commissioner) ; [mcarter@PSC.state.fl.us](mailto:mcarter@PSC.state.fl.us) ; [nargenziano@PSC.state.fl.us](mailto:nargenziano@PSC.state.fl.us) ; [nskop@PSC.state.fl.us](mailto:nskop@PSC.state.fl.us)

**Cc:** [Governor Charlie Crist](mailto:Governor Charlie Crist) ; [FASANO.MIKE.WEB](mailto:FASANO.MIKE.WEB) ; [Wayne Forehand](mailto:Wayne Forehand)

**Sent:** Saturday, February 16, 2008 1:38 PM

**Subject:** From An ANGRY Aloha customer

PSC Commissioners;

You should be ashamed of yourselves for approving the Aloha Utility rate increase this past week! Aloha would not even commit to a time frame for connection to Pasco County water. You gave Aloha a rate increase based on estimated cost and not true cost ... this is unbelievable! But then it is obvious that you do not care about the Aloha customers getting black, smelly, and unhealthy water nor ignoring Senator's Fasano plea not to give Aloha any rate increase until we get better water. You ignored a State Senator!

We do not need a 100+% water bill increase because we will still be getting black, smelly, and unhealthy water because Aloha will still be pumping that rotten water from their wells. If they were to connect to Pasco water, we would be getting a blended water product. And believe me Aloha will be pumping the cheap water cost from their wells to their maximum allowed limit and then supplement Pasco County water charging us with the Pasco rate. Knowing how Aloha works they will make the connection to Pasco County water, but they may not be drawing any water and they will think the rate increase should go into affect. Aloha needs to prove by meter readings and bills that they are indeed drawing water from Pasco County.

It is like you and the staff (well that is another story) have blinders on. You only do what Aloha wants you to do. The customers of Aloha have been pleading with the PSC for 15 years to delete Aloha's territory so Pasco County can purchase the utility. We have provided thousands of documents and petitions to the PSC showing that Aloha is in violation of many Federal, State, and county rules. And that the customers want a change. But you ignore our pleas. I thought you are to protect the public.

Aloha Utilities as NO intention of satisfying the PSC/Aloha/OPC/Customer agreement. They are already 2+ years behind in satisfying the agreement and they have no intentions of compliance.

I also can not believe you do not issue penalties, warnings, or sanctions toward Aloha for not following the rules. You need to DEMAND completion dates and then assign stiff penalties when they do not comply.

The True-Up language has so many loop holes in Aloha's favor that customers will never get any rebates.

I believe the last straw was this week when Aloha again cancelled the on-site inspection with Steve Riley and Mr. Hatcher. This is the fourth time they have done this. What is Aloha trying to hide? The other three times they cancelled they indicated we could be potential terrorist! What a bunch of crap!

I am amazed how the new Commissioners were beaten to comply to vote yes on the rate increase by the senior Commissioners.

2/19/2008

I am strongly requesting that the Commissioners reverse the decision to allow Aloha a rate increase until Aloha does connect to Pasco County water and they can prove the actual expenses they have incurred and that they are drawing water from Pasco County.

The ONLY solution to this situation is to start deletion proceedings against Aloha for failure to comply with many orders. And then work with Pasco County on having them purchase Aloha Utilities at a fair and reasonable price based on outside-independent consultants (unrelated to Aloha Utilities) for a fair appraisal. The PSC and customers have plenty of documentation for issuing deletion of territory.

Richard Power

## Ann Cole

---

**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:06 AM  
**To:** Ryder Rudd  
**Subject:** FW: From an Aloha customer

---

**From:** John Simmons [mailto:js-ss@hotmail.com]  
**Sent:** Sunday, February 17, 2008 9:55 AM  
**To:** katrina.mcmurrian@psc.state.fl.us; ledgar@psc.state.fl.us; mcarter@psc.state.fl.us;  
nargenziano@psc.state.fl.us; nskop@psc.state.fl.us  
**Cc:** FASANO.MIKE.S11  
**Subject:** From an Aloha customer

PSC Commissioners;

You should be ashamed of yourselves for approving the Aloha Utility rate increase this past week! Aloha would not even commit to a time frame for connection to Pasco County water. You gave Aloha a rate increase based on estimated cost and not true cost ... this is unbelievable! But then it is obvious that you do not care about the Aloha customers getting black, smelly, and unhealthy water nor ignoring Senator's Fasano plea not to give Aloha any rate increase until we get better water. You ignored a State Senator!

We do not need a 100+% water bill increase because we will still be getting black, smelly, and unhealthy water because Aloha will still be pumping that rotten water from their wells. If they were to connect to Pasco water, we would be getting a blended water product. And believe me Aloha will be pumping the cheap water cost from their wells to their maximum allowed limit and then supplement Pasco County water charging us with the Pasco rate. Knowing how Aloha works they will make the connection to Pasco County water, but they may not be drawing any water and they will think the rate increase should go into affect. Aloha needs to prove by meter readings and bills that they are indeed drawing water from Pasco County.

It is like you and the staff (well that is another story) have blinders on. You only do what Aloha wants you to do. The customers of Aloha have been pleading with the PSC for 15 years to delete Aloha's territory so Pasco County can purchase the utility. We have provided thousands of documents and petitions to the PSC showing that Aloha is in violation of many Federal, State, and county rules. And that the customers want a change. But you ignore our pleas. I thought you are to protect the public.

Aloha Utilities as NO intention of satisfying the PSC/Aloha/OPC/Customer agreement. They are already 2+ years behind in satisfying the agreement and they have no intentions of compliance.

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The True-Up language has so many loop holes in Aloha's favor that customers will never get any rebates.

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I am amazed how the new Commissioners were beaten to comply to vote yes on the rate increase by the senior Commissioners.

I am strongly requesting that the Commissioners reverse the decision to allow Aloha a rate increase until Aloha does connect to Pasco County water and they can prove the actual expenses they have incurred and that they

2/19/2008



are drawing water from Pasco County.

The ONLY solution to this situation is to start deletion proceedings against Aloha for failure to comply with many orders. And then work with Pasco County on having them purchase Aloha Utilities at a fair and reasonable price based on outside-independent consultants (unrelated to Aloha Utilities) for a fair appraisal. The PSC and customers have plenty of documentation for issuing deletion of territory.

John Simmons

---

Need to know the score, the latest news, or you need your Hotmail®-get your "fix". Check it out.

