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JULIE I. BROWN

STATE OF FLORIDA



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DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

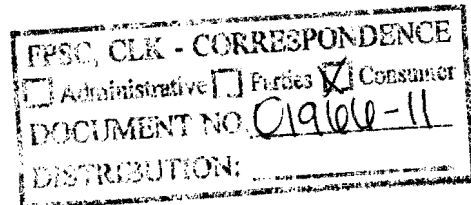
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11 AUG 29 PM 1:22

COMMISSION  
CLERK

# Public Service Commission

August 29, 2011

Mr. and Mrs. Darrell Gilbert  
204 48<sup>th</sup> Ave. Dr. W.  
Bradenton, FL 34207



**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Mr. and Mrs. Gilbert:

Thank you for correspondence to the Florida Public Service Commission in which you expressed your pleasure with the service provided by the Utility. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

A handwritten signature in cursive script that reads "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
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STATE OF FLORIDA



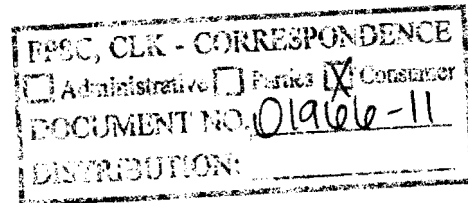
MARSHALL WILLIS, DIRECTOR  
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(850) 413-6900

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11 AUG 29 PM 1:22

COMMISSION  
CLERK

## Public Service Commission

August 29, 2011



Ms. Linda Doecker  
763 Treat Blvd.  
Tallmadge, OH 44278

**Re: Docket No. 100472-WS -- Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Ms. Doecker:

Thank you for correspondence to the Florida Public Service Commission in which you expressed concerns about the proposed rate increase for Heather Hills. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

The customer meeting was held June 30, 2011 in the Utility's service area. Customers were able to provide comments at the meeting or submit written comments, which are included in the docket file. All customer comments were reviewed when staff prepared its recommendation to the Commissioners on Heather Hills' rate case. Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

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Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
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RONALD A. BRISÉ  
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JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIAMS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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11 AUG 29 PM 1:22

COMMISSION  
CLERK

# Public Service Commission

August 29, 2011

Mr. and Mrs. Keith Starkey  
403 51<sup>st</sup> St. NW  
Bradenton, FL 34209

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 019166-11		
DISTRIBUTION:		

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Mr. and Mrs. Starkey:

Thank you for correspondence to the Florida Public Service Commission in which you expressed your pleasure with the service provided by the Utility. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

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Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
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STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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11 AUG 29 PM 1:22

COMMISSION  
CLERK

# Public Service Commission

August 29, 2011

Ms. Kenna Gunn  
116 50<sup>th</sup> Ave. West  
Bradenton, FL 34206

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
DISTRIBUTION:		

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Ms. Gunn:

Thank you for correspondence to the Florida Public Service Commission in which you expressed concerns about the proposed rate increase for Heather Hills. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

The customer meeting was held June 30, 2011 in the Utility's service area. Customers were able to provide comments at the meeting or submit written comments, which are included in the docket file. All customer comments were reviewed when staff prepared its recommendation to the Commissioners on Heather Hills' rate case. Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

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Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MAUREY, FLETCHER, WILLIAMS, DANIEL, BRUCE, STALLCUP  
DIVISION OF ECONOMIC REGULATION  
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COMMISSION  
CLERK

# Public Service Commission

August 29, 2011

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01906-11		
DISTRIBUTION:		

John Morelli, Sr.  
110 50<sup>th</sup> Avenue West  
Bradenton, FL 34207

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Mr. Morelli:

Thank you for correspondence to the Florida Public Service Commission in which you expressed concerns about the proposed rate increase for Heather Hills. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

The customer meeting was held June 30, 2011 in the Utility's service area. Customers were able to provide comments at the meeting or submit written comments, which are included in the docket file. All customer comments were reviewed when staff prepared its recommendation to the Commissioners on Heather Hills' rate case. Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

A handwritten signature in cursive script that reads "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
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RONALD A. BRISÉ  
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JULIE I. BROWN

STATE OF FLORIDA



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(850) 413-6900

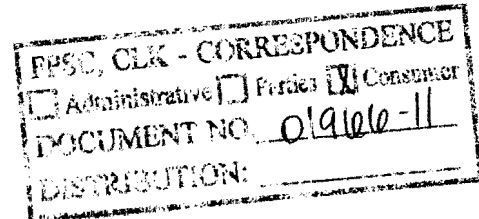
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11 AUG 29 PM 1:22

COMMISSION  
CLERK

# Public Service Commission

August 29, 2011



Mr. William MacCannell  
113 50<sup>th</sup> Ave. Terrace W.  
Bradenton, FL 34207

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Mr. MacCannell:

Thank you for correspondence to the Florida Public Service Commission in which you expressed your pleasure with the customer meeting and service provided by the Utility. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

A handwritten signature in black ink that reads "Shannon J. Hudson". The signature is fluid and cursive.

Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
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JULIE I. BROWN

STATE OF FLORIDA



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(850) 413-6900  
11 AUG 29 PM 1:22

COMMISSION  
CLERK

## Public Service Commission

August 29, 2011

Ms. Eva Rinus  
109 50<sup>th</sup> Avenue Dr. W  
Bradenton, FL 34207-2716

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 019106-11		
DISTRIBUTION:		

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Ms. Rinus:

Thank you for correspondence to the Florida Public Service Commission in which you expressed concerns about the proposed rate increase for Heather Hills. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

The customer meeting was held June 30, 2011 in the Utility's service area. Customers were able to provide comments at the meeting or submit written comments, which are included in the docket file. All customer comments were reviewed when staff prepared its recommendation to the Commissioners on Heather Hills' rate case. Heather Hills' application for a staff-assisted rate case will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

A handwritten signature in black ink that reads "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

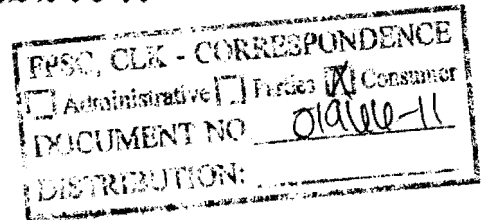
11 AUG 29 PM 1:22

COMMISSION  
CLERK

# Public Service Commission

August 29, 2011

Mr. James Austin  
3428 E. Sheffield Ct.  
Springfield, MO 65802-2440



**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC (Heather Hills)**

Dear Mr. Austin:

Thank you for correspondence to the Florida Public Service Commission in which you expressed concerns about the scheduling of the customer meeting that was held in this rate case. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

Staff is aware that sometimes residents are unable to attend customer meetings for various reasons. Unfortunately, the timing of the customer meeting is dictated by the time the application for a staff assisted rate case (SARC) is initiated. Florida Statutes (F.S.) dictates the timing of the case. To meet the statutory time frame, the customer meeting was held June 30, 2011 in the Utility's service area. Customers were able to provide comments at the meeting or submit written comments, which are included in the docket file. All customer comments were reviewed when staff prepared its recommendation to the Commissioners on Heather Hills' rate case.

Heather Hills' application for a SARC will be heard at the September 9, 2011 Commission Conference. Commissioners will review the Utility's need for a rate increase, the Utility's existing rate structure, and the Utility's ability to provide safe and reliable services to its customers. Thank you again for your correspondence, and if you have additional questions or need further assistance, please call me at 850-413-7021.

Sincerely,

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Shannon J. Hudson  
Regulatory Analyst IV

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

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11 AUG 26 AM 10:10

COMMISSION  
CLERK

FILED CENTER  
11 AUG 26 AM 7:37

August 22, 2011

Anne Cole  
Office of Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

RE: Docket #100472-WS

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>01946-11</u>		
DISTRIBUTION:		

Anne Cole,

I have read the letter from Chris Stephens and feel I must respond to her efforts to nullify the statements in the letter regarding this docket from Mr. Stephen Reilly, from the Office of Public Counsel.

Ms. Stephens has no way of discerning the financial circumstances of the 353 residents in the senior community of Heather Hills. For her to state that they do not have mortgages on their homes is a very erroneous statement. I would guess that she has no knowledge of the many different sets of financial arrangements that have taken place in these many families that would allow the elderly residents to live in a warmer climate during the harsh winters that exist in their primary residences. Many of our friends, and specifically in our set of circumstances, we are able to travel south for health reasons to avoid the winter season through the generosity of our children. And much to the contrary, there are many residents who live on a fixed income. Once again, may I point out, these are mobile home units, and most of them are over 40 years old. This is NOT a gated community of luxury homes.

Ms. Stephens's statement that we ONLY pay \$50 per month as an assessment is completely misleading. As per the information she provided, these are land owned residences and are NOT rental units. The assessment is OVER \$50 per month and the ONLY BENEFIT that this assessment, which provides the Stephens with a windfall of OVER \$200,000 per year, is the use of the clubhouse. This is not unrestricted and many, many difficult negotiations are constantly taking place over of the use of the building and the Stephens attempts to charge additional fees for the use of this one benefit. The residents, who are not there for six months of the year, are paying for a benefit they are not even using. Her representation of a minor monthly fee is very misleading. They have recently installed cameras to watch over and record the activities of the residents of this community. Might that funding have been better spent? It has not been necessary to spy on the residents of Heather Hills in the past 45 years, no vandalism or theft of any kind, but since their becoming the new owners, we apparently are now a community that needs watched at all times. The absurdity of that is beyond insulting.

Ms. Stephens states they purchase water from Manatee County. This is ALL they do in running this water system. Once again this is a PASS THROUGH system. They do not operate a plant of any kind. They turn a valve. If they are granted an increase, they still turn the same valve. We will NOT receive any additional benefit for an increase in fees. This benefit is to enhance their income only. It will NOT benefit the utility users in any way. **Nothing changes but the amount we will be paying the Stephens.**

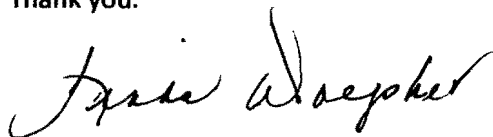
Just because they are able to find a way to charge the residents TWICE for the same building use, does NOT make it a fair charge to the Heather Hills residents. Manipulation of bookkeeping can be very interesting, but when you are the utility users who must pay the SAME owners TWICE for the SAME building and office equipment, it does NOT feel justified in any way. I would imagine if this were the experience their senior parents were subjected to, they may feel differently about this clever way of generating income.

In spite of the fact they have changed a sign on the building, the residents of this park are aware the Stephens have real estate licenses, are listed as agents on for sale signs, and have properties within Heather Hills they have purchased to use as rentals (this in spite of the fact that neither of the Stephens are senior citizens and theoretically cannot purchase property in a senior park). I guess the answer to whether or not they are operating a real estate business out of the building with many uses, is what your definition of "is" is.

Ms. Stephens states in her letter attempting to justify their actions, "this is a 44 year old water system". How well we know that. The previous owner collected money from the residents for all those years to maintain the system. What happened to those funds? Now, we are asked to pay additional money to maintain a system that has, in my opinion, been neglected. How do you force the owners to use money to do the required maintenance? Will there ever be enough money garnered to provide for this antiquated system without asking the residents to pay more?

My last comment to the Commission is to please carefully consider that the Office of Public Counsel is attempting to protect the utility users from unfair increases in fees and practices that are not to our benefit. The owners of the Heather Hills Utility are attempting to gain more money for their personal gain. Which statement of facts might be the most fair to the residents of Heather Hills? Please weigh carefully this entire request for rate increases when it will affect this community of senior citizens.

Thank you.

A handwritten signature in black ink, appearing to read "Linda Doecker", written in a cursive style.

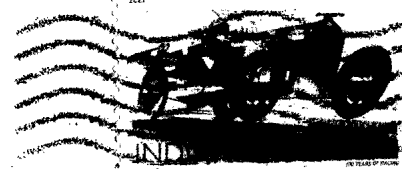
Mrs. Linda Doecker  
Heather Hills  
303 50<sup>th</sup> Avenue Plaza West  
Bradenton, Florida 34207



**Linda Doecker**  
763 Treat Blvd. Tallmadge, Ohio 44278

AKRON-CANTON 442

22 AUG 2011 PM 3 T



Office of Commission Clerk  
2540 Shumard Oak Blvd  
Tallahassee, Florida

7-28-2011

100472-WS

Florida Public Service Commission  
Office of the Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED-FPSC

11 AUG -1 AM 9:19

COMMISSION  
CLERK

11 AUG -1 AM 7:56

RE: Rate Case, Docket # 100472 -WS

Owners Keith C. and Clara B Starkey Trust's

Properties: 4717 Third St W and 111 50<sup>th</sup> Ave. Terr. W, Bradenton, FL 34207

As former owners of the HHEU at Heather Hills Estates, we had taken care of the water and sewage problems for thirty two (32) years. We had only one rate change from PSC in 1996.

Since I (Keith) did all the work and hired no one, except in emergency's, the PSC ruled that we were making more than 10.18%. I was told that I could put in 24 new meters each year or cut the cost of the water. I did the later which meant that I never raised the water rate until 2003, when I started to raise the index rate, which was a very small amount.

**Mr. Stephens has taken and passed the required classes to run the system** and replaced all the valves with new ones, installed new meters on each lot, replaced all galvanized pipes, tests the water each month, and renumbered all the meters., help home owners with minor water problems and hires certified plumbers when necessary. This has been a costly expense for them, but the upgrade has benefited everyone.

The Office has provided Card Magnets with emergency numbers available for each lot owner, have helped volunteers pass out a boil notice and a safe water notice when necessary. Mrs. Stephens does the billing and book work, is friendly and helpful in explaining bills, works overtime if needed and does not hesitate to call the PSC if she is unable to answer questions about the service.. **They or a knowledgeable person are available 24/7.** And the Stephens have worked closely with the Manatee Health Department. **Mr. and Mrs. Stephens are very capable of operating the service.**

In cost comparison with the water/sewer service in the County and other "Parks", those living in HHE Subdivision have paid less for years.

