

Dorothy Menasco

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Sent: Tuesday, October 04, 2011 4:53 PM
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Subject: 100330-WS - Electronic Filing
Attachments: Verified Response.pdf

a. Person responsible for this electronic filing:

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b. Docket number and title for electronic filing are: Docket No. 100330-WS - In Re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

c. The name of the party on whose behalf the document is filed: Aqua Utilities Florida, Inc. ("AUF").

d. Total number of pages: 27

e. Brief description of filing: Aqua Utilities Florida, Inc.'s Verified Response to Motion For Investigation, Entry of Cease and Desist Order and Entry of Order to Show Cause Filed by YES Companies, LLC d/b/a Arredondo Farms

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10/4/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.	Docket No. 100330-WS Filed: October 4, 2011
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**AQUA UTILITIES FLORIDA, INC.'S VERIFIED RESPONSE TO
MOTION FOR INVESTIGATION, ENTRY OF CEASE AND DESIST ORDER AND
ENTRY OF ORDER TO SHOW CAUSE
FILED BY YES COMPANIES, LLC D/B/A ARREDONDO FARMS**

Pursuant to Rule 28-106.204, Florida Administrative Code, Aqua Utilities Florida, Inc. ("AUF"), hereby files this Verified Response to the Motion for Investigation, Entry of a Cease and Desist Order, Entry of an Order to Show Cause filed by YES Companies, LLC d/b/a Arredondo Farms ("YES") on September 27, 2011. Because the attached Affidavit of Susan Chambers and exhibits appended thereto ("Affidavit") demonstrate that AUF has not engaged in any retaliatory conduct and that YES's hyperbolic accusations are wholly without merit, YES's motion should be rejected as utterly baseless. AUF states in support as follows:

1. As a public utility, AUF has an obligation under law to bill and collect for services rendered in a nondiscriminatory manner. *See, e.g.*, Order No. PSC-94-1357-FOF-WU. Accordingly, AUF cannot suspend billing and collection activities for some customers simply because it has a rate case pending. While suspending those activities might pacify some delinquent customers and thus might reduce customer complaints during the case, it would be illegal under Florida law which prohibits a utility from giving preferential treatment or charging one customer less than another customer for the same service. *Id.*

2. In accordance with Florida's requirements, when AUF's computer system determines that a customer is delinquent on a bill, that customer is provided with a computer-generated notice advising of the delinquency. (*See* Affidavit, ¶ 5.) Such notices are issued solely on the basis of whether

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payment on an account was received on the prescribed date. (*Id.*) Consequently, when the computer system generates and issues such notice it does so without regard to the personal name on the account. (*Id.*, ¶¶ 5, 8, 9, 13 & 14.) That same basic process is strictly followed where AUF's meter readings indicate unauthorized water usage at a property where there is no customer of record. In that circumstance, AUF's computer system assumes the new customer now occupies the property and the computer system generates and issues a letter to the occupant advising the occupant that it needs to apply for service. (*Id.*) Because these notices are automatically issued by AUF's computer system and it outrageous for YES to claim that those notices were issued because a particular customer testified at the Gainesville Customer Hearing. (*Id.*)

3. YES's fabricated claim that AUF is retaliating against customers who testified at the Gainesville Customer Hearing is based on three exhibits: 1) an AUF 10-day Shut Off Notice dated September 13, 2011, to Mr. Eugene Davis; 2) an AUF "occupant" notice dated September 13, 2011, regarding unauthorized use of water; and 3) a collections notice from NCO Financial Systems, Inc. dated September 22, 2011, to YES for an outstanding balance YES owes to AUF for services received. (YES Motion, Exhibits A, B & C.)

4. Contrary to YES's repugnant attempts to vilify AUF in its Motion, YES's exhibits are nothing more than routine, computer generated notices that have absolutely nothing to do with any testimony these customers may have offered at the Gainesville Customer Hearing. (Affidavit, ¶¶ 5, 8, 9, 13 & 14.) Instead, the notices have everything to do with documented failure of customers to timely pay bills or documented water usage by occupants that are not current customers of AUF. (*Id.*)