**Ann Cole**

---

**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:03 AM  
**To:** Ryder Rudd  
**Subject:** FW: Aloha water utility in Pasco county

---

**From:** John Simmons [mailto:js-ss@hotmail.com]  
**Sent:** Sunday, February 17, 2008 10:36 AM  
**To:** charlie.crist@myflorida.com  
**Cc:** ag.mccollum@myfloridalegal.com; FASANO.MIKE.S11  
**Subject:** Aloha water utility in Pasco county

Sir,

It is my opinion that the quality and service issues between the customers of Aloha Water Utility, in Pasco County, and said utility are not only being blatantly ignored, but I suspect that there is a violation of the law and I am sure a violation of the public trust involved. Efforts taken to resolve problems through the Public Service Commission have proven totally unsuccessful. If this e-mail finds you unaware of those issues then I apologize and am extremely surprised and disappointed. I will not try, in this e-mail, to summarize the very long history of the problems involved. I'm very sure that Senator Mike Fasano could advise you both in a much more eloquent manner than I.

I believe you and the Attorney General have the health and well being of the citizens of this state at heart. This is the reason for my sending this to you and adding to your already very full agenda.

I appreciate your service and indulgence,

John Simmons  
8144 Brumby Ct.  
Trinity, Fl. 34655

---

Climb to the top of the charts! Play the word scramble challenge with star power. [Play now!](#)

**Ann Cole**

---

**From:** FASANO.MIKE.S11 [FASANO.MIKE.S11@flsenate.gov]  
**Sent:** Monday, February 18, 2008 8:03 AM  
**To:** Ryder Rudd  
**Subject:** FW: aloha water

---

**From:** HOWARD LEDDER [mailto:howlaine210@msn.com]  
**Sent:** Sunday, February 17, 2008 3:14 PM  
**To:** Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us; nargenziano@PSC.state.fl.us; nskop@PSC.state.fl.us; forehand-wayne  
**Cc:** FASANO.MIKE.S11  
**Subject:** aloha water

Dear Sirs,

I can't tell how disgusting Aloha's product is. I have a front load washer-purchased because it is water efficient. The rubber bladder around the door stinks, because the Aloha water collects in there. If I don't continually clean that area brown streaks appear on all light colored clothes, sheets, and towels. The soap drawer also gets disgusting. I had this washer in New York State & NEVER HAD A PROBLEM.

I tried to use my jacuzzi recently-I have given up ever thinking I can wait for decent water. The water was so black I gave up. We ran out of hot water & it was still black.

I am sick of having to run & waste water because we have TOP OF THE INDUSTRY copper pipes. I am also tired of dreading the morning I wake up to find my baby grand standing in water because the pipes finally succumbed to Aloha's rotten water.

And now you want us to pay double the price. What are you thinking????? Get your heads on straight.  
A fed up customer.

Elaine Ledder  
1202 Arlinbrook Dr.  
Trinity Fl. 34655  
Phone # 727-834-8992  
Feel free to call & come see what we live with every day!

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

Ann Cole

060122

**From:** Ann Cole  
**Sent:** Tuesday, February 19, 2008 1:49 PM  
**To:** Michael Cooke  
**Cc:** Mary Anne Helton; William C. Garner; Tim Devlin; Ryder Rudd; Cindy Muir; Jean Hartman; Marshall Willis  
**Subject:** RE: Anion site visit

Thank you for this information. This will be placed in Docket Correspondence - Consumers and their representatives.

---

**From:** Michael Cooke  
**Sent:** Tuesday, February 19, 2008 12:31 PM  
**To:** Ann Cole  
**Cc:** Mary Anne Helton; William C. Garner; Tim Devlin; Ryder Rudd; Cindy Muir; Jean Hartman; Marshall Willis  
**Subject:** FW: Anion site visit

Please put this series of e-mail correspondences in the record (correspondence files) of the pending Aloha matters.

Michael G. Cooke  
General Counsel

Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0850  
 (850) 413-6199 - office  
 (850) 413-7180 - facsimile  
 mcooke@psc.state.fl.us

**DISCLAIMER: Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure. If you received this e-mail in error, please notify the sender by reply e-mail and then delete this e-mail immediately.**

---

**From:** John Wharton [mailto:johnw@RSBattorneys.com]  
**Sent:** Tuesday, February 19, 2008 12:17 PM  
**To:** REILLY,STEVE  
**Cc:** Michael Cooke; Steve Watford  
**Subject:** RE: Anion site visit

***It is apparent from your email that you think your briefing schedule is more important than the medical emergency of Mr. Porter's wife ( which was real, unlike your alleged "four cancellations" ). It is also clear that you believe that responding five days after-the-fact to my attempt to reset this visit is adequate, but that my e-mail notifying you of the unavoidable postponement of***

2/19/2008

***last Wednesday's visit over 24 hours in advance ( and within five minutes of the time I learned it would need to be postponed ) is somehow deficient.***

***Be that as it may, at 1:00 on Wednesday Mr. Porter will be in Pasco County and will conduct the anion site visit, for the PSC's engineer, Mr. Redeman, and your engineer (should he choose to attend). You may recall your engineer's attendance was all you requested, prior to your decision to politicize this whole issue and seize upon it as an opportunity to grandstand as opposed to a chance to gather information.***

***Since you will not be there, my attendance will not be necessary. However, it is critical that , if you do decide to attend, you let me know immediately so that I may make plans to attend.***

John L. Wharton, Esq.  
 Rose, Sundstrom, & Bentley, LLP  
 2548 Blairstone Pines Dr.  
 Tallahassee, Fl. 32301  
 (850) 877-6555 - telephone  
 (850) 656-4029 - facsimile

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Thank you.

---

**From:** REILLY.STEVE [mailto:REILLY.STEVE@leg.state.fl.us]  
**Sent:** Monday, February 18, 2008 4:24 PM  
**To:** John Wharton  
**Cc:** mcooke@psc.state.fl.us  
**Subject:** RE: Anion site visit

I was out of the office from the morning of the 13<sup>th</sup> until today. I have to work on the brief due on February 26, 2008 for Docket No. 070183-WU. We need to agree on an inspection date after the 26<sup>th</sup>. We also need to agree in writing concerning the scope of the inspections and the information OPC's engineer needs prior to the inspections. In light of the cancellation of four previously scheduled inspections, the last cancellation occurring after OPC's engineer and I were already in Pasco County, I will need to secure an Order from the Commission to specify the above information, scope of inspections and prohibition against any further cancellations. I trust we will be able to agree on the above and agree that no further cancellations will occur.