The Special Report provided by the Staff of the Florida Public Service Commission is very fair and comprehensive, **therefore we believe the Stephens should be granted their request to cover increasing costs and to earn a fair rate of return on their investment.**

*Keith C Starkey*  
*Clara B. Starkey*  
Keith a C. and Clara B. Starkey, Trustees

<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>01966-11</u>		
DISTRIBUTION: _____		

7-28-2011



**REGIE** SM

**On-Line. Any Time.**

**Hospital Pre-registration  
ManateeMemorial.com**

*The one I sent yesterday  
was not signed.*

*This is a correct copy of  
the letter I sent Clara G. Stekey*





**Keith Starkey**  
403 51st St. NW  
Bradenton, FL 34209-1925

TAMPA FL 335  
SAINT PETERSBURG FL  
29 JUL 2011 PM 5 T



*Florida Public Service Commission  
Office of the Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, Fl. 32399-0850*

32399+0850



Florida Public Service Commission  
Office of the Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

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<input type="checkbox"/> Administrative	<input type="checkbox"/> Private <input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01906-11	
DISTRIBUTION:	

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11 AUG -1 AM 9:18

COMMISSION  
CLERK

RE: Rate Case, Docket # 100472

Owners Keith C. and Clara B Starkey Trust's

Properties: 4717 Third St W and 111 50<sup>th</sup> Ave. Terr. W, Bradenton, FL 34207

As former owners of the HHEU at Heather Hills Estates, we had taken care of the water and sewage problems for thirty two (32) years. We had only one rate change from PSC in 1996.

Since I (Keith) did all the work and hired no one, except in emergency's, the PSC ruled that we were making more than 10.18%. I was told that I could put in 24 new meters each year or cut the cost of the water. I did the later which meant that I never raised the water rate until 2003, when I started to raise the index rate, which was a very small amount.

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The Office has provided Card magnets with emergency numbers available for each lot owner', have helped volunteers pass out a boil notice and a safe water notice when necessary. Mrs. Stephens is friendly and helpful in explaining bills, works overtime when there is an emergency and does not hesitate to call the PSC if she is unable to answer questions about the service..

**They or a knowledgeable person are available 24/7.** And the Stephens have worked closely with the Manatee Health Department. **Mr. and Mrs. Stephens are very capable of operating the service.**

In cost comparison with the water/sewer service in the County and other "Parks", those living in HHE Subdivision have paid less for years.

We believe the Special Report provided by the Staff of the Florida Public Service Commission is very fair and comprehensive, **therefore we believe the Stephens should be granted their request to cover increasing costs and to earn a fair rate of return on their investment.**

Keith a C. and Clara B. Starkey, Trustees

Application for staff-assisted rate case in Manatee County by

**Heather Hills Estates Utilities LLC**

DOCKET NO. 100472-WS

Name \_\_\_\_\_

Address \_\_\_\_\_

Please submit your comments about this docket to the Florida Public Service Commission by completing this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

Fold and tape - - see back for address

STAMP

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Fold Here

Tape

Fold Here



**Keith Starkey**  
403 51st St. NW  
Bradenton, FL 34209-1925

TAMPA FL 335  
SAINT PETERSBURG FL  
28 JUL 2011 PM 3.7



*Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850*

32399+0850



HEATHER HILLS ESTATES UTILITIES, LLC REL. Docket No. 100472 - WS

July 25<sup>th</sup>, 2011

COMMISSION  
CLERK

Dear Commission Clerk/Commission Members,

I am opposed to the requested rate raises to cover alleged "*increasing operating costs*" by M/M Stephens as Heather Hills Estates Utilities, LLC., for the following reasons.

HHE is a clutch of 353 homes which are owned by individual owners such as myself and we also own the land beneath. Each home is individually metered and meters are read quarterly. In each manufactured home resides either one or two retired Seniors, this is not a community whereby families of four to seven people live.

The Seniors on fixed incomes have received no raises on their Social Security for the last 2 years.

Further, it appears that about two thirds of the owners return to the north during the summer so no water & sewer lines are used for 6 or 7 months by them yet the utility still reaps the monetary profitable benefit of quarterly charges as "base facility charge" costs for very little or no '*operating*' of the now vacant homes.

Also, it is well noted that these Meetings to discuss pertinent issues affecting *all* owners are always occurring during the months that the majority of owners have departed for the northern regions.

The utility is a company receiving water from Manatee County Utility through one master meter and the company in turn merely 'passes it through' to the 353 residential homes plus one commercial private business which is the recreation area.. The utility does not own or *operate*, maintain or perform any *plant* to test or purify the water or treat raw sewage as **Manatee County Utility** owns, maintains and *they operate* the single "lift station" within HHE.

In mid 2008 the W & S system was officially valued at a mere \$902.00 as the previous owners Keith & Clara Starkey had not updated the system since inception because, as Keith at the FPSC Meeting on June 30<sup>th</sup>, 2011 so eloquently repeated to attendees that '*he had not performed any improvements to the system because he did not have to and nobody told him to*'. Since then Starkey had some valves replaced but it was *his* negligence towards their upkeep which contributed to them seizing up in the first place so why should we pay extra *operating* charges for valve replacement due to his extreme continuous intentional neglect?

Also the LLC replaced some meters yet I feel that the costs incurred should be considered as part of the selling price of \$123,000.00 from Starkeys to Stephens and not as part of "routine maintenance" as obviously such 'replacements' were never routine as they had never been replaced before, so costs should not be passed on to the customers.

The single office is supposed to be manned 3 mornings a week (according to the office hours posted on the office door yet intermittently the office is closed during those 3 mornings with no explanation posted) during which time other *separate business* issues are attended to *in addition* to the utility business.

The business cards of Chris Stephens (I picked one up from the office this very morning) reflects that she is a realtor for Keller Williams Realty yet the phone & fax #'s are identical to *the HHE Utilities, LLC* AND to *Rick & Chris Stephens, LLC dba Heather Hills Estates*... under the auspices of which they are currently collecting "assessments" to over \$200,000.00 per annum as a private sole propriety business. They own about 5 or 6 homes within HHE which they rent out and maintain, plus they show several pre-owned properties; *and* one new unit is being advertised for sale for \$98,900.00 which requires maintenance, all business concerns using the same phone number and address as the utility. Are they double-dipping as regards expenses incurred for the use of a single office utilized for various businesses?

N.B. The very envelope containing the 4 pg advise notice to the FPSC Meeting for June 30<sup>th</sup>, 2011 sports the 'address of sender' as a stick-on label reading: "Heather Hills Estates". Suggesting the viability to utilize for both business. Also, 'addressee' was on a stick-on label showing the identical 'customer number' which serves both the dba and the utility.

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01946-11		
DISTRIBUTION:		

And in all fairness, the old van for which they allege the \$1500 purchase price and insurance payments as utility costs *has been* utilized for dba HHE, so perhaps the entire costs should be re-addressed to confer a fair portion on dba HHE. I still claim that, as all sewer charges are written as being *included* in the dba HHE "assessments" as per the recorded "Restrictions" (copies of which have been provided to the FPSC staff) and that as customers pay sewer charges within the "assessments" **AND again separately** to the utility with no reduced recompense, that this IS UNREASONABLE. This issue has never been formally addressed by the FPSC and perhaps it should be now as *just compensation* to the utility customers by denying the requested rate increases by the utility owners.

I now reference the "2010 Annual Drinking Water Quality Report  
Heather Hills Estates Utility" (sic) .

(Linda Doecker included a copy of the Report with her letter to FPSC dated July 22<sup>nd</sup>, 2011, for your perusal).

Firstly, FPSC should recognize that no such company exists under that name, used 3 times in the Report.

It reads in part: "*This report shows our water quality results and what they mean*".

"*Heather Hills Estates Utility* (again with the name of a non-existent company) *routinely monitors for contaminants in your drinking water*" .....

....."*this report is based on the results of our monitoring for the period of January 1, 2010 to December 31, 2010*".

***Data obtained before January 1, 2010 and after December 31, 2010, and PRESENTED IN THIS REPORT ARE FROM THE MOST RECENT TESTING DONE*** ..... (Italics and caps, mine).

Then the report reads that there was a *Copper test* performed in "6/07" which, according to the report as "*Dates of sampling (mo./yr.)*" translates as JUNE 2007!!

Frankly, as no monitoring, sampling and/or testing for contaminants have been performed and/or reported since June 2007 then this is perhaps an additional reason to deny the request for rate raises for alleged "*increasing operating costs*". Clearly, there has been no '*increase in operating costs*' for *water testing* since mid 2007 as none have been performed since mid 2007 According to THIS, THEIR FILED REPORT.....

The Report continues with .... "*We at Heather Hills Utility* (sic) *work around the clock to provide top quality water*". For the record, neither Rick or Chris Stephens *work around the clock* at any utility called *Heather Hills* as even this so named company does not exist!! And they do not even work an 8 hour day on the utility yet alone "*around the clock*". It appears that Rick & Chris Stephens might be a tad deceitful in their claims as to hours worked *and* when it comes to performing *operating* services for a 'utility' for which part of their job description is to "*routinely monitor for contaminants*".

If they pay such lackadaisical attention to detail as regards to the legal aspects of *operating* (or in this case their lack thereof) and monitoring to a proper water testing schedule I question their attention and ability for doing any actual monitoring for water tests. The health of all the Seniors is at risk here.

Should the utility be rewarded monetarily for not complying with the law?

Perhaps the FPSC should seriously consider to not grant the requested rate increases for "*increasing operating costs*" which apparently have not even been performed since June 2007.

I believe with the current rates in effect and with two thirds of the residents out of town for about half the year and with a goodly portion of time; office space, office machinery as computer, phones, copier etc being spent on those *other private business endeavors* then a very fair rate of return is currently being received towards the LLC's investment.

This letter is respectfully submitted to the FPSC to DENY the requested rate increases.

Sincerely,  
  
Kenna Gunn 116 50<sup>th</sup> Avenue West, Bradenton, FL 34207

K. GUNN  
116 50th AVE. WEST.  
BRADENTON FL. 34206

TAMPA FL 335  
SAINT PETERSBURG FL  
26 JUL 2011 PM 5 T



F.P.S.C.  
OFFICE OF COMMISSION CLERK  
2540 SHUMARD OAK BLVD  
CALLAHAN FL.

DOCKET # 100472 WS 32399-0850

Application for staff-assisted rate case in Manatee County by

## Heather Hills Estates Utilities LLC

DOCKET NO. 100472-WS

FPSC, CLK - CORRESPONDENCE  
☐ Administrative ☐ Parties ☒ Consumer  
DOCUMENT NO. 01900-11  
DISTRIBUTION:

DISTRIBUTION CENTER  
11 JUL 27 AM 7:22

COMMISSION  
CLERK

11 JUL 27 AM 10:19

RECEIVED-FPSC

Name JOHN J. MORELLI, SR  
Address 110 50TH AVENUE WEST  
BRAEDENTON, FL 34207

Please submit your comments about this docket to the Florida Public Service Commission by completing this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS
I PROTEST THE RATE INCREASE THAT THE FPSC HAS TENTATIVELY APPROVED FOR HHE UTILITIES LLC, DOCKET # 100472-WS. IN REVIEWING YOUR PROPOSAL IT SEEMS SOMEONE HAS A VERY VIVID IMAGINATION. THE MAJORITY OF THEIR DUTIES, TIME SPENT ON UTILITY & COSTS HAVE BEEN GREATLY OVERSTATED. THEIR DUTIES & EXPENSES ARE NO MORE THAN THE PREVIOUS OWNERS OF SAID UTILITY. ALSO ATTACHED DOCUMENTS WILL SHOW THAT STEPHENS TIES THE UTILITY IN WITH THE OTHER BUSINESSES THEY OPERATE FROM THE SAME ADDRESS WITH "THREATS" TO SHUT OFF THE UTILITIES IF RESIDENTS DO NOT SIGN PAPERWORK THAT HAS NOTHING TO DO WITH THE UTILITY. THE 1ST 14 PAGES COVERS THIS. AS YOU WILL SEE WE GET OUR HELP FROM THE OFFICE OF PUBLIC COUNSEL (STEVE REILLY) & THE HEALTH DEPARTMENT (HARRY MESSICK) BECAUSE THEY ARE FASTER.

Fold and tape - - see back for address

19 PAGES ENCLOSED/  
ATTACHED

STAMP

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Fold Here

Tape

Fold Here

PACKED UP 7/20/11 @ OFFICE

HANDED TO NEW  
RESIDENTS (6 PGS)

①

Dear Prospective Homeowner:

Thank you for choosing our community to look for your new home:

**Property Transfer Processing Fee: \$ 50.00** (non-refundable-due at time of application)

We are a Deed Restricted Community.

In this packet of information, we have included a copy of the Deed Restrictions. It is important that you read them carefully – in particular the ones that apply to recreational vehicles, signs, hanging laundry, pets.

(We do NOT have a pet section and guests cannot bring in pets.) It has always been Heather Hills policy that no yard work or laundry hung out to dry is allowed on Sundays. In addition, we do not allow rummage, garage, carport or estate sales.

When moving in/out-trailers are allowed for 24 hours only. They must NOT be parked on the street.

We appreciate your respect and cooperation with all of our policies.

If you have any questions on the Rules and Regulations, please feel free to make an appointment with the office to discuss your concerns.

We hope you enjoy the time you spend visiting our community and look forward to seeing you as a resident soon.

Heather Hills Management

Office Hours: October 1<sup>st</sup> through April 30<sup>th</sup>      Monday-Wednesday-Friday  
8:30 to 1:00

May 1<sup>st</sup> through September 30<sup>th</sup>      Monday-Wednesday-Friday  
8:30 to Noon

Phone: 941-755-0123

Fax: 941-755-1128

2

**HEATHER HILLS RULES & REGULATIONS  
RESTRICTIONS, RESERVATIONS, EASEMENTS, RULES AND REGULATIONS OF  
HEATHER HILLS ESTATES, AS PER PLAT THEREOF, RECORDED AMONG THE  
PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA**

This indenture made and entered into this 20th day of January, 1967, by HEATHER HILLS ESTATES, INC., a Florida corporation, hereinafter referred to as the Company, being the owner of all the lands embraced in Heather Hills Estates Subdivision, as per plat thereof, to be recorded among the Public Records of Manatee County, Florida, being desirous of providing uniform restrictions, reservations, easements, rules and regulations, for said subdivisions, does hereby impose and charge all of said subdivision for itself, its successors or assigns, with the covenants, easements, restrictions, conditions and charges hereinafter set forth, to wit:

1. **IMPROVEMENT:** No mobile home, building (addition or accessory) or home, fence, wall, planting, exceeding two feet in height, or other structure or improvement shall be commenced, erected or maintained, nor shall any addition to, or change or alteration be made until the plans and specifications showing the nature, kind, shape, height, floor plan, materials, location and approximate cost of such structure, have been submitted to and approved in writing by the Company. The Company's failure to give notice of its approval or disapproval of such plans and specifications within thirty (30) days after receipt thereof shall be deemed to constitute its approval thereof.