5. With respect to the notice sent to Mr. Eugene Davis, YES misleads the Commission by failing to provide all material facts and documents. First, YES fails to apprise the Commission that Mr. Davis had previously entered into a Payment Arrangement dated October 18, 2010 with AUF to address wastewater service that he received but did not pay for over a three-year period from August 2007 through September 2009. (Affidavit, Exhibit A.) That Payment Arrangement was structured in

strict accordance with Commission Rule 25-30.350, and established an installment payment plan which billed Mr. Davis for the wastewater service from September 2010 back to September 2009, which was twelve months prior to AUF learning of the undercharge.¹ Under the Payment Arrangement, Mr. Davis was allowed to pay the undercharged amount in \$50 installments over seventeen months. (*Id.*) The Payment Arrangement expressly provided that payment would need to be made by the last day of each month, in addition to timely payment of each monthly bill for current service, or the Payment Arrangement would be automatically deemed in default and the entire past due balance on the account would be due and payable. (*Id.*) Mr. Davis missed making his August 31, 2011 payment due date required under the Payment Arrangement and, more than a week after that due date, still no payment had posted to his account. (Affidavit, ¶ 12.) Just as his Payment Arrangement stated would occur, the missed payment automatically triggered a default of the Payment Arrangement in AUF's computer system. Consequently, on September 9, 2011, AUF's computer system automatically generated a 10-day Shut Off Notice, noting that the entire past due balance on the account would be due by September 22, 2011. (Affidavit, Exhibit B.) This initial Notice was issued prior to Mr. Davis' testimony at the Gainesville Customer Hearing on September 12, 2011. YES's motion fails to apprise the Commission of this material fact. (*Id.*) Because Mr. Davis' late payment posted after the close of business on September 13, 2011, the Payment Arrangement had already automatically defaulted, the entire unpaid balance on the account had become due and payable. (*Id.*) Thus, Mr. Davis' late payment—which was not enough to satisfy the account's entire unpaid balance—automatically triggered the computer system to issue a second 10-day Shut Off Notice on September 13, 2011. (Affidavit, Exhibit C.) This second 10-day Shut Off Notice noted the remaining balance due in light of the payment that posted on September 13, and extended Mr. Davis' time to pay the new, lesser balance to September 26, 2011. (*Id.*) This second 10-day Shut Off Notice is what YES

¹ The facts underlying this Payment Arrangement were extensively discussed in AUF's Response to YES's Memorandum in Opposition to the Rate Case filed in docket on April 28, 2011.

has attached to its Motion to support YES's ludicrous claim that AUF retaliated against Mr. Davis for testifying at the September 12 Gainesville Customer Hearing. (*Id.*; YES Motion, Exhibit. A.) Moreover, as shown in Exhibit "D" to Ms. Chambers' Affidavit, AUF then permitted Mr. Davis to enter a new Payment Arrangement on September 21, 2011, which allows him to pay the remaining balance in \$50.00 per month installments over the next 7 months. (Affidavit, Exhibit D.) Again, YES's motion fails to inform the Commission of these important and material facts. As explained in Ms. Chambers' Affidavit, computer generated notices issued to Mr. Davis had nothing to do with the fact that Ms. Davis had testified at the Gainesville Customer Hearing on September 12, 2011. (Affidavit, ¶ 12.)

6. With respect to the notice that AUF sent to the occupant on September 13, 2011, regarding unauthorized use of water, YES again misleads the Commission by omitting material facts. As Ms. Susan Chambers explains in her Affidavit, Ms. Lewis is not a current customer of AUF as YES would have the Commission believe. (Affidavit, ¶ 10.) On July 26, 2011, after multiple delinquent notices by AUF, Ms. Lewis' service was shut off for nonpayment. (*Id.*) On July 28, 2011, two days after the service was shut off, Ms. Lewis contacted AUF and was told that a payment of \$268.66 was required in order to restore service. Although Ms. Lewis has not contacted AUF since that time, and AUF physically shut off the water on July 26, 2011, and has not turned the water back on, unauthorized usage has continued to register on the meter. Specifically, as stated in the Affidavit, after Ms. Lewis received the final bill that YES attached to its motion (issued through the July 26 service termination date) meter readings show that there has been 3,400 gallons of unauthorized water use at the property. (*Id.*) As explained in Ms. Chambers' Affidavit, when unauthorized water use is detected at a location where there is no current customer, AUF's computer system assumes that there is a new resident at the property, automatically generates and issues a letter to the "occupant", advising the occupant that he or she needs to apply for service. (Affidavit, ¶ 9.) This is precisely what prompted the computer generated letter to the occupant dated September 13, 2011, which YES attaches to its Motion. As

explained in Ms. Chambers' Affidavit, the "occupant" letter was automatically generated by AUF's computer system due to the fact that unauthorized water use had been detected at the property. This notice was automatically generated and issued by AUF's computer system based on the detection of unauthorized water use. (Affidavit, ¶ 10.) As Ms. Chambers' Affidavit explains, the issuance of the letter had nothing whatsoever to do with the fact that Ms. Lewis had testified at the Gainesville Customer Hearing.

