

Ann Cole

From: Ann Cole
Sent: Friday, August 22, 2008 9:35 AM
To: Caroline Klancke
Cc: Pat Brady; 'Marsha Rule'
Subject: RE: Tamiami - Ni Florida

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 07256-08
DISTRIBUTION: _____

Thank you for this information, which will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 080183-WU.

From: Caroline Klancke
Sent: Friday, August 22, 2008 8:53 AM
To: Ann Cole
Cc: Pat Brady; 'Marsha Rule'
Subject: FW: Tamiami - Ni Florida

Ann,

Please include the attached letter in the correspondence side of Dkt. No. 080183. Thank you.

From: Marsha Rule [mailto:marsha@reuphlaw.com]
Sent: Thursday, August 21, 2008 5:46 PM
To: Caroline Klancke
Cc: Patti Daniel; Pat Brady
Subject: Tamiami - Ni Florida

Ms. Klancke:

Attached FYI is a copy of Ni Florida's response Ms. Oliviera regarding issues discussed between Ms. Oliviera and Rick Melcher of Ni Florida, and which Ms. Oliviera raised in her fax to staff dated Aug. 18, 2008. I believe this should be placed in the Docket Correspondence file so I am providing it to you directly rather than filing with the Clerk.

Please feel free to contact me if you have any questions.

Marsha Rule

Marsha Rule, Esq.
Rutledge, Ecenia & Purnell, P.A.
215 S. Monroe St., Suite 420
Tallahassee, FL 32301
marsha@reuphlaw.com
850.681.6788 phone
850.681.6515 fax

8/22/2008

**Ni Florida, LLC
18325 US 19
Suite 301
Hudson, FL 34667
(727) 863-0205**

**Barbara J. Oliveira, PCAM
Manager – Tamiami Master Association**

August 21, 2008

Dear Barbara,

Thank you for our telephone conversation last Friday afternoon regarding communication procedures for operations of Tamiami Village. I spoke with our head of operations and provide his responses to our requests below.

In his experience, the procedure of having the “customer” call the operator directly has many potential problems that can delay response times. Only our emergency contact personnel in Hudson are available 24 hours a day and have the necessary information to dispatch the appropriate persons. That number is to be answered at all times and, therefore, we believe is the only procedure for you to take to ensure a timely response. Our emergency number and any other appropriate information is always provided to customers when Ni Florida assumes responsibility of a system.

Current operators, Joe Jacobs and Bill Speith, live within the Tamiami system and will continue to be the local operators. Their familiarity with the system assures a smooth transition with no learning curve needed for new operators. A licensed, full-time operator from Florida Utility Group that lives in the area will be assigned to oversee this utility. His responsibilities will include the general oversight of the utility and to be available to visit the site whenever an issue requires his attention. I also mentioned to you there is a local plumbing company that may be used for repairs beyond the scope of what the local operators can handle. In our opinion, the only circumstance in which you would be authorized to call them is on your own behalf. We are willing to allow you to have the local operators’ phone numbers so that you could communicate with them regarding timing of repairs, etc.

Regarding “boil water” notices:

It is our policy to provide such notice to customers via “door hangers” so that all customers receive prompt notice. Additionally, we believe in customer education so that all of our water system residents understand what situations trigger boil water conditions.

Barbara, I hope this letter relieves some of your concerns over our future ownership and operation of the system. Our highest priority is prompt and reliable service to our customers. As always, you may call me anytime you have questions or concerns. Our head of operations, Craig Sherwood, offers his phone number as well.

**Sincerely,
Rick Melcher
VP Public Relations
979-319-0966**

Ann Cole

From: Ann Cole
Sent: Monday, August 18, 2008 11:27 AM
To: Caroline Klancke
Cc: Patti Daniel; Pat Brady
Subject: FW: 239 997 3037, 1 page(s)

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 07256-08
DISTRIBUTION: _____

Attachments: FAX.TIF

Thank you for this information. This email and its attachment will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 080183-WU, today.

From: Caroline Klancke
Sent: Monday, August 18, 2008 10:47 AM
To: Ann Cole
Cc: Patti Daniel; Pat Brady
Subject: FW: 239 997 3037, 1 page(s)

Anne,

Please include this document in the correspondence side of the docket file of Dkt. No. 080183. Thank you.