2. **EASEMENTS AND SET-BACKS:** The Company specifically reserves unto itself an easement over the rear five (5) feet of each lot and over and across such other areas as are designated as easement on the plat of said subdivision, for use by the Company or the Company's assigns for utility installations and right-of-ways, or such other use as the Company may deem appropriate and the Company specifically reserves the exclusive right to lay utilities in the street in said subdivision, and further, specifically reserves the fee title to the streets in said subdivision. There shall be a minimum setback of five (5) feet from the rear, side and 10 front property lines, for all permanent or temporary structures or improvements. Where one mobile home occupies more than one lot, the set-back line shall be from the edge of the property line, rather than the edge of the lot line. The Company may, at its discretion, release any lot or parcel from the restriction or easement contained in this paragraph.

3. **SEPTIC TANKS AND WELLS:** No well or septic tank shall be constructed in said subdivision without prior written approval of the Company, and in no event shall the water from any well be used in any mobile home or piped into any mobile home, or used for human consumption.

4. **USE:** All lands included in this subdivision shall be used for residential purpose only, except for such lots or parcels as may be designated by the Company otherwise.

5. **SIGNS:** No signs or advertisements shall be displayed on the lots, right-of-ways, or any other part of the subdivision, except as specifically designated and approved by the Company.

6. **STORAGE:** No boat or boat trailer, travel trailer, camp trailer or any similar property shall be stored in said subdivision without the prior written approval of the Company.

7. **MAILBOXES:** Mailboxes shall be only of the design approved by the Company and may only be placed in such locations as are designated by the Company.

8. **RECREATION AREAS:** The areas designated on the plat of the subdivision as "Recreation Area", together with all the improvements thereon, shall remain the exclusive property of the Company who specifically retains the title to said recreation areas, and the right to make all the rules and regulations pertaining to same, and the owners of lots in the subdivision shall have the right to use the recreation areas, in accordance with such rules and regulations as are propagated by the Company from time to time, and not otherwise.

9. **ASSESSMENT:** As part of the purchase price of each lot and as compensation for the privileges herein granted to utilize recreation areas and other common facilities, subject to the rules and regulations of the Company, the owner of each lot agrees to pay unto the Company an annual fee, to be fixed by the Company. Its successors or assigns, not, however, exceeding, except as hereinafter set forth, the sum of \$90.00 per year for each lot, provided that the sum of \$90.00 may at the Company's option be increased in the same proportion as the cost of living index of the United States Department of labor increases above such index on the date of recording of these restrictions. The assessment shall be uniform against all lots for the availability of facilities, without regard to the extent of use or non-use thereof by the several lot owners. Any and all charges made by the Company under this paragraph shall at the time of assessment provided herein constitute a lien on the lot against which made and be enforceable as provided for the enforcement of mechanics liens under the laws of the State of Florida, or otherwise as the Company may deem expedient. The annual charge abovementioned shall be used by the Company to first provide reasonable return on the Company's investment in the streets, recreation

areas and common areas, and then for reasonable salaries for the Company's officers and reasonable fees and expenses the Company and the Company's employees in managing said areas and the subdivision, and finally to the extent available, such annual charge shall be used for the maintenance of the recreation areas and common areas and to provide sewage disposal and street lighting for the subdivision and the usual and ordinary trash collection from each lot.

10. GARBAGE AND TRASH: All garbage shall be wrapped and placed in proper receptacles as designated by the Company and all garbage receptacles and trash shall be stored, until collected, in neat, clean, and orderly condition, in such places as are designated by the Company to give the subdivision a clean and neat appearance.

11. CARE OF LOTS: Lot owners shall keep their lots in a neat, clean and orderly condition, the grass mowed and all bushes, shrubs and trees properly trimmed, and in the event that the owner of any lot shall fail to maintain the same as aforesaid, the Company reserves the right to enter upon such lot and care for the same and cut the grass and remove the rubbish and to trim all trees, bushes and plants and to charge the owner of said lot the actual cost of such upkeep, including office expense and supervisory expense, plus the sum of 15%, which charge shall be due and payable the first of the month following the performance of the work and shall be a lien upon the land to the same extent as the annual charge.

12. WASHING: All wash to be dried must be hung during hours approved by the Company on a special drying apparatus in the form of a folding rack or umbrella which shall be placed at the rear of each lot.

13. MOBILE HOME LIMITATIONS: There shall only be one mobile on each lot and all mobile homes must be a minimum of forty (40) feet in length, as designated on certificate of title, and a minimum of twelve feet in width, unless otherwise designated by the Company. All mobile homes must have concrete patio slab at least 10x20 feet and complete sanitary facilities, including among other things, a lavatory, wash basin, a tub or shower, kitchen sink, and must be connected to the sewage outlets in conformity with State health requirements. The space from ground level to floor of mobile home, must be enclosed with suitable materials approved by the Company.

14. ANIMALS: No four-legged animals shall be permitted in the subdivision at any time, and no other pets which the Company deems obnoxious or annoying shall be permitted in the subdivision.

15. ZONING & PLANNING: No portion of the subdivision shall be rezoned or re-platted without the written consent of the Company or the Company's successors or assigns.

16. VIOLATION: The restrictions set forth herein shall be covenants running with the land, and in the event of the violation of same or in the event of the violation of any of rules and regulations lawfully imposed by the Company pursuant to this instrument including the failure to pay any charge imposed pursuant hereto, then the Company may bring any suit at law or in equity to enforce these restrictions, and said rules and regulations, and to collect any amount due, and the person or persons breaching the restrictions or any of the rules or regulations made pursuant hereto or failing to make any of the payments required hereunder, shall be liable for damages and shall further pay unto the company all of the costs of said action together with a reasonable attorney fee for the Company's attorney in bringing said action. Failure of the Company to enforce any restrictions, conditions, covenant or agreement, or rule or regulation made pursuant hereto, shall in no event be deemed a waiver of the right of the Company to enforce the same, as to the same breach or to one occurring prior or subsequent thereto, nor shall such failure give rise to any claim or cause action against the Company by any lot owner, and the Company shall not be required to enforce any covenant set forth herein.

17. DURATION: All of the covenants set forth herein shall be deemed covenants running with the land, and unless otherwise voluntarily terminated by the Company, shall bind all persons and interests and all owners of all lots or any part of said subdivision, their legal representatives, successors and assigns, until January 1 A.D. 2020 except that Company may extend the same for successive periods of ten years each. If any provision of this indenture or the application of such provision to any person or circumstances shall be held invalid, the remainder of this indenture or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

IN WITNESS WHEREOF, the Company has caused this instrument to be executed in its name by its proper officer thereunto duly authorized and its corporate seal to be affixed this day and year first above written.

HEATHER HILLS ESTATES

**Heather Hills Estates  
Information Form****Property Owners(s)**

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**Name** \_\_\_\_\_ **Date of Birth** \_\_\_\_\_

---

**Name** \_\_\_\_\_ **Date of Birth** \_\_\_\_\_**HOME STATE** \_\_\_\_\_

---

**Property Information** \_\_\_\_\_ **e-mail:** \_\_\_\_\_

---

**Address** \_\_\_\_\_ **Phone Number** \_\_\_\_\_

---

**Summer Address** \_\_\_\_\_ **City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

---

**Summer Phone Number** \_\_\_\_\_ **Phone Number** \_\_\_\_\_

**I (we) have read the Heather Hills Restrictions, Reservations, Easements, Rules and Regulations and agree to abide by them.**

---

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

---

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_**In case of emergency, please contact the following persons:**

---

**Name** \_\_\_\_\_ **Address** \_\_\_\_\_

---

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_ **Phone Number** \_\_\_\_\_**Please supply the following information as well:****Copy of Drivers License****Seller Name** \_\_\_\_\_

## BASIC FEE SCHEDULE

### Water / Sewer Rates                      2011 Per Quarter

Water	Customer Service Charge (basic rate)	\$ 22.85
	Water usage --- \$2.46 per 1,000 gallons	\$ _____
Sewer	Customer Service Charge (basic rate)	\$29.27
	Sewer Usage --- \$5.12 per 1,000 gallons	\$ _____
* Make check payable to <b>HEATHER HILLS UTILITIES</b>		
* <b>NON EXISTENT CO. NAME.</b> Total		\$ _____

Water & Sewer are paid in arrears for the period beginning either the 24<sup>th</sup> of December, March, June or September. Base Rates for Water & Sewer are invoiced and due whether there is any usage recorded or not. These are "ready to serve" fees as outlined by The Florida Public Service Commission. All PSC Tariff Sheets and Schedules of Approved charges for the Heather Hills Utility are on file in the office for your review during normal business hours.

Each home is individually metered. Water lines from the meter to the home are the responsibility of the homeowner. All water that travels through the meter is the responsibility of the homeowner. The individual sewer lines from the home to the sewer main are the responsibility of the individual homeowner.

---

**WASTE MANAGEMENT  
OF  
MANATEE COUNTY  
753-7591**

**Homeowners need to make arrangements  
for pick up service and billing directly  
with Waste Management. Call 792-8811  
Ext:5420**

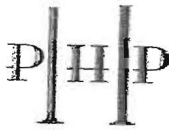
**Solid Waste: Monday & Thursday  
Yard & Recycle: Wednesday**

- Manatee County Waste Management took over garbage collection and is now the responsibility of the individual homeowners: approved by the Heather Hills Homeowners Association December 15, 1989.

Every week on your recycle day, please put your bins at the curb.

“Rain Check” If it’s raining hard, please consider saving your papers until the next collection day.

**THANK YOU!**



Pgs 7 THRU 10

7

DALE L. PRICE  
W. SCOTT HAMILTON †\*  
JAMES L. PRICE †\*  
DIANE R. MCGINNESS †#

† ADMITTED TO PRACTICE IN THE MIDDLE  
DISTRICT OF FLORIDA

\* ADMITTED TO PRACTICE IN THE ELEVENTH  
CIRCUIT COURT OF APPEALS

\* ADMITTED TO PRACTICE IN THE SOUTHERN  
DISTRICT OF FLORIDA

\* ADMITTED TO PRACTICE IN THE STATE OF  
GEORGIA

**PRICE, HAMILTON & PRICE, CHARTERED**

2400 MANATEE AVENUE WEST  
BRADENTON, FLORIDA 34205  
Telephone: (941) 748-0550 and (941) 792-0203  
Facsimile: (941) 745-2079 and (941) 795-1391

OF COUNSEL:

L. FLOYD PRICE †  
JAMES M. NIXON II

† CERTIFIED CIRCUIT COURT MEDIATOR

January 12, 2011

Mr. William Lummen  
207 48<sup>th</sup> Avenue West  
Bradenton, Florida 34207

Re: Purchase from Pearl Bailey – 207 48<sup>th</sup> Ave. W., Bradenton, FL 34207

Dear Mr. Lummen:

My office has been in contact with Chris Stephens. I requested a copy of the documents she wants you to sign in order to proceed with the closing. Enclosed is a copy of those documents I received.

According to Cristi's conversation with Chris, if these documents are not executed and submitted to her, your water and utilities will allegedly be turned off. Also, she will not release an Estoppel letter to me until these documents are submitted. If I do not receive the Estoppel letter I cannot issue proper title insurance. Please contact me and let me know how you wish to proceed with this matter. Thank you for your anticipated cooperation in this regard.

Sincerely,

Dale L. Price, Esq.

DLP/cjw

TO: STEVE REILLY  
OFFICE OF PUBLIC COUNSEL

1/18/11

(8)

FAX #

1-850-487-6419

FROM: JOHN MORELLI  
BILL LUMMEN  
DON MATHEWS

1 PAGE TO FOLLOW

STEVE,

THIS WAS PUT ON LUMMEN'S DOOR SUNDAY  
EVEN THOUGH HE WAS HOME. IT IS FROM  
HEATHER HILLS UTILITY AND THREATENS TO  
SHUT HIS WATER OFF EVEN THOUGH HIS WATER  
BILL IS PAYED.

LUMMEN (BILL) IS 88 YEARS OLD AND  
THESE GESTAPO TACTICS REALLY HAVE HIM  
WORRIED. SOMETHING HAS TO BE DONE BEFORE  
FRIDAY.

PLEASE ADVISE US ASAP IF YOU CAN HELP.

JOHN MORELLI  
941-756-5627

BILL LUMMEN  
941-896-7340

FUJIMOCAR@MSN.COM

P.S. NOW THEY WANT THE ORIGINAL \$50.00 PLUS  
ANOTHER \$26.00.

9  
Heather Hill Estates Utilities LLC  
4925 3<sup>rd</sup> Street West  
Bradenton, Florida 34207

Date: 1-17-2011

Re: 207 48<sup>th</sup> Ave. West, Bradenton, Fl 34207

Dear resident,

Please be advised that you must come to the Heather Hills Estates Utilities office to fill out information and pay a transfer fee if this property has been sold.

This notice will serve as a 5 day notice before water service will be disconnected.

Disconnection date : Friday January 21<sup>st</sup>, 2011.