7. Finally, with respect to the collections notice issued to YES on September 22, 2011, for the outstanding balance owed, YES once again misleads the Commission by omitting material facts and failing to provide pertinent documents. As Ms. Chambers' Affidavit shows, YES has been delinquent in paying its own account for an extended period of time. (Affidavit, ¶ 14.) YES was the customer of record at Lot 2440 and requested service for this address effective on November 30, 2010. YES was billed for this address on December 15, 2010, for service through December 13, 2010. (*Id.*) YES continued as customer of record at Lot 2440 until December 28, 2011, when a new customer applied for service at this location. Accordingly, YES was responsible for a turn-on fee and service from November 30, 2010, through December 28, 2011. As indicated on the January 11, 2011 bill, the full amount due for service on the account for that period was \$89.87, which included the \$22 turn-on fee. After failing to pay the January 11, 2011 bill by the February 2, 2011 due date, a reminder notice was issued to YES on March 15, 2011 for \$89.87. (Affidavit, Composite Exhibit E.) YES subsequently paid the \$22 turn-on fee on April 2, 2011—two months late—but failed to pay the remaining \$67.87 owed on the account. Given that the remaining \$67.87 bill remains unpaid, and in light of the length of the delinquency and multiple notices, the delinquent account was turned over for collections to an outside collection agency - NCO Financial Systems, Inc. (Affidavit, ¶ 14.) The September 22, 2011, letter from NCO advising that the account remains delinquent is, therefore, correct. Furthermore, as explained in Ms. Chambers' Affidavit, AUF has provided no information to the collection agency concerning whether or not a particular or former customer testified for or against the utility in any legal

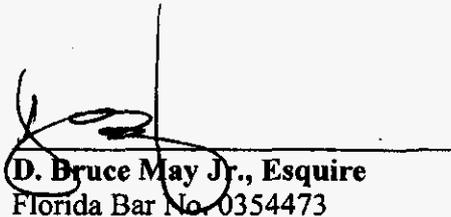
proceeding. (Affidavit, ¶ 14.) YES's claim that the collection agency issued a notice to YES in retaliation for YES's testimony at the Gainesville Customer Hearing is absurd.

8. Nor is there any support for YES's claim that a supposed "heated exchange" occurred between AUF's counsel and customers at the Gainesville Customer Hearing. The customer hearing transcripts show that AUF's counsel has consistently treated customers with respect and courtesy, and that counsel's inquiries all have been politely made to gather clarifying information relating to the customer's system, account name, and the nature of the concern so that AUF can file a response by November 3, 2011, in accordance with the Commission directive.

9. YES's claims that AUF is systematically retaliating against those who testify at customer hearings are patently false, completely unsupported by material facts, and appear to be interposed for an improper purpose of misleading the Commission. Unfortunately, YES's outrageous claims needlessly increase rate case expense, which ultimately is borne by customers. The Commission should reject YES's motion.

WHEREFORE, AUF respectfully requests that the Commission deny YES's motion.

Respectfully submitted this 4th day of October, 2011.

A handwritten signature in black ink, appearing to read "D. Bruce May Jr.", is written over a horizontal line. The signature is stylized and somewhat cursive.

D. Bruce May Jr., Esquire

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-and-

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Attorneys for Aqua Utilities Florida, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by e-mail and

U.S. Mail this 4th day of October, 2011 to:

Ralph Jaeger
Caroline Klancke
Office of General Counsel
Florida Public Service Commission
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Tallahassee, Florida 32399-0850

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Attorney

relating to the Motion and its attached correspondence and I can unequivocally affirm that the correspondence was not and cannot be issued with any regard to whether the recipient was a witness in AUF's case pending before the Florida Public Service Commission.

4. Each of the accounts discussed in YES's Motion reflects a history of delinquency which has resulted in routine, computer-generated correspondence, including a 10-day Shut Off Notice to Mr. Eugene Davis following a default under a Payment Arrangement; an "occupant" letter noticing non-customer usage; and a collections letter for an unpaid balance for service AUF provided to YES in 2010.

5. Customers with delinquent bills are routinely provided with computer-generated notices advising them of the delinquency. The computer-generated notices, like those addressed in and attached to YES's Motion, are automatically issued by AUF's computer system solely on the basis of whether payment on an account is received by the prescribed date, and strictly pursuant to AUF's protocol to address delinquent accounts. When the computer-generates notices relating to delinquent accounts, it is based solely on the customer's delinquency status and not based on the customer's name. Thus, the computer system has no information whatsoever regarding whether a particular customer testified for or against AUF in any legal proceeding.

