

Antonia Hover

From: Office of Commissioner Fay
Sent: Thursday, December 3, 2020 3:50 PM
To: Commissioner Correspondence
Subject: FW: Lake Yale Estates/Lake Yale Utilities Proposed Rate Increase
Attachments: Letter to Public Service Commission 12-3-2020.pdf

Please place the attached letter in Docket No. 20200169-ws

Thanks

Veronica D. Washington

Executive Assistant to Commissioner Andrew Fay
Florida Public Service Commission
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From: Lake YaleEstates [mailto:clubhouseelye@gmail.com]
Sent: Thursday, December 03, 2020 1:03 PM
To: Office of Commissioner Polmann; Office of Commissioner Graham; Office of Chairman Clark; Office of Commissioner Fay; Office of Commissioner Brown; Braulio Baez; Christensen.patty@leg.state.fl.us
Subject: Lake Yale Estates/Lake Yale Utilities Proposed Rate Increase

Good afternoon,

Attached please find a letter from Lake Yale Estates Condominium Association, Inc. as it pertains to Lake Yale Utilities proposed rate increase.

Thank you.

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Denise Dalton, CAM
Community Association Manager
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Lake Yale Estates Condominium
Board of Directors

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December 3, 2020

To: Florida Public Service Commission

In Re: Application for staff-assisted rate case in Lake County, and request for interim rate increase, by Lake Yale Utilities, LLC. In Docket No. 20200169-WS.

Lake Yale Estates Condominium Association received the Public Service Commission's staff assisted rate case analysis dated November 20, 2020. We are vehemently opposed to the proposal and request the commission take the following into consideration.

The rate analysis staff did not take into consideration the quality of service Lake Yale Utilities has provided to their customers. We have had numerous problems dealing with the company since the system was purchased by Lake Yale Utilities in 2017.

Fencing: Initially the community was promised that new vinyl fencing would replace the old wooden fencing around the waste treatment plant. This is important to us in two ways. The first is that, the waste treatment plant is located in the center of our storage compound and the esthetics of the area are important. The second is that, the waste treatment plant is located close to our residents. The wooden fence or the promised vinyl fence is important as a noise barrier. In our discussions regarding the fence with Mr. Smallridge, he threatened

to lock us out of the compound claiming it was his property. This required us to obtain legal counsel.

When the company was purchased by Mr. Smallridge, the wooden fence was a safety hazard and did not provide security for the water or waste treatment plant. Mr. Smallridge was impossible to work with regarding this concern. After we were threatened, bullied and realized he was not going to keep the promise of a new fence, we sent our concerns to the DEP. It was another two years of working with the DEP until a secure chain link fence was placed around the waste treatment plant.

In addition to the fencing issue, since the system was purchase by Lake Yale Utilities in 2017, we have worked through the DEP to address the following related issues.

Noise level: DEP finally required baffles or mufflers on the pumps. This was completed only after insistence from the DEP, not as a customer service or preventive, quality measure from the company.

Sewage Smell: There has been a continuous sewage smell problem from the waste treatment plant. Again, nothing was done as a regular matter of business to address customer concerns by the company. The sewage smell problem was only addressed after the DEP stepped in, and still continues today during the summer season.

Retention Pond maintenance: As stated before, the waste treatment plant is in close proximity of many residents. The retention ponds have not been maintained since the company was purchased. In contrast, the previous owner kept the ponds well-groomed and brush free. It has been an ongoing fight to keep the trees and brush from the ponds. Again, it was only after the DEP stepped in that any action was taken by the company. Again, the company has only made a minimal effort and the banks have not been maintained for four years.

A bigger concern with the retention ponds has been the standing sewage water in the ponds. The ponds have not been maintained to allow for adequate drainage. Also, the runoff water should be altered between the three ponds. The ponds have not been rotated, hence the standing water. This is a serious health

hazard to the community and mosquito breeding ground. No action has been taken, in years, by the company to fix this standing water issue. The mosquitos in the community have been horrible.

We also have issues with the staff analysis. The staff analysis addressed staffing of the facility. Until the last month, we have not seen any staffing for the water or waste treatment plant. We have not had anyone to work with for 4 years.

The staff analysis also states that the DEP has received no complaints since 2015. This is erroneous. The community has been in constant contact with the DEP for the past four years. In fact, the company received a fine from the DEP in 2020 for the above issues. We will send to you examples of the numerous emails and communications we have had with the DEP staff. The communications with the DEP will be sent as soon as we can compile them. Again, Lake Yale Utilities is so difficult to deal with that all of our concerns were directed to the DEP, not directly to the company.

The staff analysis states we are a seasonal community. This is incorrect. 80% of the LYE Condominium are Florida residents.

We understand the Staff Assisted Rate Case method, but; feel strongly that the analysis should not have been submitted without better vetting of the company's performance.

It has been very frustrating for the LYE community to deal with a provider that has absolutely no interest in providing decent drinking water and safe services. And it says something about Lake Yale Utilities that we have to go through a third party to get any issues addressed.

We also question the data that was provided to the Commission regarding expenses, staffing and capital purchases. Of course, we do not have the means to verify the validity of the numbers, but do believe numbers can be adjusted in various ways. Given the honesty we have experienced in dealing with the company regarding the issues discussed above, in our opinion the numbers are questionable. Until this month, we have not seen any consistent staffing by the utility company, lawn tractors, or maintenance activities at the facilities.

Projecting a 40% water rate increase and a 100% waste treatment increase is ridiculous, especially given the level of service and the quality of the water we receive. The icing on the cake is the water is nasty and you cannot drink it! Most of the LYE residents purchase water for drinking! The financial impact on the residents and homeowners will be two-fold, their individual bills will substantially increase and the community assessments may have to be adjusted to meet the financial demands of the rate increases on the community budget.

Lake Yale Estates Condominium Association will address the Commission on the appointed date. However, we want to make the Commission aware of the issues before the meeting so our concerns will be fully considered.

Please do not hesitate contacting us for further information or discussion.

Sandy Cole, Lake Yale Estates Condominium Board President