Thank you,



Chris Stephens/owner  
Heather Hills Estates Utilities LLC

# NEW CUSTOMER INFORMATION FORM

Received 11/21/2011 (10) C. Stephens

Heather Hills Estates  
~~Apartment~~  
UTILITIES, LLC

## Property Owners(s)

WILLIAM LUMMEN 9-3-22 78  
Name Date of Birth Age

\_\_\_\_\_  
Name Date of Birth Age

HOME STATE MI

Property Information e-mail: N/A

207-10TH AVE W 1-941-896-7340  
Address Phone Number

116 STATE ST FREMONT MI 49412  
Summer Address City State Zip

1-231-924-3964 8  
Summer Phone Number Phone Number

N/A ~~By signing this form, the customer agrees to the terms, conditions, and regulations of the utility company.~~

\* William Lumm 1-21-11  
Signature Date

\_\_\_\_\_  
Signature Date

In case of emergency, please contact the following persons:

\_\_\_\_\_  
Name Address  
\_\_\_\_\_  
City State Zip Phone Number

Please supply the following information as well:

Copy of Drivers License  
Seller Name Don Mathews / PEARL BAILEY

THIS FORM WAS CHANGED AS PER INTERVENTION FROM STEVE ROTLY BUT THEY ONLY ACCEPTED THIS IN BILL LUMMEN CASE. OLD FORM IS STILL USED!!!

## FAX COVER SHEET

To: Kristi

Fax # 745-2079

From: Chris Stephens at \_\_\_\_\_

Heather Hills Estates  
4925 3<sup>rd</sup> Street West  
Bradenton, Fl. 34207  
Ph: 941-755-0123  
Fax #: 941-755-1128

E-Mail Address: hh4925@verizon.net

Subject: Closing Lommen / Bailey

Date: 1-10-2011

# of Pages: 4 (including cover sheet)

---

Comments:

I have copy of Deed restrictions in the office.

Plus I need \$50.00 application fee.

Thank you,  
Chris.

**Heather Hills Estates  
Age Verification Form**

**Property Owners(s)**

\_\_\_\_\_  
**Name** **Date of Birth** **Age**

\_\_\_\_\_  
**Name** **Date of Birth** **Age**

**HOME STATE** \_\_\_\_\_

\_\_\_\_\_  
**Property Information** **e-mail:**

\_\_\_\_\_  
**Address** **Phone Number**

\_\_\_\_\_  
**Summer Address** **City** **State** **Zip**

\_\_\_\_\_  
**Summer Phone Number** **Phone Number**

**I (we) have read the Heather Hills Restrictions, Reservations, Easements, Rules and Regulations and agree to abide by them.**

X

\_\_\_\_\_  
**Signature** **Date**

\_\_\_\_\_  
**Signature** **Date**

**In case of emergency, please contact the following persons:**

\_\_\_\_\_  
**Name** **Address**

\_\_\_\_\_  
**City** **State** **Zip** **Phone Number**

**Please supply the following information as well:**

**Copy of Drivers License**

**Seller Name** \_\_\_\_\_

**ACKNOWLEDGMENT OF NOTICE AND RECEIPT OF  
RESTRICTIONS, RESERVATIONS, EASEMENTS, RULES, AND REGULATIONS OF  
HEATHER HILLS ESTATES**

This Acknowledgement is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ ("the Purchasers"), as purchasers of a lot in Heather Hills Estates. By execution hereof, and by accepting a deed for property located within Heather Hills Estates, the Purchasers acknowledge and agree that:

1. Heather Hills Estates is a platted mobile home subdivision, as described in the following plats filed in the Public Records of Manatee County, Florida:

- a. Unit 1: Plat Book 15, Pages 30-32.
- b. Unit 2: Plat Book 15, Pages 39-41.
- c. Unit 3: Plat Book 15, Pages 55-57.
- d. Unit 4: Plat Book 15, Pages 61-62.
- e. Unit 5: Plat Book 20, Pages 191-192.

2. The lots in Heather Hills Estates are subject to certain Restrictions, Reservations, Easements, Rules, and Regulations ("the Restrictions"), recorded in the Public Records of Manatee County, Florida, as follows:

- a. O.R. Book 314, Pages 613-615;
- b. O.R. Book 334, Page 479;
- c. O.R. Book 386, Pages 6-9;
- d. O.R. Book 401, Pages 259-262;
- e. O.R. Book 402, Pages 68-71; and
- f. O.R. Book 1609, Page 4423, as corrected in O.R. Book 1650, Pages 7400-7401.

3. The Purchasers have received and reviewed a copy of the Restrictions.

4. Rick & Chris Stephens, LLC, d/b/a Heather Hills Estates ("Heather Hills Estates"), as successor in interest to the rights and obligations of the subdivision developer, is entitled to enforce and administer the Restrictions.

5. The Purchasers shall take title to their property subject to the Restrictions and to the duties and obligations contained therein, including but not limited to the obligation to pay annual assessments to Heather Hills Estates as provided in the Restrictions.

6. The Restrictions provide Heather Hills Estates with lien rights against the Purchasers' property to secure the performance of the Purchasers' duties and obligations under the Restrictions. These lien rights relate back to the date of the filing of the Restrictions.

7. The Purchasers expressly affirm the validity of the Restrictions and their intent to have the Restrictions continue in force and effect and to let their property serve as security for the obligations imposed by the Restrictions.

The Purchasers have executed this Acknowledgement in consideration for, and as an inducement for the continuation of, the services that Heather Hills Estates provides to the subdivision, which services will benefit the Purchasers as owners within the subdivision. Such services include, but are not limited to, maintaining and managing the Recreation Areas described in the Restrictions and making the same available to the owners within the subdivision, and such other services as are described in the Restrictions, as these services may be from time to time amended or modified by law or otherwise.

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

- Home Health Care Services
- Wheelchairs
- Hospital Beds & Accessories
- CPM Machines
- Disposable Medical Supplies
- Wound Care Products
- Home & Wheelchair Modifications
- Ambulatory Aids
- Bone Growth Stimulators
- Orthotics & Prosthetics
- Diagnostic MRI, CT Scans, EMG/NCV Studies
- Tens Units, Interferentials, Muscle Stimulators

**MTI**  
NATIONWIDE  
MedComp USA

Cell

(15)

- Ambulatory & Wheelchair
- No Waiting Charges
- Guaranteed Fair Rates
- No Taxes
- Licensed & Insured
- Interpretation & Translation
- Medical Evaluations
- Conference Calls
- Certified ATA Translators
- Multi Lingual Staff
- Deaf Service

**BACKGROUND** - 800-553-2155 • [www.mtiamerica.com](http://www.mtiamerica.com)

Transportation • Translation • DME • Diagnostics • Home Health • Home Modifications • Pharmacy

My name is John Morelli. I live at 110 50<sup>th</sup> Avenue West and have been a full time resident at this address for 18 years. I moved here on July 4<sup>th</sup> 1993 & it did not take me long to see that this place was not operating & following the laws & the statutes of the State of Florida.

This utility was being operated without any control or oversight by Manatee County or by the Florida Public Service Commission (FPSC) since conception in 1967. The utility had full reign to charge the residents whatever they wanted. Residents were being charged ~~\$24~~ <sup>\$76</sup> per quarter at this time which included 9000 gallons of water/waste water whether they used a drop or not.

I believe that I can say I was very instrumental in having them made into a utility under the FPSC (Manatee County said they did not have the manpower to oversee them). Working with Jack Shreve from the Office of Public Counsel we set up a new rate structure based on usage & not on a set amount. Our arguing point at this time was that there was no incentive to conserve water if we were going to be charged for it anyways. This is when we went to a gallonage used rate structure to help conserve water.

Now it seems that you, the Florida Public Service Commission want to penalize us for not using

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the water so the Utility Company can make more of a profit. What is wrong with this picture?? Are we now in a Catch 22 situation?? It seems we are damned if we do & damned if we don't.

This utility system is approximately 45 years old. How many times are we going to have to pay for it?? Every time it changes hands the residents get the shaft. These lines are 45 years old & have been payed for many times over. I have spoken with some developers & was told that, when the land is initially sold, the price of the land includes costs for roads, utility costs, & all other costs that the developer incurs so that he regains his investment plus.

Remember ONE MAJOR ITEM!! This is not & has never been a rental park. We own our own land, pay our own taxes to the County & the County owns & maintains the streets. As for the Utility, the County owns & maintains the only lift station in here. This utility owns & maintains the lines which the water & wastewater pass through. There is no operating plant of any kind. It is strictly a Pass Through system. At one time our assessment covered the sewage removal until Mr. Starkey (in 1977) went to the county & tied

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into the county sewage disposal and passed the entire costs onto the residents. He also never dropped the costs involved with disposing of the waste material from the assessment. This amounts to a lot of money over the years since the yearly assessment is raised by the cost of living index every year. Our assessment has risen from the original \$90<sup>00</sup> a year to the present \$578.79 per Unit times 353 or a total of \$204,312.87!!! Not bad for someone not making any money from a bunch of retirees on limited incomes. Our places/homes have only 1 or 2 occupants. This should weigh in our favor not against us!!!

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188  
See Pg 5  
151

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I went to Manatee County Utility yesterday (6/29/11) and was given a cost breakdown of what their charges are to this Utility. They are as follows:

1) Water	\$7.81 / 1K gal	
2) Wastewater	\$4.00 / 1K gal @ 100% water use	
3) BFC Water	\$3.09 / UNIT / MO.	\$9.27 / UNIT / 1/4
4) BFC W/water	\$8.64 / UNIT / MO	\$25.92 / UNIT / 1/4
	TO COUNTY	\$35.19

HHEU (HEATHER HILLS ESTATES UTILITY) PRESENT / NOW

1) Water	\$2.46 / 1K GAL	
2) Wastewater	\$5.11 / 1K GAL @ 100% WATER USE	
3) BFC Water	\$7.616 / UNIT / MO	\$22.85 / UNIT / 1/4
4) BFC W/water	\$9.756 / UNIT / MO	\$29.27 / UNIT / 1/4
	TOTAL CTY + HHEU	\$52.12

$$\$52.19 - \$35.19 = \$16.93 / 1/4 (4) = \$67.72 / YR (353) = \$23,905.16$$

HHEU (HEATHER HILLS ESTATES UTILITY) PROPOSES

INC 1) WATER	\$2.81 / 1K	
2) Wastewater		
3) BFC WATER	FROM \$22.85 / 1/4 / UNIT TO \$26.11 / 1/4 / UNIT	
4) BFC W/WATER	FROM \$29.27 / 1/4 / UNIT TO \$36.53 / 1/4 / UNIT	
TOT 10.52 INC. / 1/4 / \$10.52 (4) = \$42.08 / YR (353) = \$14,854.24 TOT FOR 1 YR		

NO WATER USE NOW \$52.12 / 1/4 (4) \$208.48

NO WATER USE PROP \$62.64 / 1/4 (4) \$250.56

$$\$250.56 - \$208.48 = \$42.08 (353) \$14,854.24$$

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19

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Today I went to see Harry Messick @ the Health Department. Mr. Messick is the person we call when we have a problem or questions regarding the Water, Wastewater, Utility & their procedures. Mr. Messick gave me copies of some of the infractions that he has been involved with regarding this Utility. He also said that he does not keep records of everything if & when they are fixed in a timely matter. These are problems that the FPSC should have been notified about but Mr. Messick took care of them.

RECEIVED--FPSC

11 JUL 27 AM 10: 17

COMMISSION  
CLERK

11 JUL 27 AM 7: 38

July 22, 2011

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

RE: Docket No. 100472 – WS

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>019066-11</u>		
DISTRIBUTION: _____		

Dear Commission Clerk/Commission Members

This letter is to request your very thoughtful consideration of the proposed rate increase for the Heather Hills Estates Utility.

Heather Hill is a community of senior citizens, many of whom live on social security income only. This is a residential park of mobile homes (the majority of these units are between 30 and 40 years old), not a gated community of luxury homes as is the residence of Rick/Chris Stephens who come before you asking for additional income from the residents of this neighborhood of seniors.

This utility is NOT a water/sewer plant that must be maintained. The water is furnished from Manatee County and supplied to us by the simple turn of a valve. The water/sewer lines and valves are the only area that the Stephens maintain. This is a pass through operation only. It is my personal opinion that the water pressure has been turned down to avoid line breaks. Have I tested the flow? No, but I know how long it takes to fill the washer and sink or tub now in comparison to how strong the water flow was before. They read the meters once a quarter and send out invoices. This task is made all the more simple during the six month period of the summer season as more than half of the homes are not occupied, and therefore the readings on the water meters do not change.

I am enclosing a copy of the 2010 Annual Drinking Water Quality Report provided by the HH utility that states "We at Heather Hills Utility work around the clock to provide top quality water", which is quite the statement when you consider the posted office hours are 8:30 AM to 1:00PM three days a week (which I also enclose), and you also take into account that the Stephens also are full time employees elsewhere.

Another problem for us as residents is that we pay in excess of **\$206,000.00** a year to the Stephens as owners of the clubhouse for the use of this building. There is no pool, exercise equipment, or any additional benefit for this assessment. Their expenses for this building are charged to us in this annual assessment. How is it fair for them to pay themselves almost **\$5000.00** a year and charge us AGAIN through the utility? Why must we pay TWICE for the very same building and office equipment? I believe the same is true for the 2003 Van they use for the Heather Hills Estates company. How is it fair to include this charge when it is charged off to us through the HHE management costs?

I feel certain that you are well aware of the financial crisis that faces our nation, and the fear the seniors live in with all the discussion about how their Social Security is in jeopardy.

Many of our friends and neighbors are very elderly, in frail health, and are unable to express their concern and frustration over the ever increasing fees and expenses that have been placed on them by the current owners, in my opinion, just to increase their profitability.

There is currently active law suits regarding the annual assessment that many believe has long expired. Many residents believe this is why the utility rate increases (and the hefty fee increases that have already been granted) are being pursued. You may not receive as many letters in objection as there are residents who are concerned about these issues, as many of them are just too fearful to speak out as they will become the targets of verbal abuse. One of the residents just spent ten days in jail for contempt, and the treatment he has received from the Stephens is a very big example of what they want and need to avoid.

My request is that you think about this rate request from the point of view of the residents; is it fair, is it just, and would you want your senior parents to be subjected to these increases, not because they are justified to provide new and better service, but simply because the owners want them.

Thank you sincerely for your attention to this very serious matter.

A handwritten signature in cursive script, appearing to read "Linda Doecker".