---

**From:** John Wharton [mailto:johnw@RSBattorneys.com]  
**Sent:** Thursday, February 14, 2008 12:57 PM  
**To:** Michael Cooke; David Porter; REILLY.STEVE; Steve Watford

**Cc:** Marty Deterding  
**Subject:** Anion site visit

Steve and Mike,

How does 1:00 next Wednesday work for the tour we had planned ?

John L. Wharton, Esq.  
Rose, Sundstrom, & Bentley, LLP  
2548 Blairstone Pines Dr.  
Tallahassee, Fl. 32301  
(850) 877-6555 - telephone  
(850) 656-4029 - facsimile

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Thank you.

**Ann Cole**

FPSC, CLK - CORRESPONDENCE

 Administrative  Parties  ConsumerDOCUMENT NO. 07119-07

DISTRIBUTION: \_\_\_\_\_

**From:** Ann Cole  
**Sent:** Friday, February 15, 2008 4:54 PM  
**To:** Michael Cooke  
**Cc:** William C. Garner; Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom; Ryder Rudd; Cindy Muir; Mary Bane; Tim Devlin; Jean Hartman  
**Subject:** RE: From an Aloha Utilities customer

Thank you for this information. This will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket File No. 060122-WU.

**From:** Michael Cooke  
**Sent:** Friday, February 15, 2008 3:47 PM  
**To:** Ann Cole  
**Cc:** William C. Garner; Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom; Ryder Rudd; Cindy Muir; Mary Bane; Tim Devlin; Jean Hartman  
**Subject:** FW: From an Aloha Utilities customer

Please put this into the record of the pending Aloha matters.

**From:** wayne forehand [mailto:wayneforehand@verizon.net]  
**Sent:** Friday, February 15, 2008 3:21 PM  
**To:** Nathan A. Skop; Nancy Argenziano; Matthew Carter; Lisa Edgar; Katrina McMurrian  
**Cc:** Senator Mike Fasano; Michael Cooke; John - Chairman BWN Andrews; Tom Anderson Representative; Steve Reilly OPC  
**Subject:** From an Aloha Utilities customer

To: PSC commissioners;

I am forwarding the emails below from Catherine and Joseph Lanza and from Ken Tucker directly to you as information. These are just some of many communications I have received. They clearly demonstrate the upset within the community down here in the Aloha Utilities area of Pasco County.

On Tuesday, the Aloha Utilities President agreed to allow Steve Reilly of the OPC and the OPC water consultant to do a site review two days after the agenda conference. Yet once again, after Steve Reilly and water consultant Ken Hatcher arrived in Pasco County to do this, Aloha abruptly refused the visit with the excuse that the Aloha consultant from Jacksonville could not be available to accompany them. Is no one else besides a consultant who is located four hours away qualified to provide such a tour? We believe that Mr. Watford, the company president, would be knowledgeable about his water operation and be qualified to lead a tour and unlock gates at the facilities. Further, we also know that the utility is required to have "Certified Water Operators" working for them who clearly would also be able to provide the tour and unlock the gates. Remember, please, the OPC visits in November, December and again in January were also cancelled. This inconsiderate and arrogant action by the utility is appalling to me and should be appalling to each of you also.

2/15/2008

In closing, the customers feel that their interest have been neglected and I request reconsideration of the rate increase granted by the PSC to the utility on Tuesday and that enforcement actions against this utility begin.

Respectfully requested,

From: Wayne Forehand in Trinity Florida!

---

----- Original Message -----

From: "joseph lanza" <jlanza@westnet.com>  
To: <contact@psc.state.fl.us>; "FASANO.MIKE.S11"  
<FASANO.MIKE.S11@flsenate.gov>; <fasano.mike.web@flsenate.gov>; "Wayne  
Forehand" <wayneforehand@verizon.net>  
Sent: Thursday, February 14, 2008 7:04 PM  
Subject: complaint to PSC

> Cheers PSC commissioners and staff,  
> Aloha reneged on an agreement to allow our representatives inspect their  
> facilities today. This follows permission by the you to raise our rates  
> 100% on Feb 12th and it was  
> part of this agreement that the Office of Public Counsel and their  
> engineer could inspect Aloha's disgusting facilities. There will not be  
> a true up for two years so we have to brace for even more outrageous  
> behavior by this corporate miscreant.  
> Don't ask me what a true up is because it is something that the staff of  
> PSC made it up to appear to be holding Aloha to some standard. This  
> agreement is not worth the paper that it is written on. I will ask the OPC  
> to protest your action @Aloha on Feb. 12th. Only one of the commissioners  
> seems not to have fallen off the cabbage truck, in other words, the  
> Commission of the PSC and staff are -naive!!!! I am convinced that I will  
> be paying 100% more for bad water from Aloha because they will never open  
> the faucet for Pasco County water. The action of the PSC means that we  
> will paying more for Aloha's disgusting black smelly water. Thank you very  
> much, fellow citizens of Florida.  
>  
> Ciao,  
> Catherine and Joseph Lanza  
> 7450 Evesborough Lane,  
> New Port Richey, Florida 34655

---

----- Original Message -----

From: <contact@psc.state.fl.us>  
To: <webmaster@psc.state.fl.us>  
Cc: <ken@timeline1.com>  
Sent: Wednesday, February 13, 2008 10:24 AM

2/15/2008



Subject: My contact

Contact from a Web user

Contact Information:

Name: Ken Tucker

Company:

Primary Phone: 727-236-8494

Secondary Phone:

Email: [ken@timeline1.com](mailto:ken@timeline1.com)

Response requested? No

CC Sent? Yes

Comments:

To the five members of the commission. On behalf 25,000 users of Aloha Water, of which 90 plus percent who are senior citizens and mostly on fixed incomes, we would like to thank you all for siding with a rogue utility who provides just short of substandard water to us. And, thank you again for siding with a utility regarding a very serious health issue. Aloha Utilities once again proved that lawyers carry more power than the people who vote people into office. And finally, once again thank you for trusting a company that makes promises but never carries them through. The commission has truly shown the people where they stand. You don't need to use their water to cook, shower and drink like we do!