6. The three accounts discussed in YES's Motion relate to four specific AUF delinquency policies, discussed in detail below, which address: (1) active customer account delinquency resulting in discontinuance of service, (2) unauthorized consumption where there is no active customer of record, (3) delinquent accounts subject to Payment Arrangement, and (4) final bill delinquency resulting in collections referral. AUF's internal computer system is designed to ensure that each of these AUF delinquency policies are carried out in the same manner for every AUF customer.

7. YES's discussion and documents regarding Ms. Regina Lewis touch on two of AUF's delinquency policies, including AUF's policy governing active customer account delinquency and unauthorized consumption at a location where there is no active customer of record.

8. Regarding AUF's policy governing active customer account delinquency, when AUF issues a monthly bill for customer usage, that bill is due 21 days after the bill issues. *See Fla. Admin. Code R. 25-30.335.* However, not until Day 27 following the bill's issuance (6 days after the bill due date), does AUF consider the customer's account delinquent. At that time, on Day 27, the account becomes subject to AUF's delinquency processes. Pursuant to those delinquency processes, the computer system automatically filters those accounts which are delinquent and, also on Day 27, imposes a \$5 late fee per bill that will appear on the customer's next bill. On Day 28 (7 days after the bill due date), the computer system again filters those delinquent accounts with an outstanding balance on the account of \$110 or greater and, for those accounts, a 10-day Shut Off Notice is automatically generated by AUF's computer system and mailed to the customer. On Day 36 (15 days after the bill due date), the computer system again automatically filters those delinquent accounts with an outstanding balance on the account of \$110 or greater. For those accounts, the computer system automatically generates a file that triggers a telephone call from NCO Financial Systems, Inc. ("NCO"), a vendor which assists AUF to resolve delinquent accounts, to the customer to remind the customer to pay the outstanding balance on the account. On Day 42 (21 days after the bill due date), if the customer still owes \$110 or greater, then the computer system will automatically generate a service order for a "Shut Off for Nonpayment" ("SONP") to terminate service, to be carried out by an AUF field technician.

9. At least two weeks following the physical shut off of service to a particular property, the account is deemed to be inactive and a final bill is generated and sent to the former customer at the address of record. Once the account is deemed inactive, if AUF then detects unauthorized consumption on that inactive location through the routine meter reading process, AUF's computer system assumes a new resident is at the property and automatically generates a letter to be sent to the occupant at that location notifying the occupant of the requirement to apply for AUF service. A "Turn Off and Block" service order is issued at the time the occupant letter is generated and, if after 10 days AUF receives no response to the occupant letter, then service discontinuance is scheduled.

10. According to YES's Motion, Ms. Regina Lewis received such an occupant notice after AUF's meter reading program detected unauthorized consumption at the property. According to AUF's delinquency processes, on July 26, 2011, after Ms. Lewis was reminded to pay the account's outstanding balance multiple times, Ms. Lewis' service was discontinued for nonpayment. On July 28, 2011, two days after the service was discontinued, Ms. Lewis contacted AUF and was told that a payment of \$268.66 was required to restore service. Ms. Lewis did not submit that payment or otherwise contact AUF thereafter. Accordingly, AUF's computer system deemed the property inactive and, although the water has remained shut off since July 26, 2011, usage was detected on the meter. Specifically, since Ms. Lewis received the final bill (issued through the July 26, 2011 service termination date) that YES attached to its Motion, 3,400 gallons have been used at the property. Pursuant to AUF's standard protocol, and having nothing to do with any testimony given at any hearing, on September 13, 2011, AUF's computer system automatically generated a letter informing what it assumed was a new occupant of the property of the need to apply for service.

11. YES's discussion and documents regarding Mr. Eugene Davis touches on AUF's delinquency policy relating to customer accounts subject to a payment arrangement. If an AUF customer has entered into a payment arrangement with AUF, then such payments are subject to the terms outlined in the Payment Arrangement Letter, which includes a specific due date. If the full monthly installment payment is not received within one week of that specified due date, then on Day 8 following the due date, the Payment Arrangement is in default, the computer system automatically cancels the Payment Arrangement, and the entire past due balance on the account is immediately due and payable. If the entire past due balance on the account on Day 9 following the Payment Arrangement due date is \$110 or greater, the computer system will automatically generate a 10-day Shut Off Notice to be mailed to the customer. On Day 10, the customer of any such account is also called by NCO regarding the outstanding balance owed. On Day 11, an SONP is automatically generated by the computer system and, if by Day 29 payment still has not posted, then the SONP may be carried out.