Mrs. Linda Doecker  
Heather Hills  
303 50<sup>th</sup> Avenue Plaza West  
Bradenton, Florida 34207

763 Treat Blvd.  
Tallmadge, Ohio 44278  
330-633-2213

## 2010 Annual Drinking Water Quality Report Heather Hills Estates Utility

We are pleased to provide you with this year's Annual Water Quality Report. We want to keep you informed about the water and services we have delivered to you over the past year. Our goal is and always has been, to provide to you a safe and dependable supply of drinking water. Our water source is; Manatee County Utility. *See attached report.*

This report shows our water quality results and what they mean. If you have any questions concerning this report or concerning your water utility, please contact Chris Stephens at 941-755-0123. We encourage our valued customers to be informed about their water utility. Please call and schedule an appointment if you wish to meet with us.

Heather Hills Estates Utility routinely monitors for contaminants in your drinking water according to Federal and State laws and regulations. Except where indicated otherwise, this report is based on the results of our monitoring for the period of January 1, 2010 to December 31, 2010. Data obtained before January 1, 2010 and after December 31, 2010, and presented in this report are from the most recent testing done in accordance with the laws, rules and regulations.

To help you better understand terms used, we've provided the following definitions:

*Maximum Contaminants Level or MCL: the highest level of a contaminant that is allowed in drinking water. MCL's are set as close to the MCL's as feasible using the best available treatment technology.*

*Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water which there is no known or excepted risk to health. MCLG's allow for a margin of safety.*

*Parts per billion (ppb) or Micrograms per liter (ug/l) – one part by weight of analyte to 1 billion parts by weight of the water sample.*

*Parts per million or (ppm) or Milligrams per liter (mg/l) – one part by weight of analyte to 1 million parts by weight of the water sample.*

Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	AL Violation Y/N	90th Percentile Result	No. of sampling sites exceeding the AL	MCLG	AL (Action Level)	Likely Source of Contamination
<b>Copper (Tap Water)</b>							
84. Copper (tap water) (ppm)	6/07	N	.0850	0	1.3	1.3	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives

Action Level : (AL) – The concentration of a contaminant which, if exceeded; triggers treatment or other requirements that a water system must follow.

*Microbiological Contaminants:*

Total Coliform. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other potentially-harmful, bacteria may be present.

All Samples in 2010 were absent from contaminants.

*Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline (800-426-4791)*

*LESS THAN 14 HOURS A WEEK*  
*MANATEE COUNTY?*  
We at Heather Hills Utility work around the clock to provide top quality water. We ask that all our valued customers help us protect our water sources, which are the heart of our community, our way of life and our children's future.

*IN OUR SENIOR COMMUNITY?*  
This is specific to our system, but Manatee County which is our wholesale system is attached.

Please call the Heather Hills Estates Utility office if you have any questions: 941-755-0123

## OFFICE HOURS

MONDAY, WEDNESDAY, FRIDAY

8:30 A.M. TO 1:00 P.M.



## OFFICE HOURS

MONDAY, WEDNESDAY, FRIDAY

8:30 A.M. TO 1:00 P.M.





CLEVELAND  
23 JUL 2011



Office of Commission Clerk  
Florida Public Service Commission  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, Florida 32399-0850

323990850



RECEIVED-FPSC

Application for staff-assisted rate case in Manatee County by

11 JUL 20 AM 10:45

# Heather Hills Estates Utilities LLC

DOCKET NO. 100472-WS

COMMISSION  
CLERK

FPSC, CLK - CORRESPONDENCE  
☐ Administrative ☐ Parties ☒ Consumer  
 DOCUMENT NO. 019166-11  
 DISTRIBUTION:

Name DARRELL & CLARA GILBERT

Address 204 - 48<sup>TH</sup> AVE DR. W.

BRADENTON, FL. 34207

Please submit your comments about this docket to the Florida Public Service Commission by completing this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

## CONSUMER COMMENTS

We wanted you to know that we are agreeing with the increase in water rates. The owners have upgraded the water system the past couple years. New meters, sectionalizing to control outages to fewer people. We don't like increases on any thing, but in order for the owners to keep upgrading the system we realize they need this increase

Thank you

Darrell & Gilbert  
Clara M. Gilbert

Fold and tape - - see back for address



Mr. and Mrs. Darrell E. Gilbert  
204 48th Avenue Dr W  
Bradenton, FL 34207-2626

TAMPA FL 335  
SAINT PETERSBURG FL  
18 JUL 2011 PM 5 T



Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

32399-0850

Fold Here

Tape

Fold Here

RECEIVED-FPSC

William A. MacCannell, M.D.

113 50th Ave. Terrace W.

Bradenton, FL 34207

(941) 751-4332

[wmaccannell@aol.com](mailto:wmaccannell@aol.com)

11 JUL 19 AM 9:29

COMMISSION  
CLERK

11 JUL 19 AM 7:59

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>01966-11</u>		
DISTRIBUTION: _____		

Re: Docket No. 100472-WS

This is a follow-up comment to your excellent meeting on June 30, 2011, with the residents of Heather Hills Estates.

My wife and I have been full-time residents for the past 10 years. As a medical doctor with experience in public health, I have been continually impressed with the quality of the water service here. There have been very few interruptions in the water service and always with timely notices. Fortunately, Rick and Chris Stephens live close to our subdivision and respond promptly and efficiently to any call. They make a point of being available 24/7. I might add they are always courteous and professional in our interactions with them.

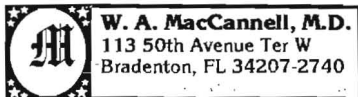
I have never heard of a complaint re water service from our many friends here at Heather Hills.

Therefore, I cannot imagine any disagreement if the Commission feels that a rate increase is indicated.

Thank you.



William A. MacCannell, MD



TAMPA FL 335  
SAINT PETERSBURG FL  
00 10 2011 PM 101



*Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850*

323990850



100472-WS

RECEIVED--FPSC

Application for staff-assisted rate case in Manatee County **11 JUL 13 AM 9:20**

**Heather Hills Estates Utilities LLC**

COMMISSION  
CLERK

DOCKET NO. 100472-WS

FPSC, CLK - CORRESPONDENCE  
☐ Administrative ☐ Parties ☒ Consumer  
DOCUMENT NO. 019100-11  
DISTRIBUTION: \_\_\_\_\_

Name Eva M. Rinas

Address 10950th Ave Dr W  
Bradenton FL 34207

Please submit your comments about this docket to the Florida Public Service Commission by completing this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

I Protest the water raise, I think this is too much I think they are getting rich with what it is now. Considering the price on sewage that they charge the same for it that they do on water. We water grass flowers & also washing a mobile home that uses a lot of water that doesn't even go through the sewer. I think this is a lot more to pay for water.

Docket # 100472 WS  
H H E utilities, U. C.

Fold and tape - - see back for address



**Eva Rinus**

109 50th Avenue Dr. W  
Bradenton, FL 34207-2716

TAMPA FL 336

SAINT PETERSBURG, FL

11 JUL 2011 PM 2.1

DISTRIBUTION CENTER

11 JUL 13 AM 6:58



MR

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

32399+0850



Fold Here

Tape

Fold Here

STAFF REPORT AND UTILITY APPLICATION

The results of staff's preliminary investigation are contained in a staff report dated May 27, 2011. Copies of the report may be examined by interested members of the public from 8:30 to 1:00 pm, Monday, Wednesday, and Friday at the following location:

RECEIVED-FPSC  
JUL 12 AM 11:15  
COMMISSION  
CLERK

Heather Hills Estates Utilities, LLC  
4925 3rd Street, West  
Bradenton, FL 34207

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>010472-11</u>		
DISTRIBUTION: _____		

PROCEDURES AFTER CUSTOMER MEETINGS

After the meetings, Public Service Commission Staff will prepare a recommendation which is scheduled to be submitted to the Public Service Commission on August 11, 2011. The Public Service Commission will then vote on staff's recommendation at its August 23, 2011 agenda conference. The Commission will thereafter issue a proposed agency action (PAA) order containing rates which may be different from those contained in staff's final recommendation. Substantially affected persons have 21 days from the date the PAA order is issued to protest the Commission's proposed agency action order. Five to ten customers or persons who attend the meeting and who wish to receive a copy of the recommendation and the order should so indicate at the meeting. Those individuals are expected to distribute the information in the recommendation and the order to other customers. Anyone who is unable to attend and who wishes to obtain a copy of the recommendation or the order may do so in writing to the Commission at the address at the end of this notice.

HOW TO CONTACT THE COMMISSION

Written comments regarding the Utility and the proposed rates, and requests to be placed on the mailing list for this case, may be directed to this address:

Commission Clerk, Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

*Also cc to:  
Heather Hills  
Estates*

All correspondence should refer to "Docket No. 100472-WS, Heather Hills Estates Utilities, LLC"

If you wish to contact the Commission regarding complaints about service, you may call the Commission's Division of Service, Safety and Consumer Assistance at the following toll-free number: 1-800-342-3552.

This notice was prepared by Commission Staff for distribution by the Utility to its customers.

*Why don't you have these meetings in the winter when we are there? Are you afraid we'll show up at the meetings?*

-4-



Mr. James D. Austin  
3428 E Sheffield Ct  
Springfield, MO 65802-2440

*EA Property  
312 50th Ave Pl. W.  
Bradenton, FL*

*Customer*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
NOTICE OF CUSTOMER MEETINGS  
TO THE CUSTOMERS OF HEATHER HILLS ESTATES UTILITIES, LLC  
AND  
ALL OTHER INTERESTED PERSONS  
DOCKET NO. 100472-WS

APPLICATION OF HEATHER HILLS ESTATES UTILITIES, LLC  
FOR A STAFF-ASSISTED RATE CASE IN  
MANATEE COUNTY

Issued: June 10<sup>th</sup>, 2011

Notice is hereby given that the Staff of the Florida Public Service Commission will conduct a customer meeting to discuss the application of Heather Hills Estates Utilities, LLC (Heather Hills or Utility) for a staff-assisted rate case in Manatee County. The meeting will be held at the following time and place:

6:00 p.m., Thursday, June 30, 2011  
Heather Hills Estates Clubhouse  
4925 3rd Street, West  
Bradenton, FL 34207

All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. The meeting will begin as scheduled and will continue until all the customers have been heard.

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate at the customer meeting should contact the Office of Commission Clerk at (850) 413-6770 at least five calendar days prior to the meeting(s). Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

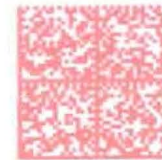


Mr. James D. Austin  
3428 E. Sheffield Ct  
Springfield, MO 65802-2440

INTRODUCTION CENTER

11 JUL 12 AM 6:58

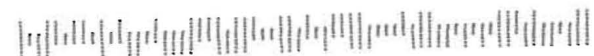
PRESORTED  
FIRST CLASS



UNITED STATES POSTAGE  
EAGLE  
FINEST HORSES  
02 1R  
0006560873 JUN 27 2011  
\$ 00.41<sup>4</sup>  
MAILED FROM ZIP CODE 65803

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

DP\*\*KL11 32399



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-

RECEIVED-FPSC

11 JUL -8 PM 1:05

COMMISSION  
CLERK

---

**DATE:** July 7, 2011  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Jay Williams, Engineering Specialist I, Division of Economic Regulation  
**RE:** Docket No. 100472-WS, Application for staff-assisted rate case in Manatee County by Heather Hills Estates Utilities LLC.

---

Please add the following documents submitted by two customers during the Heather Hills Estates Utilities LLC Customer Meeting held on Thursday, June 30, 2011. Thank you.

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
DISTRIBUTION: _____		

FPSC.  
6-30-11  
VIA KENNA  
Gunn

Kenna, will you ask the following questions for me at the June 30th PSC meeting and give the PSC Representatives this letter?

June 29<sup>th</sup>, 2011

PSC Representatives and Heather Hills Estates Utilities, LLC:

For the record, my husband and I protest the rate increase request.

How are miscellaneous service charges being accounted for?

Don't the June 13, 2011 PSC Recommendations and the December 2, 2010 Miscellaneous Service Charges allow the Stephens LLC to charge us salary and transportation cost two times for the same services?

Please show us that we are not being charged two times for the same service.

What is the PSC approved Termination of Service Policies?

What is the PSC approved new consumer application process and fees?

We do not receive a Financial Report as required in FS 720.3086 of the \$200,000 plus paid to use the office building and recreation area.

The PSC is allowing the Stephens LLC to lease from itself the same office building, telephones, equipment, etc.

Please show us that we are not being charged two times for the same telephones, office supplies and equipment, cars, office space, etc.

Note the lease recorded with PSC on March 2, 2011 is from Heather Hills Estates, LLC a **non existing company** and contains no dollar amount being charged.

On page 6 of the PSC Recommendations Report dated June 13, 2011, Table 3-1, Number 2, what is the Plant addition in 2009 charged to account 331?

331 is the number assigned to my property at 203 49<sup>th</sup> Avenue Drive West and I do not know of any "Plant addition".

Your cooperation is appreciated.

Janet Voorheis

109 49<sup>th</sup> Ave Dr West Heather Hills Estates  
203 49<sup>th</sup> Ave Dr West Heather Hills Estates

# NOW RECORDED RESTRICTIONS WHICH ARE HANDED OUT.

## HEATHER HILLS RULES & REGULATIONS RESTRICTIONS, RESERVATIONS, EASEMENTS, RULES AND REGULATIONS OF HEATHER HILLS ESTATES, AS PER PLAT THEREOF, RECORDED AMONG THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

This indenture made and entered into this 20th day of January, 1967, by HEATHER HILLS ESTATES, INC., a Florida corporation, hereinafter referred to as the Company, being the owner of all the lands embraced in Heather Hills Estates Subdivision, as per plat thereof, to be recorded among the Public Records of Manatee County, Florida, being desirous of providing uniform restrictions, reservations, easements, rules and regulations, for said subdivisions, does hereby impose and charge all of said subdivision for itself, its successors or assigns, with the covenants, easements, restrictions, conditions and charges hereinafter set forth, to wit:

1. IMPROVEMENT: No mobile home, building (addition or accessory) or home, fence, wall, planting, exceeding two feet in height, or other structure or improvement shall be commenced, erected or maintained, nor shall any addition to, or change or alteration be made until the plans and specifications showing the nature, kind, shape, height, floor plan, materials, location and approximate cost of such structure, have been submitted to and approved in writing by the Company. The Company's failure to give notice of its approval or disapproval of such plans and specifications within thirty (30) days after receipt thereof shall be deemed to constitute its approval thereof.