2/15/2008

**Ann Cole**

**From:** Ann Cole  
**Sent:** Friday, February 15, 2008 12:10 PM  
**To:** William C. Garner  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** RE: 727 841 4453, 2 page(s)

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION: _____		

Thank you for this information. This will be placed in *Docket Correspondence - Consumers and their Representatives*, in Docket File No. 060122-WU, today.

---

**From:** William C. Garner  
**Sent:** Friday, February 15, 2008 8:58 AM  
**To:** Ann Cole  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** FW: 727 841 4453, 2 page(s)

Ann,

Please see that the attached facsimile letter is placed in the Docket File No. 060122-WU concerning Aloha Utilities, and that a copy is distributed to each of the parties of record.

*William C. Garner (Bill)*  
Florida Public Service Commission  
Chief Advisor to Chairman Carter  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6046

---

**From:** Rhonda Hicks  
**Sent:** Friday, February 15, 2008 8:50 AM  
**To:** Commissioners Advisors  
**Cc:** Dan Hoppe  
**Subject:** FW: 727 841 4453, 2 page(s)

A letter from Fasano

*Rhonda*

---

**From:** NET SatisFAXtion  
**Sent:** None  
**To:** Consumer Contact  
**Subject:** 727 841 4453, 2 page(s)

You have received a new fax. This fax was received by **NET SatisFAXtion**. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

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Received On: 2/14/2008 4:43 PM  
Number of Pages: 2  
From (CSID): 727 841 4453  
From (ANI):  
Sent to DID:

Duration of Fax: 0:01:18  
Transfer Speed: 16800

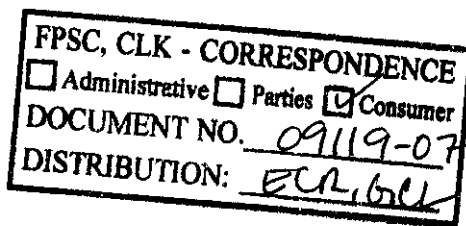
Received Status: Success  
Number of Errors: 177  
Port Received On: RockForceOCTO+ Port 6  
-----

<< File: FAX.TIF >>

Office of Commission Clerk Official Filing

Ruth Nettles

From: Ruth McHargue  
Sent: Friday, February 15, 2008 11:21 AM  
To: Ruth Nettles  
Cc: Kimberley Pena; Cheryl Bulecza-Banks  
Subject: docket 060122



Docket 060122

-----Original Message-----

From: Consumer Contact  
Sent: Wednesday, February 13, 2008 10:06 AM  
To: Ruth McHargue  
Subject: FW: My contact

To ECR or CLK

-----Original Message-----

From: Webmaster  
Sent: Wednesday, February 13, 2008 9:52 AM  
To: Consumer Contact  
Subject: FW: My contact

-----Original Message-----

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
Sent: Wednesday, February 13, 2008 9:49 AM  
To: Webmaster  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Tracie Hand  
Company:  
Primary Phone: 727-271-3743  
Secondary Phone: 727-271-3743  
Email: thand@pasco.k12.fl.us

Response requested? Yes  
CC Sent? No

Comments:

I would like an explanation of the rate increase approved for Aloha Utilities in New Port Richey. I pay about \$50.00 a month for horrible water already and now I read that I am going to be facing a doubling of my rates. How in the world is this in the best interests of the the consumer? I have to purchase bottled water, I have installed low flow shower heads and toilets and I do not run my sprinklers. Aloha has already inflated it's rates to cover "fixing" it's system with no results. Please explain why this was approved.

Office of Commission Clerk Official Filing

Ruth Nettles

From: Ruth McHargue  
Sent: Friday, February 15, 2008 11:15 AM  
To: Ruth Nettles  
Cc: Kimberley Pena; Cheryl Bulecza-Banks  
Subject: docket 060122

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: ECR, GEL		

Add to docket 060122

-----Original Message-----

From: Consumer Contact  
Sent: Wednesday, February 13, 2008 2:43 PM  
To: Ruth McHargue  
Subject: FW: My contact

Here's another Aloha protest.

-----Original Message-----

From: Webmaster  
Sent: Wednesday, February 13, 2008 10:19 AM  
To: Consumer Contact  
Subject: FW: My contact

-----Original Message-----

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]  
Sent: Wednesday, February 13, 2008 10:25 AM  
To: Webmaster  
Cc: ken@timeline1.com  
Subject: My contact

Contact from a Web user

Contact Information:

Name: Ken TUCKER  
Company:  
Primary Phone: 727-236-8494  
Secondary Phone:  
Email: ken@timeline1.com

Response requested? No  
CC Sent? Yes

Comments:

To the five members of the commission. On behalf 25,000 users of Aloha Water, of which 90 plus percent who are senior citizens and mostly on fixed incomes, we would like to thank you all for siding with a rogue utility who provides just short of substandard water to us. And, thank you again for siding with a utility regarding a very serious health issue. Aloha Utilities once again proved that lawyers carry more power than the people who vote people into office. And finally, once again thank you for trusting a company that makes promises but never carries them through. The commission has truly shown the people where they stand. You don't need to use their water to cook, shower and drink like we do!



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR MIKE FASANO**

Majority Whip  
11th District

**COMMITTEES:**  
Transportation and Economic Development  
Appropriations, *Chair*  
Communications and Public Utilities  
Fiscal Policy and Calendar  
Health Regulation  
Judiciary  
Regulated Industries  
Rules

**SELECT COMMITTEE:**  
Property Insurance Accountability

**JOINT COMMITTEE:**  
Legislative Budget Commission

February 14, 2008

The Honorable Matthew Carter, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Dear Chairman Carter

*MR. CHAIRMAN,*

Despite the apparent agreement of the parties involved I am very disappointed that the Commission chose to vote on the Aloha staff recommendations this past Tuesday. Even with the agreed to language in the stipulation there was absolutely no reason to move forward with this issue until Aloha committed to a time certain for the interconnection with Pasco County. Despite the fact that the rates won't take effect until after that occurs, the reality is that Aloha has been given what it has asked for without living up to its end of the bargain once again..

What is even more disturbing to me is that despite pleas that enforcement action be undertaken against the utility, something that your own staff acknowledged could be a consideration regarding the Dr. Audrey Levine situation, you have chosen to move forward without addressing this issue at all. What more will it take to demonstrate to this commission that Aloha has blatantly thumbed its nose at the commission by purposely delaying notifying the commission that Dr. Levine's report was going to be months behind? That single report was the key to the carrying out of the entire anion exchange project and yet Aloha chose not to notify you until it had no other choice but to do so.