12. With respect to the notice sent to Mr. Eugene Davis, Mr. Davis entered into a Payment Arrangement with AUF to address wastewater service that he received but did not pay for over a three-year period from August 2007 through September 2010. (See Exhibit "A" attached hereto.) In accordance with the Commission's Rules, AUF billed Mr. Davis for only the most recent 12 months of wastewater service, for which he has not yet paid in full. AUF allowed Mr. Davis to pay the bill owed over 17 months which, under the Payment Arrangement, equated to \$50.00 per month. The Payment Arrangement expressly provided that payment would need to be made by the last day of each month, in addition to timely payment of each monthly bill for current service, or the Payment Arrangement would automatically cancel. Mr. Davis missed his August 31, 2011 payment required under the Payment Arrangement and, more than a week after that due

date, still no payment had posted to his account. Just as his October 2010 Payment Arrangement Letter stated would occur, the missed payment automatically triggered cancellation of the Payment Arrangement. Thus, on September 9, 2011, AUF's computer system automatically generated a 10-day Shut Off Notice. (See Exhibit "B" attached hereto.) This 10-day Shut Off Notice noted that the entire past due balance remaining on the account would be due by September 22, 2011. This initial Notice issued prior to Mr. Davis' testimony at the Gainesville Customer Hearing on September 12, 2011. On September 13, 2011, Mr. Davis' payment posted for his current usage bill, as well as his \$50 August Payment Arrangement payment. However, because this payment posted after the Payment Arrangement had already automatically cancelled, the entire past due balance on the account had become due and payable. Thus, Mr. Davis' late payment, which was not enough to satisfy the entire past due balance on the account, automatically generated a second 10-day Shut Off Notice on September 13, 2011. (See Exhibit "C" attached hereto.) This second 10-day Shut Off Notice noted the remaining past due balance and extended Mr. Davis' time to pay the new balance to September 26, 2011. This second 10-day Shut Off Notice was automatically generated by the computer system, and was in no way generated to retaliate against Mr. Davis for testifying at the September 12 Gainesville Customer Hearing. Moreover, AUF permitted Mr. Davis to enter into a new Payment Arrangement on September 21, 2011, to permit him to pay the remaining balance in \$50.00 per month installments over the next 7 months. (See Exhibit "D" attached hereto.)

13. YES's discussion and documents regarding YES's account touch on AUF's delinquency policy relating to customer accounts with unpaid balances on final bills. When a new customer applies for service, a service order is created. When the service order for the new customer is completed, the computer system automatically generates a final bill for the former

customer. The final bill establishes a date on which payment for that final bill is due. If payment in full is not received by that due date, then the computer system automatically generates a Reminder Notice no sooner than 7 days after the due date. This Reminder Notice informs the customer that final payment has not been received and, if not received within 10 days of the date of the Reminder Notice, then the account will be turned over to a collection agency. AUF's policy is not to turn the account over to the collection agency until the end of the month of the month in which the final bill becomes 30 days past due. At that time, the account is turned over to a collection agency. Once an account is turned over to a collection agency, the collection agency is solely and exclusively responsible for collecting on the account. If AUF receives partial or full payment toward the delinquent balance, upon the payment's posting, the computer automatically generates a report which notifies the collection agency that the account is either satisfied in part or in whole.

14. With respect to the collections letter issued and sent by NCO to YES on September 22, 2011, YES has been delinquent in paying its account for a significant amount of time. (See Composite Exhibit "E" attached hereto.) YES was the customer of record at Lot 2440 and requested service for this address effective on November 30, 2010. YES was billed for this address on December 15, 2010, for service through December 13, 2010. YES continued as customer of record at Lot 2440 until December 28, 2010, when a new customer applied for service at this location. Accordingly, YES was responsible for a turn-on fee and service from November 30, 2010, through December 28, 2010. As indicated on the January 11, 2011 bill, due February 2, 2011, the full amount due on the account for that period was \$89.87, which included the \$22 turn-on fee that was previously billed to YES prior to the final bill's issuance but which remained unpaid. After failing to also pay the final bill by the February 2, 2011 due date, on March 15,

2011, a reminder notice was issued to YES for \$89.87. Because the final bill became 30 days past due in March 2011, AUF turned the YES account over to the collection agency on March 31, 2011. YES did ultimately pay the \$22 turn-on fee, but not until April 2, 2011. That payment's posting automatically triggered generation of a report to the collection agency that \$22 of the \$89.87 past due balance was satisfied. To date, however, YES still has failed to pay the remaining \$67.87 owed on its account. Accordingly, the September 22, 2011, letter from the collection agency correctly advised YES that \$67.87 remains due and payable. Moreover, AUF has provided no information to the collection agency concerning whether or not YES or any other customer testified for or against AUF in the rate case or any other legal proceeding.

Further, Affiant sayeth not.