2. EASEMENTS AND SET-BACKS: The Company specifically reserves unto itself an easement over the rear five (5) feet of each lot and over and across such other areas as are designated as easement on the plat of said subdivision, for use by the Company or the Company's assigns for utility installations and right-of-ways, or such other use as the Company may deem appropriate and the Company specifically reserves the exclusive right to lay utilities in the street in said subdivision, and further, specifically reserves the fee title to the streets in said subdivision. There shall be a minimum setback of five (5) feet from the rear, side and 10 front property lines, for all permanent or temporary structures or improvements. Where one mobile home occupies more than one lot, the set-back line shall be from the edge of the property line, rather than the edge of the lot line. The Company may, at its discretion, release any lot or parcel from the restriction or easement contained in this paragraph.

3. SEPTIC TANKS AND WELLS: No well or septic tank shall be constructed in said subdivision without prior written approval of the Company, and in no event shall the water from any well be used in any mobile home or piped into any mobile home, or used for human consumption.

4. USE: All lands included in this subdivision shall be used for residential purpose only, except for such lots or parcels as may be designated by the Company otherwise.

5. SIGNS: No signs or advertisements shall be displayed on the lots, right-of-ways, or any other part of the subdivision, except as specifically designated and approved by the Company.

6. STORAGE: No boat or boat trailer, travel trailer, camp trailer or any similar property shall be stored in said subdivision without the prior written approval of the Company.

7. MAILBOXES: Mailboxes shall be only of the design approved by the Company and may only be placed in such locations as are designated by the Company.

8. RECREATION AREAS: The areas designated on the plat of the subdivision as "Recreation Area", together with all the improvements thereon, shall remain the exclusive property of the Company who specifically retains the title to said recreation areas, and the right to make all the rules and regulations pertaining to same, and the owners of lots in the subdivision shall have the right to use the recreation areas, in accordance with such rules and regulations as are propagated by the Company from time to time, and not otherwise.

9. ASSESSMENT: As part of the purchase price of each lot and as compensation for the privileges herein granted to utilize recreation areas and other common facilities, subject to the rules and regulations of the Company, the owner of each lot agrees to pay unto the Company an annual fee, to be fixed by the Company. Its successors or assigns, not, however, exceeding, except as hereinafter set forth, the sum of \$90.00 per year for each lot, provided that the sum of \$90.00 may at the Company's option be increased in the same proportion as the cost of living index of the United States Department of labor increases above such index on the date of recording of these restrictions. The assessment shall be uniform against all lots for the availability of facilities, without regard to the extent of use or non-use thereof by the several lot owners. Any and all charges made by the Company under this paragraph shall at the time of assessment provided herein constitute a lien on the lot against which made and be enforceable as provided for the enforcement of mechanics liens under the laws of the State of Florida, or otherwise as the Company may deem expedient. The annual charge abovementioned shall be used by the Company to first provide reasonable return on the Company's investment in the streets, recreation

areas and common areas, and then for reasonable salaries for the Company's officers and reasonable fees and expenses the Company and the Company's employees in managing said areas and the subdivision, and finally to the extent available, such annual charge shall be used for the maintenance of the recreation areas and common areas and to provide sewage disposal and street lighting for the subdivision and the usual and ordinary trash collection from each lot.

10. GARBAGE AND TRASH: All garbage shall be wrapped and placed in proper receptacles as designated by the Company and all garbage receptacles and trash shall be stored, until collected, in neat, clean, and orderly condition, in such places as are designated by the Company to give the subdivision a clean and neat appearance.

11. CARE OF LOTS: Lot owners shall keep their lots in a neat, clean and orderly condition, the grass mowed and all bushes, shrubs and trees properly trimmed, and in the event that the owner of any lot shall fail to maintain the same as aforesaid, the Company reserves the right to enter upon such lot and care for the same and cut the grass and remove the rubbish and to trim all trees, bushes and plants and to charge the owner of said lot the actual cost of such upkeep, including office expense and supervisory expense, plus the sum of 15%, which charge shall be due and payable the first of the month following the performance of the work and shall be a lien upon the land to the same extent as the annual charge.

12. WASHING: All wash to be dried must be hung during hours approved by the Company on a special drying apparatus in the form of a folding rack or umbrella which shall be placed at the rear of each lot.

13. MOBILE HOME LIMITATIONS: There shall only be one mobile on each lot and all mobile homes must be a minimum of forty (40) feet in length, as designated on certificate of title, and a minimum of twelve feet in width, unless otherwise designated by the Company. All mobile homes must have concrete patio slab at least 10x20 feet and complete sanitary facilities, including among other things, a lavatory, wash basin, a tub or shower, kitchen sink, and must be connected to the sewage outlets in conformity with State health requirements. The space from ground level to floor of mobile home, must be enclosed with suitable materials approved by the Company.

14. ANIMALS: No four-legged animals shall be permitted in the subdivision at any time, and no other pets which the Company deems obnoxious or annoying shall be permitted in the subdivision.

15. ZONING & PLANNING: No portion of the subdivision shall be rezoned or replatted without the written consent of the Company or the Company's successors or assigns.

16. VIOLATION: The restrictions set forth herein shall be covenants running with the land, and in the event of the violation of same or in the event of the violation of any of rules and regulations lawfully imposed by the Company pursuant to this instrument including the failure to pay any charge imposed pursuant hereto, then the Company may bring any suit at law or in equity to enforce these restrictions, and said rules and regulations, and to collect any amount due, and the person or persons breaching the restrictions or any of the rules or regulations made pursuant hereto or failing to make any of the payments required hereunder, shall be liable for damages and shall further pay unto the company all of the costs of said action together with a reasonable attorney fee for the Company's attorney in bringing said action. Failure of the Company to enforce any restrictions, conditions, covenant or agreement, or rule or regulation made pursuant hereto, shall in no event be deemed a waiver of the right of the Company to enforce the same, as to the same breach or to one occurring prior or subsequent thereto, nor shall such failure give rise to any claim or cause action against the Company by any lot owner, and the Company shall not be required to enforce any covenant set forth herein.

17. DURATION: All of the covenants set forth herein shall be deemed covenants running with the land, and unless otherwise voluntarily terminated by the Company, shall bind all persons and interests and all owners of all lots or any part of said subdivision, their legal representatives, successors and assigns, until January 1 A.D 2000, except that Company may extend the same for successive periods of ten years each. If any provision of this indenture or the application of such provision to any person or circumstances shall be held invalid, the remainder of this indenture or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

IN WITNESS WHEREOF, the Company has caused this instrument to be executed in its name by its proper officer thereunto duly authorized and its corporate seal to be affixed this day and year first above written.

HEATHER HILLS ESTATES  
Keith & Clara Starkey - Owners

# RECORDED RESTRICTIONS

323868

RESTRICTIONS, RESERVATIONS, EASEMENTS, RULES AND  
REGULATIONS OF HEATHER HILLS ESTATES, AS PER PLAT  
THEREOF, RECORDED IN PLATBOOK PAGE OF THE PUBLIC  
RECORDS OF MANATEE COUNTY, FLORIDA

This indenture made and entered into this 8th day of March 1967, by HEATHER HILLS ESTATES, INC., a Florida corporation, herein-after referred to as the Company, being the owner of all of the lands embraced in Heather Hills Estates Subdivision, as per plat thereof recorded in PlatBook 15, page 30 of the Public Records of Manatee County, Florida, being desirous of providing uniform restrictions, reservations, easements, rules and regulations, for said subdivision, does hereby impose and charge all of said subdivision for itself, its successors or assigns, with the covenants, easements, restrictions, conditions and charges hereinafter set forth, to-wit:

1. IMPROVEMENT: No mobile home, building (addition or accessory) or home, fence, wall, planting, exceeding two feet in height, or other structure or improvement shall be commenced, erected or maintained, nor shall any addition to, or change or alteration be made until the plans and specifications showing the nature, kind, shape, height, floor plan, materials, location and approximate cost of such structure, have been submitted to and approved in writing by the Company. The Company's failure to give notice of its approval or disapproval of such plans and specifications within thirty (30) days after receipt thereof shall be deemed to constitute its approval thereof.

2. EASEMENTS AND SET-BACKS: The Company specifically reserves unto itself an easement over the rear five (5) feet of each lot and over and across such other areas as are designated as easement on the plat of said subdivision, for use by the Company or the Company's assigns for utility installations and right-of-ways, or such other use as the Company may deem appropriate and the Company specifically reserves the exclusive rights in said easements and the exclusive right to lay utilities in the streets in said subdivision, and further, specifically reserves the fee title to the streets in said subdivision. There shall be a minimum set-back of five (5) feet from the rear & side and 10 feet from the front property lines, for all permanent or temporary structures or improvements. Where one mobile home occupies more than one lot, the set-back line shall be from the edge of the property line, rather than the edge of the lot line. The Company may, at its discretion, release any lot or parcel from the restriction or easement contained in this paragraph.

3. SEPTIC TANKS AND WELLS: No well or septic tank shall be constructed in said subdivision without prior written approval of the Company, and in no event shall the water from any well be used in any mobile home or piped into any mobile home, or used for human consumption.

4. USE: All lands included in this subdivision shall be used for residential purpose only, except for such lots or parcels as may be designated by the Company otherwise.

5. SIGNS: No signs or advertisements shall be displayed on the lots, right-of-ways, or any other part of the subdivision, except as specifically designated and approved by the Company.

6. STORAGE: No boat or boat trailer, travel trailer, camp trailer or any similar property shall be stored in said subdivision without the prior written approval of the Company.

7. MAILBOXES: Mailboxes shall be only of the design approved by the Company and may only be placed in such locations as are designated by the Company.

8. RECREATION AREAS: The areas designated on the plat of the subdivision as "Recreation Area"; together with all the improvements thereon, shall remain the exclusive property of the Company who specifically retains the title to said recreation areas, and the right to make all of the rules and regulations pertaining to same, and the owners of lots in the subdivision shall have the right to use the recreation areas, in accordance with such rules and regulations as are propagated by the Company from time to time, and not otherwise.

OFF REC 314 MAR 613

9. ASSESSMENT: As part of the purchase price of each lot and as compensation for the privileges herein granted to utilize recreation areas and other common facilities, subject to the rules and regulations of the Company, the owner of each lot agrees to pay unto the Company an annual fee, to be fixed by the Company, its successors or assigns, not, however, exceeding, except as hereinafter set forth, the sum of \$90.00 per year for each lot, provided that the sum of \$90.00 may at the Company's option be increased in the same proportion as the cost of living index of the United States Department of Labor increases above such index on the date of recording of these restrictions. The assessment shall be uniform against all lots for the availability of facilities, without regard to the extent of use or non-use thereof by the several lot owners. Any and all charges made by the Company under this paragraph shall at the time of assessment provided herein constitute a lien on the lot against which made and be enforceable as provided for enforcement of mechanics liens under the laws of the State of Florida, or otherwise as the Company may deem expedient. The annual charge above-mentioned shall be used by the Company to first provide reasonable return on the Company's investment in the streets, recreation areas and common areas, and then for reasonable salaries for the Company's officers and reasonable fees and expenses for the Company and the Company's employees in managing said areas and the subdivision, and finally to the extent available, such annual charge shall be used for the maintenance of the recreation areas and common areas and to provide sewage disposal and street lighting for the subdivision and the usual and ordinary trash and garbage collection from each lot.

10. GARBAGE AND TRASH: All garbage shall be wrapped and placed in proper receptacles as designated by the Company and all garbage receptacles and trash shall be stored, until collected, in neat, clean and orderly condition, in such places as are designated by the Company to give the subdivision a clean and neat appearance.

11. CARE OF LOTS: Lot owners shall keep their lots in a neat, clean and orderly condition, the grass mowed and all bushes, shrubs and trees properly trimmed, and in the event that the owner of any lot shall fail to maintain the same as aforesaid, the Company reserves the right to enter upon such lot and care for the same and cut the grass and remove the rubbish and to trim all trees, bushes and plants and to charge the owner of said lot the actual cost of such upkeep, including office expense and supervisory expense, plus the sum of 15%, which charge shall be due and payable the first of the month following the performance of the work and shall be a lien upon the land to the same extent as the annual charge.

12. WASHING: All wash to be dried must be hung during hours approved by the Company on a special drying apparatus in the form of a folding rack or umbrella which shall be placed at the rear of each lot.

13. MOBILE HOME LIMITATIONS: There shall only be one mobile home on each lot and all mobile homes must be a minimum of thirty-two (32) feet in length, as designated on certificate of title, and a minimum of twelve feet in width, unless otherwise designated by the Company. All mobile homes must have concrete patio slab at least 10 x 20 feet and complete sanitary facilities, including among other things, a lavatory, wash basin, tub or shower, kitchen sink, and must be connected to the sewage outlets in conformity with State health requirements. The space from ground level to floor of mobile home must be enclosed with suitable materials approved by the Company, within thirty (30) days after being moved on the lot.

14. ANIMALS: No four-legged animals shall be permitted in the subdivision at any time, and no other pets which the Company deems obnoxious or annoying shall be permitted in the subdivision.

15. ZONING and PLANNING: No portion of the subdivision shall be re-zoned or re-platted without the written consent of the Company or the Company's successors or assigns.

16. VIOLATION: The restrictions set forth herein shall be covenants running with the land, and in the event of the violation

of same or in the event of the violation of any of the rules and regulations lawfully imposed by the Company pursuant to this instrument, including the failure to pay any charge imposed pursuant hereto, then the Company may bring any suit at law or in equity to enforce these restrictions, and said rules and regulations, and to collect any amount due, and the person or persons breaching these restrictions or any of the rules or regulations made pursuant here to, or failing to make any of the payments required hereunder, shall be liable for damages and shall further pay unto the Company all of the costs of said action, together with a reasonable attorney fee for the Company's attorney in bringing said action. Failure of the Company to enforce any restrictions, conditions, covenant or agreement, or rule or regulation made pursuant hereto, shall in no event be deemed a waiver of the right of the Company to enforce the same, as to the same breach or to one occurring prior or subsequent thereto, nor shall such failure give rise to any claim or cause of action against the Company by any lot owner, and the Company shall not be required to enforce any covenant set forth herein.

