

State of Florida



## 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-

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**DATE:** December 29, 2015  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Kelley F. Corbari, Senior Attorney, Office of the General Counsel *KFC*  
**RE:** **Docket No. 140219-WU** – Application for staff-assisted rate case in Polk County by Alturas Utilities, LLC.  
**Docket No. 140220-WU** – Application for staff-assisted rate case in Polk County by Sunrise Utilities, LLC.

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Attached please find a copy correspondence between Commission Staff and Alturas Utilities, LLC and Sunrise Utilities, LLC. Please file the attached in the correspondence tab of above-referenced docket files.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

KFC

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2015 DEC 29 PM 1:31  
COMMISSION  
CLERK

## Kelley Corbari

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**From:** Kelley Corbari  
**Sent:** Monday, December 28, 2015 5:39 PM  
**To:** l.szabo@rogers.com  
**Subject:** 140219/20-WU RE: more delays

Mr. Szabo,

I am sorry that the Commission's process is making you feel so frustrated and persecuted. However, neither the Commission, nor Commission staff is to blame for what you perceive as "PSC delays" and unfair treatment. As I have told you numerous times, staff is only trying to help you, not frustrate you. If anything, staff has gone out of their way to help guide you through the staff-assisted rate case process so as to achieve the best possible outcome for your Utilities.

Your assertion that the Commission has "taken over" the jurisdiction of the Polk County Health Department to further delay the rate cases is simply erroneous. First, the Commission is not a party to the Utilities' proceeding with Polk County. Rather, the Commission is simply monitoring the Consent Order proceeding that Polk County started because both water quality issues and compliance with health and environmental agencies are part of the Commission's own rules. Second, there are specific laws that give agencies jurisdiction over specific areas and matters and an agency cannot legally "take over" the jurisdiction of another agency, unless a specific law states it can.

I do apologize for the delay in getting the final request for information to you by December 21<sup>st</sup>, as I indicated. The delay is my fault because I was sick most of last week and was not able to work with staff on the request. Combined with the holidays, the request was not finished last week. The final request for information will be sent to you tomorrow. You should have already received a letter regarding the deposit account errors for Alturas.

If you wish to discuss things further, you are welcome to give me a call tomorrow. I will be in the office.

I hope you had a happy holiday.

Kelley

*Kelley F. Corbari,*

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**From:** L SZABO [mailto:[l.szabo@rogers.com](mailto:l.szabo@rogers.com)]  
**Sent:** Tuesday, December 22, 2015 11:18 AM  
**To:** Kelley Corbari; L. SZABO  
**Subject:** more delays

December 22, 2015

Good Morning Ms Kelley,

Please find as attachment my letter regarding my view of our situation.

Happy Holidays,

Yours truly,

Leslie Szabo

December 22, 2015

Dear Ms. Corbari and many of the PSC Officers who have been contacted directly.

I feel the necessity to add my comments to your December 14 letter received.

*Finally, Staff will be sending the Utilities one last set of requests for information in order to give the Utilities a final opportunity to provide Staff with the information necessary to process the rate-cases. The requests should be sent out next Monday, December 21, 2015.*

We have not received, as it was expected.

I will not accept the reversal of the truth giving us " a final opportunity " as all the questions asked within the last 20 months were replied promptly and truthfully without causing any delays to our rate case application - from the undrinkable water accusation to the cash receipt etc.

All our answer were documented and explained and acknowledged, also made me believe by the PSC officials they were also understood.

To postpone our rate case application after the January 14 meeting with the Polk County Health Department is one more blow to the finances of our Companies, and it has provided an added opportunity for you for an additional delay without foundation.

Anything related to this meeting being was already previously documented an added within our original rate case application long time ago.

To make matter worst the PSC suddenly decided to take over the jurisdiction of the Polk County Health Department, by insisting to complete all the compliance, being fully aware it can not be done as no additional revenue come in.

The PSC also undermined any possibilities to have outside finance to show a secure repayment of a loan, - until the higher rates are not in place.