Commonwealth of Pennsylvania
County of Montgomery

By: Susan Chambers
Susan Chambers

Subscribed and sworn to before me this 4th day of October 2011, by Susan Chambers who is personally known to me.

Victoria D. Carrillo
Notary Public's Signature

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Victoria D. Carrillo, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Dec. 6, 2011
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Print, Type or Stamp Commissioned
Name of Notary Public

EXHIBIT A



Aqua America, Inc.
762 Lancaster Avenue
Bryn Mawr, PA 19010-3489

Payment Arrangement Letter

Regarding: Aqua Account Number: 001410993 1049504

10/18/2010

Dear Customer,

This letter confirms the agreed upon payment arrangement terms that are described below:

Total Balance Due: \$839.21
Total Payment Arrangement Balance: \$839.21
Payment Arrangement Was Made On: October 18, 2010
Installment Payment: \$50.00, for 17 months
Due Date of Installment Payment(s): 31st of each month beginning October 31, 2010

Also, it is important for you to know:

1. Each monthly installment payment must be received on or before the installment due date stated above. Please allow 7 days for mailing and processing time. Please write the Aqua account number on all payments.
2. Your current monthly bill amount found under the Billing Detail section of your bill is due each month on or before the due date listed on that bill. The current monthly bill amount is equal to the Amount Due minus the Amount Owed from Last Bill-Balance. Please note, the current monthly bill due date is different than the due date of your monthly installment(s) and you will need to send two payments to Aqua. One payment for your current bill amount and another payment for your installment amount.
3. This payment arrangement will automatically cancel if either your monthly installment or your current monthly bill amount is received after their due date. This is the only notice you will receive explaining your monthly payment arrangement.
4. Payments are to be mailed to:

AQUA
P.O. Box 1229
Newark, NJ 07101-1229

If you have any questions regarding this payment arrangement, please contact us at 1.877.987.2782 (1.877.WTR.AQUA)

We appreciate this opportunity to be of service to you.

Sincerely

AQUA Customer Service

An Aqua America Company



Aqua America, Inc.
762 Lancaster Avenue
Bryn Mawr, PA 19010-3489

EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE, FL 32608

EXHIBIT B



EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE, FL 32608

Account Number
001410993 1049504
ARREDONDO FARMS
1336568 F123

Aqua Utilities Florida, Inc.
762 W. LANCASTER AVENUE
BRYN MAWR, PA 19010-3489

Tel: 877.987.2782
Fax: 866.780.8301
eMail: custserv@aquamerica.com

10 Day Shut Off Notice
COLLECTION DEPARTMENT OFFICE HOURS ARE
7:30 AM - 5:00 PM WEEKDAYS

Date of Notice _____ Shut Off Date _____ Total Amount Due
September 09, 2011 September 22, 2011 \$ 388.10

Your bill for \$ 388.10 is overdue. Because your bill is overdue, we will SHUT OFF service to:
7117 SW ARCHER RD LOT 46 after 8:00 AM on or after September 22, 2011.

To stop the shut off, you must do the following immediately:

1. Pay the total amount overdue. To pay by phone, call our toll free number at 866.289.2908 or go to the payment website at <https://paynow7.speedpay.com/aqua/index.asp>.
2. Contact Aqua at 877.987.2782 (Select Collections) to let us know that you made a payment, to make a payment arrangement, or to dispute the overdue bill. You can also contact Aqua at our address above.
3. Call 877.987.2782 (Select Collections) if you or someone in your home has a serious illness or a medical condition.

Important Notice: Payments will not be accepted by Aqua representatives visiting the property. To avoid service termination due to unpaid bill(s), you must make payments at an authorized payment location. For the nearest location, please call 877.987.2782 (Select Collections). If we shut off your service, you may have to pay the following charges to have service restored:

Overdue amount:	\$ 388.10
Reconnect Fee :	35.00
Service Deposit (if required):	50.00
Total if we shut off your service:	\$ 473.10

If your service is shut off for non-payment, after making the required payment you must contact Aqua at 877-987-2782 and schedule to have your service reconnected. Your service will be reconnected in accordance with your state approved utility regulations. In most cases service will not be restored until the next business day after your required payment amount has been confirmed.

Keep top portion for your records.
Return this portion with your payment.

Service To:
EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE, FL 32608



Aqua Utilities Florida, Inc.
PO Box 328 • BRYN MAWR, PA 19010-0328
URGENT NOTICE - OPEN IMMEDIATELY

Seq=2921 Cyc= 1up=1068353 PC=TERM

EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE FL 32608-4674

Account Number
001410993 1049504
Total Amount Due
\$ 388.10
Amount Enclosed
Due Date
PAST DUE

\$

Please make check payable to Aqua Util. FL
Print your account number on your check, then
mail to address on back.