17. DURATION: All of the covenants set forth herein shall be deemed covenants running with the land, and unless otherwise voluntarily terminated by the Company, shall bind all persons and interests and all owners of all lots or any part of said subdivision, their legal representatives, successors and assigns, until January 1, A. D. 2000, except that Company may extend the same for successive periods of ten years each. If any provision of this indenture or the application of such provision to any person or circumstances shall be held invalid, the remainder of this indenture or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

IN WITNESS WHEREOF, the Company has caused this instrument to be executed in its name by its proper officer thereunto duly authorized and its corporate seal to be affixed this the day and year first above written.

[corporate seal]

HEATHER HILLS ESTATES, INC.  
By: Jack House  
Jack House, as President

ATTEST: Mary House

STATE OF FLORIDA,  
COUNTY OF MANATEE

I HEREBY CERTIFY that on this 8th day of March A. D. 1967, before me personally appeared Jack House and Mary House, the President and Secretary respectively of Heather Hills Estates Inc., a corporation under the laws of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned and that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Bradenton in the County of Manatee and State of Florida the day and year last aforesaid. My commission expires:

9/26/69

L. A. Doolittle  
Notary Public, State of Florida.  
OFF. REC. 314 MAR 615

FILED AND RECORDED  
MAR 8 1 48 PM '67  
M. J. MONTAGNA  
MANATEE COUNTY, FLA.

323666

### Income and expenses

	<u>Income</u> <u>Per Year</u>	<u>Expenses</u> <u>Per Year</u>
Rental income on 2 duplexes & 1 house	\$52,200.00	
Park income	\$206,000.00	
Fire Dept	\$60,000.00	
Chris 3 Doctors offices est.	\$30,000-\$40,000	
Rental income on 2 duplexes & 1 house		\$29,400.00
House Mortgage		\$18,000.00
Park Mortgage		\$100,000.00
Park est. Taxes		\$9,500.00
Park est. Insurance		\$8,500.00
Park est. Electric		\$9,000.00
Car		\$4,440.00
Truck		\$3,300.00
	<u>Total</u>	<u>Total</u>
	<u>\$353,200.00</u>	<u>\$182,140.00</u>

NOTE!!

1) WHERE IS INCOME FROM REALITY BUSINESS??

P. 19/45 APPLICATION  
Doc. # 09 0093-WS

# SANITARY SURVEY REPORT – Report for Consecutive Systems with no other source

Page 1

SURVEY	Water system:	HEATHER HILLS ESTATES		System PWS #:	6412533		Date of survey:	12/13/2010			
	Inspector name:	HARRY MESSICK		Person(s) contacted:	CHRIS & RICK STEPHENS						
SYSTEM	System type:	C	Population:	700	Connections:	355	Design capacity:	NA	Storage capacity:	NA	
	System address:	4925 3 <sup>RD</sup> STREET WEST				City:	BRADENTON	State:	FL	Zip:	34207
	System phone:	(941) 755-0123				Cell:	(941) 812-0819				
OWNER	Fax number:	(941) 755-1128				Email:	hh4925@verizon.net				
	Owner name:	Chris & Rick Stevens				Owner title:					
	Owner address:	4925 3 <sup>RD</sup> Street West				City:	BRADENTON	State:	FL	Zip:	34207
	Owner phone:	(941) 755-0123				Cell:	NA				
	Fax number:	(941) 755-1128				Email:	hh4925@verizon.net				
OPERATOR	Operator required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If "No", Operator sections not applicable)				Operator class & cert. number:					
	Operator name:					Phone:					
	Fax number:					Email:					

## SOURCE

Source water purchased from: Manatee County Utilities

## TREATMENT

O & M LOG	Name of entry point(s) / Type of treatment:	/NA	/	Comment
	Operation & Maintenance (O&M) log at plant?	Yes		
	Is the O & M log hard bound?	Yes		
	Does the O & M log have numbered pages?	Yes		
	Are all of the activities recorded in O&M log?	Yes		
	Does the operator record date/time in the log?	NA		
MANUAL	Does the operator record visit & sign/initial?	NA		
	Is O & M manual available at the plant(s)?	See Deficiencies		
	Manual include info regarding equipment?	NA		
FLOW -PROPORTIONATE CHLORINATION	Manual include SOPs for treatment?	NA		
	Is master meter calibrated and accurate?	Yes		
	If so, does the chlorinator run with the pump?	NA		
	If not, chlorinator flow proportionate?	NA		
	Treated sample tap provided?	NA		
	Chlorine residual at entry point to distribution	2.4		
	Comments:			

## CHLORINATION OR CHLORAMINATION (if provided)

HYPOCHLORITE (OCL)	SOLUTION	Chlorine solution strength?	NA	
		Antisiphon protection installed?	NA	
		Positive pressure injection point?	NA	
	SAFETY	Hypochlorite (OCL) solution tank covered?	NA	
		OCL solution tank measurable?	NA	
		Solution tank capable of being drained?	NA	
		Tank meet NSF 60 standards?(after 8/03)	NA	
	SAFETY	OCL stored separately from organics?	NA	
		OCL stored separately from acids?	NA	
		Gloves, apron, & eye-protection onsite?	NA	
		Eyewash onsite (if OCL solution is > 7%)?	NA	
		Deluge shower onsite? (> 120 gal OCL)	NA	
		Comments:		

# SANITARY SURVEY REPORT – Report for Consecutive Systems with no other source

Page 2

CHLORINE (CL)	STORE	Gas chlorine (GCL) stored out of sunlight?	NA		
		GCL room separate from operating areas?	NA		
	VENT	GCL room discharge near the floor?	NA		
		GCL intake near the ceiling?	NA		
SCALE		Scales for weighing gas cylinders installed?	NA		
		Are the scales working/functional?	NA		
SAFETY		Self contained breathing apparatus onsite?	NA		
		Are rubber gloves kept onsite?	NA		
		Is fresh ammonia kept onsite?	NA		
CHLORINATION	Comments:				
		Chlorine to ammonia ratio? (5:1 recommended)	NA		
		Is the ammonia flow-paced?	NA		
		Ammonia added before or after chlorine?	NA		
		Frequency of free chlorine "burn"	NA		
		Backflow prevention from chlorine chambers?			
	Any bacteriological MCL's in last 12 months? NO If yes, explain:				
	Comments:				

## DISTRIBUTION

Does the system have a flushing program?	Yes/looped	System flush dead ends at least quarterly?	NO DEAD ENDS
Does the water system exercise all of the distribution valves routinely and in accordance with the manufacturer's recommendations?			Yes
Free chlorine above 0.2 mg/L	NA	Total chlorine above 0.6 mg/L	Yes
System maintain at least 20 PSI w/in all parts of the distribution system?			Yes
Comments: Flushing done during summer when low usage is present			

## STORAGE

Storage tank name / Storage type:		/	/	Comment
INSPECTION	Washouts compliant? (every 5 yrs)	NA		
	5 year inspections performed?	NA		
	Annual inspections performed?	NA		
HYDRO	Pressure relief valve installed?	NA		
	Is a sight glass installed?	NA		
	PSI gauge installed?	NA		
	If so, is it functional?	NA		
	Bypass installed?	NA		
GRNDELEVATED	Drain installed?	NA		
	Entry hatch closed?	NA		
	Entry hatch locked?	NA		
	Fresh air vent installed?	NA		
	Overflow installed?	NA		
	Drain installed?	NA		
	Fresh air vent screened?	NA		
	Overflow screened?	NA		
	Splash pad provided?	NA		
	Bypass installed?	NA		

Storage capacity meet or exceed 25% of the historical maximum daily demand?	NA
If not, does storage comply with <i>Water Distribution Systems Handbook</i> or meet the peak-hour demand for 4 consecutive hours?	NA
Comments:	

## PUMPS & CONTROLS

HIGH SERVICE	Manual or automatic controls?	NA	Are HSPs functional?	NA
	Any noise or vibration from HSPs?	NA	HSP GPM meet rated capacity?	NA
	If so, does PWS plan to employ preventative maintenance (PM) soon?			NA
	Does the total HSP capacity meet or exceed maximum daily demand?			NA
	Pump on/off pressure settings (PSI)?	/		
CONTROLS	Are stop pressures near the maximum pressures of the storage tank (if using hydro)?		NA	
	Do on/off pressures allow proper water exchange? (at least 25 percent recommended)?		NA	



Comments:

## MONITORING/REPORTING

CHLORINE	Does the chlorine test kit read between 0.2 to 4.0?	NO	Chlorine test kit reagents utilized in date?	Yes
	Does the chlorine test kit use DPD type reagent?	Yes	Chlorine "grab" samples collected twice/week?	Yes
	Chlorine sampling results recorded on the MOR?	Yes	If so, were any results zero?	NO
COMPLIANCE	Compliance maintained for bacteriological sampling?	Yes	Bacteriological results below the MCL?	Yes
	Chemical sampling (NOx, VOCs, etc) compliant?	NA	Chemical sampling results below the MCL?	NA
	Lead and copper sampling compliant?(C,P)	Yes	Lead & copper results below MCL?	Yes
	Disinfection By-Product monitoring compliant? (C, P)	N/A	Disinfection By-Product results below MCL?	N/A
MONITORING PLANS	Bacteriological (bacti) sampling plan onsite?	Yes	Bacteriological plan include a schedule for sampling?	Yes
	Bacteriological plan include repeat sampling provisions?	Yes	Does the bacteriological plan include a map?	Yes
	Disinfection By-Products Plan (DBPP) onsite?	NA	DBPP kept up to date?	NA
	DBPP plan include a map of sampling sites?	NA	DBPP include a schedule for sampling?	NA
L&C	Is the Lead & Copper Plan (LCP) onsite?	Yes	Is the LCP fully complete?	Yes
	Is the Lead & Copper Plan kept up-to-date?	Yes		

Comments:

## MANAGERIAL / FINANCIAL

NSF	Treatment Chemicals meet NSF 60 standards?	NA		
	System components (chlorine solution vats/storage tanks/pipe & feed-lines/new meters/etc) meet NSF 61 Standards?		NA	
CROSS CONNECTION	Cross-connections prevented? (TNC and/or NTNC)	NA		
	Cross-connection control (CCC) plan on file?	NO	Is the CCC Plan implemented?	YES
	Complete records retained for CCC Program?	YES	High hazard accounts equipped w/RPZ?	NA
	Annual testing performed on backflow devices?	YES		
RECORDS	Number of Reduced Pressure Zone Assemblies?	NA	Number of RPZA tests in last 12 months?	NA
	Number of Double Check Valve Assemblies?	2	Number of DCVA tests in last 12 months?	2
	Bacteriological analyses results kept for at least 5 years?	Yes		
	Records of chemical analyses kept for at least 10 years?	Yes		
SECURITY	Reports, summaries, or communications relating to CCC or sanitary surveys kept for at least 10 years?		Yes	
	Monthly operation reports (MORS) kept at least 10 years?	Yes		
	Are all the facilities kept under lock and key?	NA		
	Are facilities fenced?	NA	Are tanks fenced?	NA
	Storage tank ladders include ladder guards?	NA	Are hatches locked?	NA

Comments: MAINTAIN A LOG FOR CROSS CONNECTION CONTROL WHICH RECORDS ALL ACTIVITIES, NUMBER AND TYPE OF DEVICES, AND ANNUAL TESTING IF REQUIRED

## OPERATOR (when disinfection provided)

Plant category and class per FAC 62-699? /				
VISITS	Operator visits comply with FAC 62-699?	NA		
	Does the operator visits recorded in the O & M log confirm compliance with required visits?		NA	
	Plant checked by owner/representative on days that certified operator does not visit plant?		NA	
MOR	Monthly operation reports submitted by the 10 <sup>th</sup> of the following month?	Yes		
	Monthly operation reports submitted correctly as well as completely?	Yes		

Comments:

FIELD SAMPLING RESULTS	Distribution Cl (mg/L) / pH	2.4 / 7.4	2.3 / 7.4	/	/
TECHNICAL ASSISTANCE PROVIDERS (TAP) RECOMMENDED? <input type="checkbox"/> Yes (see enclosed TAP information) <input checked="" type="checkbox"/> No TAP recommended at this time					

Comments:

INSPECTOR'S SIGNATURE *Harry Messick* TITLE *ES II* DATE: January 5, 2011

REVIEWED BY *Thomas S. Lal* TITLE *ENV Mgr* DATE: January 5, 2011

**DEFICIENCIES**

**DEFICIENCY: IMPROPER CHLORINE TEST KIT**

REGULATION REFERENCE: FAC Rule 62-555.350(6)

**RECOMMENDED ACTION:**

Purchase a colorimetric free chlorine residual test kit which uses DPD type reagent. The new kit should be in increments of 0.1 parts per million (starting with 0.1). This is, you should be able to distinguish between 0.4 parts per million and 0.5 parts per million. Please acquire a new test kit within 30 days.

**DEFICIENCY: NO OPERATION AND MAINTENANCE (O & M) MANUAL**

REGULATION REFERENCE: FAC Rule 62-555.350(13)

**RECOMMENDED ACTION:**

An operation and maintenance manual shall contain operation and control procedures, and preventive maintenance and repair procedures and shall be available at the site at all times within 30 days.

**DEFICIENCY: CROSS CONNECTION PROGRAM**

REGULATION REFERENCE: FAC Rule 62-555.360

**RECOMMENDED ACTION:**

There is a written document stating that this location is adopting the cross connection program of Manatee County Utilities. Provide an on-site copy of this cross connection program within the next 30 days.

**DEFICIENCY: EMERGENCY PREPAREDNESS PLAN**

REGULATION REFERENCE: FAC Rule 62-555.350(15)

**RECOMMENDED ACTION:**

Suppliers of water who own or operate a community water system serving 350 or more persons or 150 or more service connections shall develop a written emergency preparedness/response plan in accordance with Emergency Planning for Water Utilities, AWWA Manual M19. All items within paragraphs (a) through (e) of Rule 62-555.350(15) must be addressed.

**REMARKS AND RECOMMENDATIONS**

Review the most current copy of Florida Administrative Code Chapter 62-699, effective 10-15-07, which requires a water distribution operator beginning on May 1, 2011. Please make provisions so that this future requirement can be met.