From: NET SatisFAXtion
Sent: None
To: Caroline Klancke
Subject: 239 997 3037, 1 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: 8/18/2008 10:41 AM
Number of Pages: 1
From (CSID): 239 997 3037
From (ANI):
Sent to DID: 6221

Duration of Fax: 0:00:24
Transfer Speed: 21600

Received Status: Success
Number of Errors: 0
Port Received On: RockForceOCTO+ Port 8 #2



FAX.TIF (15 KB)

August 18, 2008

Caroline Klancke, Esq.

As per our discussion and that had with Mr. Melcher, here are just four other questions:

In Ni-America's Proposal it was stated:

- Water rates must cover cost of service, compliance and violation issues and possible repairs, but Docket is to remain open until base rate is established. Will Tamiami Village be a part of or be consulted when the hearing takes place to discuss, evaluate and establish the rate?

Spoke with Rick Melcher from Ni-America on Friday and they are to provide us with a list of the people who will continue to operate the system, the plumber, the certified operator along with a letter authorizing me to deal with these service people directly in the event of a pipe break or emergency. When will this take place?

- Who is responsible for the boil water notice and what is the protocol for this service?
- On the Water Service Rate Schedule, there is a line item listed as Private Fire Protection Service Incident Charge (FPW). What is this and when does it apply as there are no fire hydrants within the Park?

Due to Tropical Storm Fay, I may not be in my office as it could be in the direct path of this storm. Here are two other phone numbers: 941-764-6197 and 941-661-8787.

I will have the paperwork with me at home.

Thank you
Barbara J. Oliveira, PCAM®

Ann Cole

From: Ann Cole
Sent: Wednesday, August 13, 2008 4:32 PM
To: Caroline Klancke
Cc: Pat Brady; Patti Daniel; Jennifer Brubaker
Subject: RE: Dkt. No. 080183 Tamiami Transfer

CONSUMER

Thank you for this information. This email and its attachment will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 080183-WU.

From: Caroline Klancke
Sent: Wednesday, August 13, 2008 4:09 PM
To: Ann Cole
Cc: Pat Brady; Patti Daniel; Jennifer Brubaker
Subject: Dkt. No. 080183 Tamiami Transfer

Ann,

Please include the attached 1 page fax in the correspondence side of the docket file in the above referenced matter. If you have any questions regarding this information, please let me know. Thank you.

Caroline Klancke

From: NET SatisFAXtion
Sent: None
To: Caroline Klancke
Subject: 239 997 3037, 1 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: 8/13/2008 3:23 PM
Number of Pages: 1
From (CSID): 239 997 3037
From (ANI):
Sent to DID: 6221

Duration of Fax: 0:00:26
Transfer Speed: 21600

Received Status: Success
Number of Errors: 0
Port Received On: RockForceOCTO+ Port 8 #2

<< File: FAX.TIF >>

Date: August 11, 2008

Ms. Caroline Klancke, Esq.
State of Florida
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 3299-0850

Dear Ms. Klancke:

In the data given us by the Ni Florida Representatives, on a Page labeled Price/Cost, they indicated that they were allowed a rate of return on their investment. Could you please relate to us the "rate of return" Ni Florida will be receiving on their investment?

In an arms length transaction, a willing seller desires as much as they can get upon the sale of their asset. A willing purchaser desires to spend as little as possible for the purchase of the asset.

Since Ni Florida as the purchaser will be receiving a "rate of return" on their investment, they would presumably desire to pay as high as possible for the asset, not the least. If they can borrow money at say 7% and receive a "rate of return" of 9 or 10%, then they will have a profit of 2 or 3%. The higher the purchase price the higher the profit and we in Tamiami Village as their customer must pay this additional profit to them. Ni Florida would have no incentive to negotiate a lower purchase price.

On Page 4 of the written discussion, it was related that Ni Florida was paying \$745,000 for the water company. We do not have the value of assets, book value or fair market value available to us. Do you have these numbers and could you relate them to us. The "utility's rate base" was \$57, 795 in 1955 and \$79,517 at December 31, 2007. We do not know the definition of the term "utility base rate". If it does indicate value of some kind, compared to the \$745,000, the numbers speak for themselves as being what we believe may be excessive.

The excessive cost is of prime concern to us. Based on the records sent to us, a discussion of this issue never came up in the meetings to arrive at your recommendation.

This issue was brought up when Ni Florida Representatives visited us, but they would not or could not address the issue.

Thank you,