To top it all off, Aloha Utilities' engineer David Porter was scheduled to meet with Steve Reilly of the Office of Public Counsel and the Counsel's engineering consultant Kenneth Hatcher to tour Aloha's facilities today. The meeting was confirmed yesterday. Mr. Reilly and Mr. Hatcher came to Pasco County and were notified today that the meeting was canceled due to an emergency in Mr. Porter's family. If this was the first time such a meeting had been cancelled that would be understandable, however this is the fourth meeting in as many months that have been cancelled. It is my opinion that this is yet another slap in the face to Aloha's customers. Steve Watford is a certified water operator. There is absolutely no reason he could not have toured Mr. Reilly and Mr. Hatcher through his facilities.

**REPLY TO:**

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 846-5885
- 302 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KEN PRUITT**  
President of the Senate

**LISA CARLTON**  
President Pro Tempore

February 14, 2008

Page

Two days after this commission voted to move forward with the rate case Aloha continues its pattern of arrogance and disregard for the customer and their legal representatives. If the time is not ripe for enforcement action against this company it never will be. Please know that I will not rest until this commission has the courage to step up and sanction Aloha. I promise to bring every violation, complaint, e-mail or problem that I am made aware of to your attention. I will keep doing so until you finally do what is right for the customer.

Yours truly,



Mike Fasano  
State Senator, District 11

MF/gg

Cc: The Honorable Lisa Edgar  
The Honorable Nathan Skop  
The Honorable Nancy Argenziano  
The Honorable Katrina McMurrian

**\*\*CLK OFFICIAL DOCUMENT...\*\***

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09119-07</u>		
DISTRIBUTION:		

**Kimberley Pena**

---

**From:** Ruth McHargue  
**Sent:** Thursday, February 14, 2008 11:59 AM  
**To:** Ruth Nettles  
**Cc:** Kimberley Pena  
**Subject:** FW: My contact

Please add to Aloha docket,  
Thanks,  
Ruth

-----Original Message-----

**From:** Consumer Contact  
**Sent:** Wednesday, February 13, 2008 9:09 AM  
**To:** Ruth McHargue  
**Subject:** FW: My contact

To CLK

-----Original Message-----

**From:** Webmaster  
**Sent:** Wednesday, February 13, 2008 8:54 AM  
**To:** Consumer Contact  
**Subject:** FW: My contact

-----Original Message-----

**From:** [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us) [mailto:contact@psc.state.fl.us]  
**Sent:** Tuesday, February 12, 2008 5:43 PM  
**To:** Webmaster  
**Cc:** [snoopyone@verizon.net](mailto:snoopyone@verizon.net)  
**Subject:** My contact

Contact from a Web user

Contact Information:

**Name:** Robert Wise  
**Company:** retired  
**Primary Phone:** 727-372-9399  
**Secondary Phone:** 727-505-9393  
**Email:** [snoopyone@verizon.net](mailto:snoopyone@verizon.net)

Response requested? Yes  
CC Sent? Yes

Comments:

I WOULD LIKE TO KNOW HOW YOU CAN GRANT A RATE INCREASE TO ALOHA UTILITIES NOT BECAUSE THEY DESERVE THE RAISE BECAUSE OF INCREASED COSTS. WE HAVE BEEN



**\*\*CLK OFFICIAL DOCUMENT...\*\*b>**

SUBJECT TO BELOW STANDARD WATER QUALITY FOR OVER 14 YEARS AND NOBODY IS DOING ANYTHING ABOUT THE WATER QUALITY. WE CANNOT UNDERSTAND HOW YOU CAN WITH A CLEAR CONCIENCE OK A RATE INCREASE WHEN THE WATER QUALITY IS SO LOW. PLEASE RECONSIDER ANY INCREASES UNTIL ALOHA MAKES AN EFFORT TO AT LEAST SELL ACCEPTABLE WATER.

ROBERT WISE

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, February 05, 2008 9:14 AM  
**To:** Bridget Groom  
**Cc:** Larry Harris; Lorena Holley; William C. Garner; Roberta Bass  
**Subject:** RE: From an Aloha Customer

PSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: GLL, ER		

Yes, this email with your instructions will also be placed in the correspondence side of Docket No. 060122-WU today.

-----Original Message-----

From: Bridget Groom  
Sent: Tuesday, February 05, 2008 9:04 AM  
To: Ann Cole  
Cc: Larry Harris; Lorena Holley; William C. Garner; Roberta Bass  
Subject: FW: From an Aloha Customer  
Importance: High

Ann,

We also received the same letter as Chairman Carter. Can you place this in the correspondence side of docket 060122-WU. Thanks.

Bridget Groom

-----Original Message-----

From: Nathan A. Skop  
Sent: Tuesday, February 05, 2008 9:02 AM  
To: Bridget Groom  
Subject: FW: From an Aloha Customer  
Importance: High

Bridget,

Please have this letter placed in the correspondence side of the docket for Docket No. 060122-WU (Aloha Utilities). I have not yet read the attached e-mail.

Thanks,

Nathan

-----Original Message-----

From: Swerdnaj@aol.com [mailto:Swerdnaj@aol.com]  
Sent: Monday, February 04, 2008 8:54 PM  
To: Lisa Edgar; Katrina McMurrian; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
Cc: reilly.steve@leg.state.fl.us; FASANO.MIKE.S11@flsenate.gov; GIORDANO.GREGORY.S11@flsenate.gov  
Subject: From an Aloha Customer

Honorable PSC Commissioners:

It has been almost two years since the PSC-Aloha Settlement Agreement was signed by the PSC, OPC, Aloha Utilities and some customer interveners. That agreement required Aloha to install an anion exchange process to eliminate hydrogen sulfide from its delivered water. Implementation was to occur during a two-year period, beginning when the PSC order was issued.

Aloha Utilities has failed to implement the PSC Settlement Agreement in a timely manner, and it continues to discover new problems and reasons to delay providing satisfactory drinking water to its customers in the Seven Springs service area. Aloha's numerous delays will increase our costs.

As an Aloha customer who suffers the consequences of "black water" from Aloha Utilities, I am very dissatisfied with that utility's continued lack of adequate progress and the reluctance of the PSC to take punitive actions.