00141099310495040000000388105

EXHIBIT C



EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE, FL 32608

Account Number
001410993 1049504
ARREDONDO FARMS
1336568 F123

Aqua Utilities Florida, Inc.
752 W. LANCASTER AVENUE
BRYN MAWR, PA 19010-3489

Tel: 877.987.2782
Fax: 866.780.8301
eMail: custserv@aquamerica.com

10 Day Shut Off Notice
COLLECTION DEPARTMENT OFFICE HOURS ARE
7:30 AM - 5:00 PM WEEKDAYS

Date of Notice _____ Shut Off Date _____ Total Amount Due _____
September 13, 2011 September 26, 2011 \$ 239.52

Your bill for \$ 239.52 is overdue. Because your bill is overdue, we will SHUT OFF service to:
7117 SW ARCHER RD LOT 46 after 8:00 AM on or after September 26, 2011.

To stop the shut off, you must do the following immediately:

1. Pay the total amount overdue. To pay by phone, call our toll free number at 866.269.2906 or go to the payment website at <https://paynow7.speedpay.com/aqua/index.asp>.
2. Contact Aqua at 877.987.2782 (Select Collections) to let us know that you made a payment, to make a payment arrangement, or to dispute the overdue bill. You can also contact Aqua at our address above.
3. Call 877.987.2782 (Select Collections) if you or someone in your home has a serious illness or a medical condition.

Important Notice: Payments will not be accepted by Aqua representatives visiting the property. To avoid service termination due to unpaid bill(s), you must make payments at an authorized payment location. For the nearest location, please call 877.987.2782 (Select Collections). If we shut off your service, you may have to pay the following charges to have service restored:

Overdue amount:	\$ 239.52
Reconnect Fee :	35.00
Service Deposit (if required):	50.00
Total if we shut off your service:	\$ 324.52

If your service is shut off for non-payment, after making the required payment you must contact Aqua at 877-987-2782 and schedule to have your service reconnected. Your service will be reconnected in accordance with your state approved utility regulations. In most cases service will not be restored until the next business day after your required payment amount has been confirmed.

Keep top portion for your records.
Return this portion with your payment.

Service To:
EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE, FL 32608



Aqua Utilities Florida, Inc.
PO Box 328 • BRYN MAWR, PA 19010-0328
URGENT NOTICE - OPEN IMMEDIATELY

Seq=1487 Cys= 1up=1088614 PC=TERM

EUGENE DAVIS
7117 SW ARCHER RD LOT 46
GAINESVILLE FL 32608-4674

Account Number
001410993 1049504
Total Amount Due
\$ 239.52
Amount Enclosed
Due Date
PAST DUE

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check, then
mail to address on back.

00141099310495040000000239525

EXHIBIT D



Aqua America, Inc.
762 Lancaster Avenue
Bryn Mawr, PA 19010-3489

Payment Arrangement Letter

Regarding: Aqua Account Number: 001410993 1049504

09/21/2011

Dear Customer,

This letter confirms the agreed upon payment arrangement terms that are described below:

Total Balance Due: \$347.50

Total Payment Arrangement Balance: \$347.50

Payment Arrangement Was Made On: September 21, 2011

Installment Payment: \$50.00, for 7 months

Due Date of Installment Payment(s): 15th of each month beginning October 15, 2011

Also, it is important for you to know:

1. Each monthly installment payment must be **received** on or before the installment due date stated above. Please allow 7 days for mailing and processing time. Please write the Aqua account number on all payments.
2. Your current monthly bill amount found under the Billing Detail section of your bill is due each month on or before the due date listed on that bill. The current monthly bill amount is equal to the Amount Due minus the Amount Owed from Last Bill-Balance. Please note, the current monthly bill due date is different than the due date of your monthly installment(s) and you will need to send two payments to Aqua. One payment for your current bill amount and another payment for your installment amount.
3. This payment arrangement will automatically cancel if either your monthly installment or your current monthly bill amount is received after their due date. This is the only notice you will receive explaining your monthly payment arrangement.
4. Payments are to be mailed to:

AQUA
P.O. Box 1229
Newark, NJ 07101-1229

If you have any questions regarding this payment arrangement, please contact us at 1.877.987.2782 (1.877.WTR.AQUA)

We appreciate this opportunity to be of service to you.