I had the opportunity to talk to some of the people at the PSC and they are very knowledgeable. I am most certain they understand our problems and have also the remedies to solve, if they are allowed to do so.

However there is no logic why our rate case application is dragged as of date, after providing our answers to the questioners with accompanying letters for a better understanding of the issues.

Maybe this comparison will point to the answer, and I trust with an open mind, it will give a different perspective to our situation.

If the rules of the PSC was a musical melody and it is performed in a concert hall and the orchestra conductor committed being true to the notes and to the tempo, the composers have achieved their goals and the music was delivered as it was written.

BUT if the orchestra conductor decided to change the original song for his or her own personal gain or belief, all she had to do to use her baton and point to the musicians - in that case all the various departments of the PSC - to play in a very slow tempo or make them repeat the same notes mercilessly contrary as it was written, - the original song is lost and become distorted.

The musician are all excellent soloist playing their own instrument, are manipulated or forced to obey the conductor as being part of the orchestra.

Stretching this scenario a little further you can picture Sunrise and Alturas are dancing to the music unwillingly and helplessly..

Isn't it become obvious to anybody that our case is not treated fairly in the last 20 months with all the artificially created delays repeating many times over the same questions already being answered.

Our rate case application was managed to become an orderly chaos without ending in site.

If anybody knows, it is the PSC that we are having a much lower rate base than the entire area, and having the same expenses to run the business.

We should be rewarded long time ago with a substantial rate increase instead of being enforced to the letter of the bureaucratic processing without any consideration to the circumstances or reality.

To the questions all our answers represented the truth and fully complied with the rules

The income and expenses were accounted for - even if it is not the same accounting format as it was excepted by the PSC rules, but verifiable just the same.

We are in the process with the new Accounting Firm regarding proper book keeping without having any additional revenue as of yet.

We have already made a tremendous and complete turn around regarding in our customer satisfaction service area

After it was brought to our attention we are in the process to complete all customer deposit issues. We have waited 3 months to the questioner, but answered before the given due time So far not one word was mentioned in this letter about our main function, - to provide water service to our customer.

In the past few years we had to prioritize between deliver a safe and uninterrupted water supply or being perfect in administrative issues or customer service satisfaction

And we always did deliver the water supply regardless of the tremendous financial difficulties we had or having in the daily basis

I have been tested in the years of 2010 - 2012 to look after my responsibilities to the Utilities with hired management, - while sitting in the bedside of my wife (almost 50 years of marriage ) having a stroke, paralyzed and Alzheimer disease, - but she always recognized me until the last moment, being her only contact to the outside world.

In those years the manager did not enforce collection causing many uncollectible write offs and has created outstanding liabilities with suppliers ending in a court trial.

I think it is time to give credit where credit is due and I am referring to our ability to bounce back and kept going on to deliver a quality water service with our very limited revenue.

All the paperwork regarding the must improvements and compliance to protect our customers with their water service were already submitted in the first 6 months.

Is it the new American custom to find excuses or to refuse to help the person when he wants to fulfill his duties to a legitimate, but solvable problems

I am not using the excuse of any format of discrimination against our companies or personally against me, as I do not believe there is one.

Perhaps fault play would be more appropriate.

The way with the many delays our case is handled is nothing else than to force Sunrise and Alturas Utilities to sell out to a Mega Corporation (enable me to salvage my own investments, without walking a way from the business ) as it was already predicted and warned through the course of our rate case application.

What is also very disturbing that Sunrise and Alturas customers best interest were also sacrificed.

By writing this letter I will go against the old saying " you can not fight City Hall " but I do believe in justice.

The rope is already placed on the neck of Sunrise and Alturas Utilities and it is my duty to be heard before it is to late and the Companies are allowed to bled to death as a direct result the way our rate case was handled with the many delays.

Now is the time for action from the sensible people at the PSC to reverse the unjust treatment we have been exposed until now and save the Companies.

I also would like to take the opportunity to wish everybody Happy Holidays.

Leslie Szabo