When the Settlement Agreement was finalized, the Aloha customers were promised that the PSC would reinitiate action for deletion of territory if Aloha did not implement the agreement satisfactorily. It is now time for the PSC to take that action so the long-suffering customers can be relieved of the poor water quality.

I urge you to begin deletion-of-territory proceedings now.

The following letter to our local newspaper expresses the frustration of another of Aloha's many dissatisfied customers. The author expresses his opinions about the lack of strong, decisive action by our state and local government agents to correct the egregious behavior of this private utility toward its customers.

Respectfully,  
John Andrews  
Trinity, Florida

=====  
The following letter appears in the St. Petersburg Times, 1/31/08, Pasco Times section, p2, Opinion/Your Letters.

=====  
Todays Letters: Questions persist on Aloha Utilities

St. Petersburg Times  
Letters to the Editor  
Published January 31, 2008

Folks, just what will it take? When is someone from the Florida Public Service Commission and someone from the Pasco County Commission going to care about the quality of Aloha Utilities' water? Apparently, absolutely never because they don't have to drink it, cook with it or shower with it.

Aloha has supplied substandard water to approximately 15,000 or so households for years and already charges a high fee for its water. Again and again, the utility's owners duck and weave every legal step to provide its residents with what they pay for. Here's why. Because Aloha is being managed in part by attorneys. Get the picture, folks? So, it seems everyone is afraid to take any legal action against the company, so we continue to suffer with Aloha's black water.

Yet, the PSC and Southwest Florida Water Management District have levied fines against Aloha since 1997 and never collected a penny. I'm sure our governor would appreciate that! I asked the PSC and the water district why and they said, "It's in litigation." Okay, but for over 10 years and no outcome? Come on!

Why has the public been excluded from this and why is it so hard to see that this is a health issue? It's not about building a road or determining who gets a road sign. And again, Aloha Utilities wants a multimillion-dollar rate increase and you ask why? So it can implement upgrades to the system that should have been done over 10 years ago and what makes you think it'll start now?

Again, our elected officials and the PSC will not step up and say no. Why has the PSC not pulled Aloha's license by now? Aloha will continue to play the legal games and the Pasco County Commission will continue to look the other way. We are stuck with black water, high rates and elected officials who don't represent the people who elected them in the first place. The Pasco County Commission makes many decisions every week, but a true health issues is avoided.

Ken Tucker, New Port Richey

<BR><BR><BR>\*\*\*\*\*<BR>Biggest Grammy Award surprises of all time on  
AOL Music.<BR>  
([http://music.aol.com/grammys/pictures/never-won-a-grammy?  
NCID=aolcmp00300000002548](http://music.aol.com/grammys/pictures/never-won-a-grammy?NCID=aolcmp00300000002548))</HTML>

**Ann Cole**

**From:** Ann Cole  
**Sent:** Tuesday, February 05, 2008 8:54 AM  
**To:** William C. Garner  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom; Kimberley Pena  
**Subject:** RE: From an Aloha Customer

Thank you for this information. This will be placed in the correspondence side of Docket No. 060122 today.

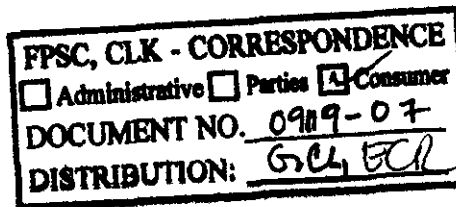
-----Original Message-----

**From:** William C. Garner  
**Sent:** Tuesday, February 05, 2008 7:28 AM  
**To:** Ann Cole  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** Fw: From an Aloha Customer

Ann,

Please place this customer e-mail in the correspondance side of the docket file.

-----  
William C. Garner (Bill)  
Florida Public Service Commission  
Chief Advisor to Commissioner Carter  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6046 Office  
(850) 559-5285 Mobile Device



----- Original Message -----

**From:** Matthew Carter  
**To:** William C. Garner  
**Sent:** Tue Feb 05 06:59:11 2008  
**Subject:** FW: From an Aloha Customer

Matthew M. Carter II  
Commissioner  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
Phone: (850) 413-6046  
Fax: (850) 413-6395  
e-mail: MCarter@psc.state.fl.us

-----Original Message-----

**From:** Swerdnaj@aol.com [mailto:Swerdnaj@aol.com]  
**Sent:** Monday, February 04, 2008 8:54 PM  
**To:** Lisa Edgar; Katrina McMurrian; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
**Cc:** reilly.steve@leg.state.fl.us; FASANO.MIKE.S11@flsenate.gov; GIORDANO.GREGORY.S11@flsenate.gov  
**Subject:** From an Aloha Customer

Honorable PSC Commissioners:

It has been almost two years since the PSC-Aloha Settlement Agreement was signed by the PSC, OPC, Aloha Utilities and some customer interveners. That agreement required Aloha to install an anion exchange process to eliminate hydrogen sulfide from its delivered water.

Implementation was to occur during a two-year period, beginning when the PSC order was issued.

Aloha Utilities has failed to implement the PSC Settlement Agreement in a timely manner, and it continues to discover new problems and reasons to delay providing satisfactory drinking water to its customers in the Seven Springs service area. Aloha's numerous delays will increase our costs.

As an Aloha customer who suffers the consequences of "black water" from Aloha Utilities, I am very dissatisfied with that utility's continued lack of adequate progress and the reluctance of the PSC to take punitive actions.

When the Settlement Agreement was finalized, the Aloha customers were promised that the PSC would reinitiate action for deletion of territory if Aloha did not implement the agreement satisfactorily. It is now time for the PSC to take that action so the long-suffering customers can be relieved of the poor water quality.

I urge you to begin deletion-of-territory proceedings now.

The following letter to our local newspaper expresses the frustration of another of Aloha's many dissatisfied customers. The author expresses his opinions about the lack of strong, decisive action by our state and local government agents to correct the egregious behavior of this private utility toward its customers.

Respectfully,  
John Andrews  
Trinity, Florida

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The following letter appears in the St. Petersburg Times, 1/31/08, Pasco Times section, p2, Opinion/Your Letters.

=====  
Todays Letters: Questions persist on Aloha Utilities

St. Petersburg Times  
Letters to the Editor  
Published January 31, 2008

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Aloha has supplied substandard water to approximately 15,000 or so households for years and already charges a high fee for its water. Again and again, the utility's owners duck and weave every legal step to provide its residents with what they pay for. Here's why. Because Aloha is being managed in part by attorneys. Get the picture, folks? So, it seems everyone is afraid to take any legal action against the company, so we continue to suffer with Aloha's black water.