Sincerely

AQUA Customer Service

An Aqua America Company



Aqua America, Inc.
762 Lancaster Avenue
Bryn Mawr, PA 19010-3489

EUGENE DAVIS
7117 SW ARCHER RD LOT 48
GAINESVILLE, FL 32608

COMPOSITE EXHIBIT E



Aqua Utilities Florida, Inc.
762 W. LANCASTER AVENUE
BRYN MAWR, PA 19010-3489

YES COMMUNITIES
7117 SW ARCHER RD LOT 2440
GAINESVILLE, FL 32608

Tel: 877.987.2782
Fax: 866.780.8301
eMail: custserv@aquamerica.com

Account Number
001528613 1086452
ARREDONDO FARMS
1336568

Reminder Notice
COLLECTION DEPARTMENT OFFICE HOURS ARE
7:30 AM - 5:00 PM WEEKDAYS

Reminder Date	Total Amount Due
March 15, 2011	\$ 89.87

Dear Customer:

Our records indicate that we have not received payment of your final bill for this service location. If you have already made your payment, please accept our thanks and disregard this notice. If you have not made your payment, you may pay immediately with your credit card, ATM/debit card, or by funds transfer from your checking, savings, or money market bank account by calling toll free to 866.269.2906 or you may go the payment website: <https://paynow7.speedpay.com/aqua/index.asp>

If payment is not received within 10 days of the reminder date, we will forward the account to a collection agency. Please contact our Customer Service Department at 877.987.2782 (Select Collections), Monday – Friday, 7:30AM – 5:00PM, if you have any questions.

Aqua Customer Service Department

Keep top portion for your records.
Return this portion with your payment.

AQUA
Aqua Utilities Florida, Inc.
PO Box 328 • BRYN MAWR, PA 19010-0328

Seq=1057 Cyc= 1up=006784 PC=REM

YES COMMUNITIES
7117 SW ARCHER RD LOT 2440
GAINESVILLE FL 32608-4651

Service To:
YES COMMUNITIES
7117 SW ARCHER RD LOT 2440
GAINESVILLE, FL 32608

Account Number
001528613 1086452
Total Amount Due
\$ 89.87
Amount Enclosed
Due Date
March 15, 2011

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check, then
mail to address on back.

00152861310864520000000089872



Service To:
YES COMMUNITIES
 7117 SW ARCHER RD LOT 2440
 GAINESVILLE, FL 32608

Account Number
001528613 1086452
 ARREDONDO FARMS
 1336568 PWSID # FL2010042

Aqua Utilities Florida, Inc.
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010-3489

Tel: 877.987.2782
 Fax: 866.780.8292
 e Mail: custserv@aquamerica.com

Questions about your water/sewer service?... Contact us before the due date.

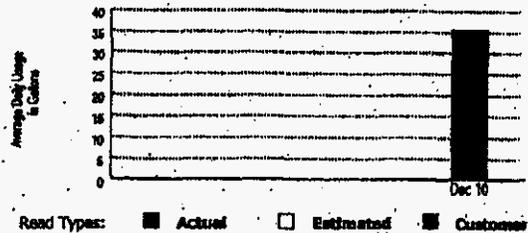
Bill Date **January 11, 2011** Total Amount Due **\$ 89.87** Current Charges Due Date **February 02, 2011**

Meter Data	Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
	56625238	5/8	12/28/10	28	Actual	38800	1,000	Gallons
			11/30/10		Actual	37800		
Average Daily Usage = 35 Gallons			Total Days: 28		Total Usage:		1,000	Gallons

Billing Detail

Amount Owed from Last Bill	\$ 79.95	
Total Payments Received	0.00	
Remaining Balance	79.95	
Adjustments	57.95	Credit
Water Base Facility Charge	15.71	
1,000 gallons @ \$0.00731 per gallon	7.31	
Current Water Charges	23.02	
Sewer Base Facility Charge	35.44	
1,000 gallons @ \$0.00711 per gallon	7.11	
Current Sewer Charges	42.55	
Utility Tax	2.30	
Amount Due	\$ 89.87	

Water Usage History



Message Center (see reverse side for other information)
 This is your final bill for service at this property.

Keep top portion for your records.
 Return this portion with your payment.

AQUA Water/Sewer Bill
 Aqua Utilities Florida, Inc.
 762 W. Lancaster Avenue • Bryn Mawr, PA 19010-3489

Service To:
YES COMMUNITIES
 7117 SW ARCHER RD LOT 2440
 GAINESVILLE, FL 32608

Account Number
001528613 1086452
 Amount Due **\$ 89.87** Current Charges Due Date **February 02, 2011**

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.
 Print your account number on your check,
 then mail to address on back.

Seq=274 Cyc=33M9 1up=880173

1086452

YES COMMUNITIES
 4421 STUART ANDREW BLVD STE 200
 CHARLOTTE NC 28217-2544

00152861310864520000000089872