Yet, the PSC and Southwest Florida Water Management District have levied fines against Aloha since 1997 and never collected a penny. I'm sure our governor would appreciate that! I asked the PSC and the water district why and they said, "It's in litigation." Okay, but for over 10 years and no outcome? Come on!

Why has the public been excluded from this and why is it so hard to see that this is a health issue? It's not about building a road or determining who gets a road sign. And again, Aloha Utilities wants a multimillion-dollar rate increase and you ask why? So it can implement upgrades to the system that should have been done over 10 years ago and what makes you think it'll start now?

Again, our elected officials and the PSC will not step up and say no. Why has the PSC not pulled Aloha's license by now? Aloha will continue to play the legal games and the Pasco

County Commission will continue to look the other way.  
We are stuck with black water, high rates and elected officials who don't represent the people who elected them in the first place. The Pasco County Commission makes many decisions every week, but a true health issues is avoided.

Ken Tucker, New Port Richey

=====

<BR><BR><BR>\*\*\*\*\*<BR>Biggest Grammy Award surprises of all time on  
AOL Music.<BR>  
([http://music.aol.com/grammys/pictures/never-won-a-grammy?  
NCID=aolcmp00300000002548](http://music.aol.com/grammys/pictures/never-won-a-grammy?NCID=aolcmp00300000002548))</HTML>

Ann Cole

060122

From: Katrina McMurrian  
Sent: Monday, February 04, 2008 10:00 PM  
To: Lorena Holley; Michael Cooke; Mary Bane  
Cc: Ann Cole; William C. Garner  
Subject: Fw: From an Aloha Customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09119-07		
DISTRIBUTION: _____		

----- Original Message -----

From: Swerdnaj@aol.com <Swerdnaj@aol.com>  
To: Lisa Edgar; Katrina McMurrian; Matthew Carter; Nancy Argenziano; Nathan A. Skop  
Cc: reilly.steve@leg.state.fl.us <reilly.steve@leg.state.fl.us>; FASANO.MIKE.S11@flsenate.gov <FASANO.MIKE.S11@flsenate.gov>; GIORDANO.GREGORY.S11@flsenate.gov <GIORDANO.GREGORY.S11@flsenate.gov>  
Sent: Mon Feb 04 20:53:31 2008  
Subject: From an Aloha Customer

Honorable PSC Commissioners:

It has been almost two years since the PSC-Aloha Settlement Agreement was signed by the PSC, OPC, Aloha Utilities and some customer interveners. That agreement required Aloha to install an anion exchange process to eliminate hydrogen sulfide from its delivered water. Implementation was to occur during a two-year period, beginning when the PSC order was issued.

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Respectfully,  
John Andrews  
Trinity, Florida

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The following letter appears in the St. Petersburg Times, 1/31/08, Pasco Times section, p2, Opinion/Your Letters.

=====

Today's Letters: Questions persist on Aloha Utilities



St. Petersburg Times  
Letters to the Editor  
Published January 31, 2008

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NCID=aolcmp00300000002548)</HTML>

**Ann Cole**

---

**From:** Ann Cole  
**Sent:** Thursday, March 13, 2008 10:53 AM  
**To:** Office of Commissioner McMurrian; Tim Devlin; Michael Cooke; Jean Hartman; Mary Bane; Marshall Willis  
**Cc:** Lorena Holley; Ryder Rudd  
**Subject:** RE: Customer Protest Concerning Aloha Utilities Rate Increase

<b>Tracking: Recipient</b>	<b>Read</b>
Office of Commissioner McMurrian	
Tim Devlin	
Michael Cooke	
Jean Hartman	Read: 3/13/2008 10:53 AM
Mary Bane	
Marshall Willis	Read: 3/13/2008 10:53 AM
Lorena Holley	
Ryder Rudd	

I received this correspondence from Ryder Rudd this morning. It is being placed in *Docket Correspondence - Consumers and their representatives*, in Docket No. 060122-WU.

---

**From:** Office of Commissioner McMurrian  
**Sent:** Thursday, March 13, 2008 10:34 AM  
**To:** Tim Devlin; Michael Cooke; Jean Hartman; Mary Bane; Marshall Willis; Ann Cole  
**Cc:** Lorena Holley  
**Subject:** FW: Customer Protest Concerning Aloha Utilities Rate Increase

---

**From:** Richard [mailto:db\_design@hotmail.com]  
**Sent:** Wednesday, March 12, 2008 8:52 PM  
**To:** Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of the Chairman; Office of Commissioner McMurrian; Office of Commissioner Skop; Ryder Rudd  
**Cc:** Wayne Forehand  
**Subject:** Customer Protest Concerning Aloha Utilities Rate Increase

*Richard L. Power*

---

1534 Haverhill Drive – New Port Richey, FL 34655 – (727) 376-7006  
email db\_design@hotmail.com

March 12, 2008

PSC Commissioners

3/13/2008

Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Ref: **Docket No. 060122-WU** – Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to **PROTEST** your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

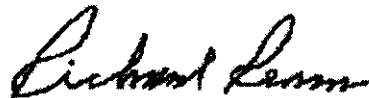
1. The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

Page 2 – Protest to Aloha's Rate Increase – Docket No. 060122-WU

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,



Richard Power  
Electronic Signature for Purposes of Expediting Response

CC: Wayne Forehand via email

3/13/2008

## Ann Cole

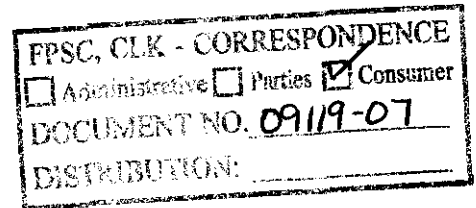
---

**From:** Ann Cole  
**Sent:** Friday, January 18, 2008 4:57 PM  
**To:** William C. Garner  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** RE: Docket No. 060122-WU

CLK is working on this now. We will disseminate this information to all the parties today.

---

**From:** William C. Garner  
**Sent:** Friday, January 18, 2008 2:20 PM  
**To:** Ann Cole  
**Cc:** Roberta Bass; Lorena Holley; Larry Harris; Bridget Groom  
**Subject:** Docket No. 060122-WU



Ann,

Please place the attached document in the record for docket No. 060122-WU, and disseminate to all of the parties of record.

*William C. Garner* (Bill)

Florida Public Service Commission  
Chief Advisor to Chairman Carter  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0855  
(850) 413-6046

---

**From:** Randy Roland  
**Sent:** Friday, January 18, 2008 1:33 PM  
**To:** William C. Garner; Lois Graham; Roberta Bass; Lorena Holley; Kay Posey; Larry Harris; Steve Larson; Bridget Groom; Mary Macko  
**Cc:** Rhonda Hicks  
**Subject:** FW: 727 841 4453, 2 page(s)

Attached is a letter from Senator Fasano.

---

**From:** Consumer Contact  
**Sent:** Friday, January 18, 2008 1:30 PM  
**To:** Randy Roland  
**Subject:** FW: 727 841 4453, 2 page(s)

---

**From:** NET SatisFAXtion  
**Sent:** None  
**To:** Consumer Contact  
**Subject:** 727 841 4453, 2 page(s)

You have received a new fax. This fax was received by **NET SatisFAXtion**. The fax is attached to the message. Open the attachment to view your fax.

### Received Fax Details

---

Received On: 1/18/2008 12:15 PM  
Number of Pages: 2  
From (CSID): 727 841 4453

From (ANI):  
Sent to DID:

Duration of Fax: 0:00:54  
Transfer Speed: 28800

Received Status: Success  
Number of Errors: 1  
Port Received On: RockForceOCTO+ Port 6

---

<< File: FAX.TIF >>

**Tracking:**

<b>Recipient</b>	<b>Read</b>
William C. Garner	Read: 1/18/2008 5:09 PM
Roberta Bass	Read: 1/18/2008 5:03 PM
Lorena Holley	
Larry Harris	Read: 1/18/2008 8:52 PM
Bridget Groom	Read: 1/18/2008 5:20 PM



**SENATOR MIKE FASANO**  
 Majority Whip  
 11th District

## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
 Transportation and Economic Development  
 Appropriations, *Chair*  
 Communications and Public Utilities  
 Fiscal Policy and Calendar  
 Health Regulation  
 Judiciary  
 Regulated Industries  
 Rules

**SELECT COMMITTEE:**  
 Property Insurance Accountability

**JOINT COMMITTEE:**  
 Legislative Budget Commission

January 18, 2008

The Honorable Matthew Carter, Chairman  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, FL 32399-0850

Dear Chairman Carter:

On January 29, 2008 the Commission is scheduled to consider Aloha Utilities' petition for a rate increase as documented in Docket No. 060122-WU. While the scheduling of this hearing has been driven by the settlement agreement entered into by Aloha and the Commission, I am respectfully requesting that you consider postponing the hearing. The purpose of the postponement is so that it can be rescheduled in Pasco County at a date and time to be set. With the specific purpose of allowing affected customers to attend and testify.

The saga of Aloha Utilities and its customers is well known and well documented. It took more than a decade of legal wrangling with the utility for its management to finally agree to install a water treatment system that will address the ongoing problems of hydrogen sulfide. Sadly, the settlement agreement was entered into by Aloha only upon the threat of deletion of its territory. That very settlement agreement, however, is well over a year behind schedule. On November 22, 2007 I sent a letter to this commission requesting that deletion proceedings be instituted once again because of Aloha's egregious violation of the settlement agreement's timetable. Rather than consider that request the Commission obviously is considering the rate increase application that Aloha has filed.

If the 12,000 plus customers who live in Aloha's Seven Springs Service Delivery Area had a tangible reason to pay the rates requested by Aloha (i.e. cleaner water) then there may be little opposition. If they could see the construction of a treatment plant or see water lines being connected with Pasco County's system I doubt there would be many who would object to paying higher water rates. However, since the staff recommendation proposes an increase of over \$3 million dollars, which is admittedly far less than what Aloha had applied for, I doubt very few, if any, customers would support such an increase. I believe it is in the best interests of the customers if they had an opportunity to express their position on this proposal. Therefore, I respectfully request that the January 29 hearing be postponed and rescheduled to a later date in

**REPLY TO:**

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- 302 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KEN FRUITT**  
 President of the Senate

**LISA CARLTON**  
 President Pro Tempore

January 18, 2008

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Pasco County at a venue which is sufficiently large enough to accommodate the customers who may wish to testify in this rate hearing.

Since Aloha has had little regard for the timetable set on in the settlement agreement, I can't see how a short delay in this particular hearing would be detrimental to the utility. A delay in the hearing, with it moved to a location that the customers can easily attend, will serve to give the Commission the human side of this problem. This proposed rate increase is more than just dollars and cents for a company, it is a real impact on the lives of those people who rely upon this water company for their most basic of physical needs. Any rate increase, after all, will come out of their pockets. I for one believe they should have the opportunity to express how their lives have been and will be affected.

Thank you in advance for your consideration.

Yours truly,



Mike Fasano  
State Senator, District 11

MF/gg

Cc: The Honorable Nancy Argenziano  
The Honorable Lisa Polak Edgar  
The Honorable Katrina McMurrian  
The Honorable Nathan A. Skop

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**Campagna Homes, Inc.**  
955 MLK Drive East, Unit F  
Tarpon Springs, Florida 34689  
727-944-3577 727-944-3588 Fax

May 7, 2007

060122 -

Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Fl 32399-0850

Email contact@psc.state.fl.us  
Fax 800-511-0809  
Telephone 800-342-3552

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COMMISSION CLERK

We have been in conversation with Aloha Utilities for the Florencia subdivision of Champions Club Community in Trinity, Florida 34655 regarding a pre-pay for the 1" water meter prior to installation of the meter at specific locations where we are building. We wanted to pre-pay prior to the rate increase. We were told by Aloha Utilities that it is operated by the State Regulations and they could not allow us to pre-pay.

I am a little baffled by this response, since we would be giving them the money upfront prior to securing an installation date of the 1" meter. Can you please provide us with the State Regulation for such a request.

- CMP
- COM
- CTR
- ECR
- GOL
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- RCA
- SCR
- SGA
- SEC
- OTH

Please contact me by the following means whichever is easiest for you:

Michael Campagna  
Cell 727-409-6784  
Office 727-944-3577  
Fax 727-944-3588  
Email office@campagnahomes.com  
Address:

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Tarpon Springs, Florida 34689

Thank you,

Campagna Homes, Inc

Michael P Campagna  
President

DOCUMENT NUMBER - DATE  
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