**SYSTEM SCHEMATIC**

**DRAWING OF DISTRIBUTION SYSTEM ON FILE**

**MAPS OR DIRECTIONS TO SYSTEM (text and/or graphics)**

SEE ATTACHED



## PWS CERTIFICATION OF DELIVERY OF PUBLIC NOTICE

INSTRUCTIONS: The supplier of water, within ten days of completion of each public notification requirement pursuant to Part IV of Chapter 62-560, Florida Administrative Code, shall submit to the appropriate Department of Environmental Protection District Office or Approved County Health Department a completed DEP Form 62-555.900(22), Certification of Delivery of Public Notice, and include with the form a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system, and the media. All information provided on this form shall be typed or printed in ink.

Public Water System (PWS) Name: <u>Heather Hills utilities</u>		
PWS ID: <u>6412533</u>		
PWS Type: <input type="checkbox"/> Community <input type="checkbox"/> Non-Transient Non-Community <input type="checkbox"/> Transient Non-Community <u>Consecutive</u> <u>water system</u>		
PWS Owner: <u>Keith &amp; Clara Starkey dba Heather Hills utilities</u>		
Contact Person: <u>Chris Stephens</u>	Contact Person's Title: <u>manager</u>	
Contact Person's Mailing Address: <u>4925 3rd St. West</u>		
City: <u>Bradenton</u>	State: <u>FL</u>	Zip Code: <u>34207</u>
Contact Person's Telephone Number: <u>(941) 755-0123</u>	Contact Person's Fax Number: <u>(941) 755-1128</u>	
Contact Person's E-Mail Address: <u>HH 4925@verizon.net</u>		

For Violation/Situation: <u>Unsatisfactory Water Samples 2 out of 3 samples</u>						
Date of Occurrence: <u>May 13th, 2009</u>						
Consultation Date: <u>May 15th, 2009</u>						
Delivery Methods:	<input type="checkbox"/> Radio/TV	<input checked="" type="checkbox"/> Mail	<input type="checkbox"/> Newspaper	<input type="checkbox"/> Hand Delivery	<input type="checkbox"/> Posting	<input type="checkbox"/> Other(describe)
Delivery Date/s:						

I am duly authorized to sign this form on behalf of the public water system identified in Part I of this form. I certify that the information provided on this form is correct to the best of my knowledge and that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in Chapter 62-560, Florida Administrative Code.

<u>Chris Stephens</u>	<u>May 28th, 2009</u>	<u>Chris Stephens</u>	<u>5-28-09</u>
Signature and Date		Printed or Typed Name	Title

Manatee CHD

JUN 01 2009

Env. Health Services



# PWS CERTIFICATION OF DELIVERY OF PUBLIC NOTICE

INSTRUCTIONS: The supplier of water, within ten days of completion of each public notification requirement pursuant to Part IV of Chapter 62-560, Florida Administrative Code, shall submit to the appropriate Department of Environmental Protection District Office or Approved County Health Department a completed DEP Form 62-555.900(22), Certification of Delivery of Public Notice, and include with the form a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system, and the media. All information provided on this form shall be typed or printed in ink.

<b>I. General Information</b>	
Public Water System (PWS) Name:	Heather Hills Estates Utility
PWS ID:	641-2533
PWS Type:	<input type="checkbox"/> Community <input type="checkbox"/> Non-Transient Non-Community <input type="checkbox"/> Transient Non-Community <input checked="" type="checkbox"/> Consecutive
PWS Owner:	Keith Starkey
Contact Person:	Keith Starkey
Contact Person's Title:	
Contact Person's Mailing Address:	403 51st St. NW
City:	Bonadenton
State:	Florida
Zip Code:	34209
Contact Person's Telephone Number:	941-746-4566
Contact Person's Fax Number:	none
Contact Person's E-Mail Address:	missagape@aol.com

<b>II. Certification</b>	
For Violation/Situation: main was turned off due to leak in line.	
Date of Occurrence: 4-27-08	
Consultation Date: 4-27-08	
Delivery Methods:	<input type="checkbox"/> Radio/TV <input type="checkbox"/> Mail <input type="checkbox"/> Newspaper <input checked="" type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Posting <input type="checkbox"/> Other (describe)
Delivery Date/s:	4/27/08 Posted in Clubhouse

I am duly authorized to sign this form on behalf of the public water system identified in Part I of this form. I certify that the information provided on this form is correct to the best of my knowledge and that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in Chapter 62-560, Florida Administrative Code.

Signature and Date: <u>Stephanie Gardner 5/13/08</u>	Printed or Typed Name: <u>Stephanie Gardner</u>	Title: <u>Secretary</u>
--	---	-------------------------

Manatee CHD

MAY 23 2008

Env. Health Services

Enforcement Actions

ENFORCEMENT ACTIONS

Code	Description	Related Date	Action Due Date	Action Done
IP	DOH/INFORMAL/PHONE CALL	05/31/2009	05/31/2009	y
AN	PUBLIC NOTIFICATION CERTIFICATION REC'D	05/31/2009	05/31/2009	y
AF	PUBLIC NOTIFICATION RECEIVED	05/31/2009	05/31/2009	y

PRESS [PageUp] TO VIEW VIOLATION DETAILS



Violation ID	Compliance Begin Date	Compliance End Date	Compl. Months	Viol Type	Contam ID	Contam Name
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[illegible]

Charlie Crist  
Governor



Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

March 24, 2008

Mr. Keith Starkey  
403 51<sup>st</sup> Street NW  
Bradenton, FL 34209

**NON-COMPLIANCE LETTER**

**RE: Heather Hills Estates, PWS # 6412533**

Dear Mr. Starkey:

The above consecutive community water system has incurred a violation of the Florida Administrative Code (FAC) in the month of February, 2008 for failure to sample for the required microbiological testing. A minimum of **five (5)** distribution samples are required to be taken during the next month following one or more total-coliform-positive samples, in accordance with Chapter 62-5550.518 FAC. During this month of February, only **three (3)** samples were taken.

Violation of this standard is considered a Tier 3 non-acute risk to health but still requires public notice as per Rule 62-560.410 FAC. This notice shall be given as soon as possible by mail or direct delivery to each person served, but no longer than within 30 days after the system learns of the violation. In addition, this notice is to be posted in conspicuous places within the area served by the system for no less than 7 days.

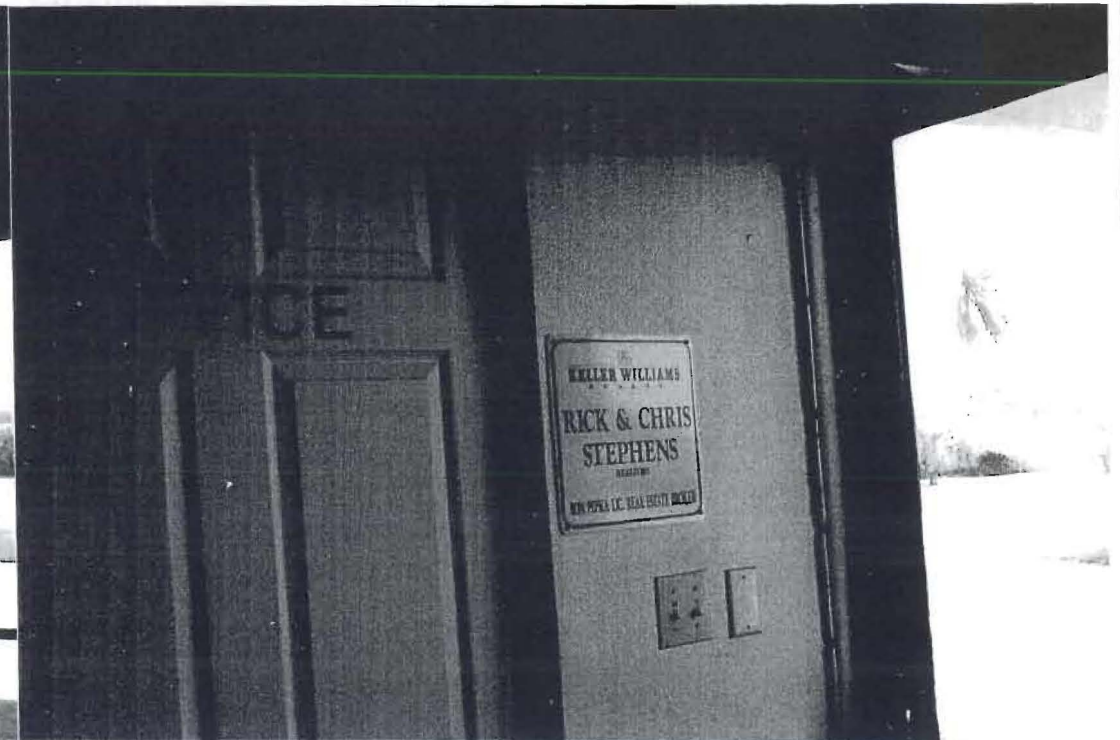
Failure to comply with the above requirement may result in further action by this department. If you have any questions, please call Harry Messick at (941) 748-0748 x 1355.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas B. Larkin".

Thomas Larkin  
Environmental Health Manager  
Environmental Health Services

CC: Harry Messick  
File



COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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11 JUN 30 AM 8:35

COMMISSION  
CLERK

## Public Service Commission

June 29, 2011

Mr. Marinus Staal  
2032 Krislin Dr. NE  
Grand Rapids, MI 49505



**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Mr. Staal:

Thank you for your letter in which you expressed your concerns about the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. The operation and maintenance expenses are being examined very carefully, including the management fee. Costs found to be imprudent or unreasonable will be disallowed. All consumer comments, including those that were received at the customer meeting, will be taken into consideration by the Commissioners in reaching their decision.

Staff is aware that sometimes residents are unable to attend customer meetings for various reasons. Unfortunately, the timing of the customer meeting is dictated by the time the application for a staff assisted rate case is initiated. Because this case was initiated on December 28, 2010, the schedule for this case required that the customer meeting be scheduled for late June so that the Commission could issue a Proposed Agency Action Order (PAA Order) no later than September 12, 2011. Florida Statutes (F.S.) dictates the timing of the case. Pursuant to Section 367.0814, F.S., the Legislature has given the Commission a certain amount of time in which it must issue a final order. To issue a PAA Order by that date, Commission staff must complete an initial draft of its recommendation on the rate increase by August 4, 2011, with a final recommendation being filed on August 11, 2011, for consideration by the Commission at the August 23, 2011, Commission Conference. To adequately address issues or concerns raised by the customers, staff needs at least six weeks from the date of the customer meeting (or the date that the information was obtained from the customer) in which to conduct further investigation and draft its recommendation.

If you, or others, are unable to attend the customer meeting, you may send written comments to the following address:

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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

Mr. Staal  
Page 2  
June 29, 2011

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

All correspondence should refer to "Docket No. 100472-WS, Staff Assisted Rate Case for Heather Hills Estates Utilities, LLC" Any written comments provided by customers are treated in the same manner as if you had spoke at the customer meeting. Also, if you wish to contact the Commission regarding complaints about service, you may call the Commission's Division of Service, Safety and Consumer Assistance at the following toll-free number: 1-800-342-3552.

Finally, if you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6185 for legal questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shannon J. Hudson". The signature is fluid and cursive, with the first name "Shannon" being more prominent than the last name "Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

/sh

cc: Division of Economic Regulation (Maurey, Fletcher, Simpson, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

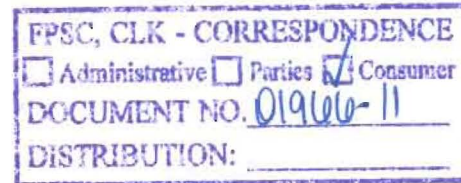
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COMMISSION  
CLERK

# Public Service Commission

June 29, 2011



Ms. Lucille Vaughn  
311 49<sup>th</sup> Avenue Dr. W  
Bradenton, FL 34207

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Ms. Vaughn:

Thank you for your letter in which you expressed your concerns about the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. The operation and maintenance expenses are being examined very carefully, including the management fee. Costs found to be imprudent or unreasonable will be disallowed. All consumer comments, including those that were received at the customer meeting, will be taken into consideration by the Commissioners in reaching their decision.

If you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6185 for legal questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

/sh

cc: Division of Economic Regulation (Maurey, Fletcher, Simpson, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Murphy)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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## Public Service Commission

June 29, 2011

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
DISTRIBUTION:		

Ms. Rose Mears  
110 50<sup>th</sup> Avenue Dr. W  
Bradenton, FL 34207-2715

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Ms. Mears:

Thank you for your letter in which you expressed your concerns about the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. The operation and maintenance expenses are being examined very carefully, including the management fee. Costs found to be imprudent or unreasonable will be disallowed. All consumer comments, including those that were received at the customer meeting, will be taken into consideration by the Commissioners in reaching their decision.

If you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6191 for legal questions.

Sincerely,

A handwritten signature in cursive script that reads "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

/sh

cc: Division of Economic Regulation (Maurey, Fletcher, Simpson, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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COMMISSION  
CLERK

## Public Service Commission

June 29, 2011



Mr. Kenneth Garvick  
210 50<sup>th</sup> Ave. Terr. W.  
Bradenton, FL 34207

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Mr. Garvick:

Thank you for your letter in which you expressed your concerns about the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. The operation and maintenance expenses are being examined very carefully, including the management fee. Costs found to be imprudent or unreasonable will be disallowed. All consumer comments, including those that were received at the customer meeting, will be taken into consideration by the Commissioners in reaching their decision.

If you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6185 for legal questions.

Sincerely,

A handwritten signature in black ink that reads "Shannon J. Hudson".

Shannon J. Hudson  
Regulatory Analyst IV

/sh

cc: Division of Economic Regulation (Maurey, Fletcher, Simpson, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

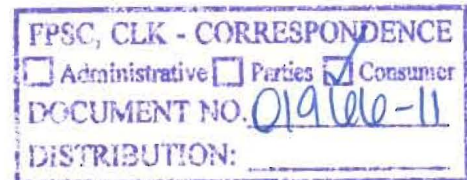
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COMMISSION  
CLERK

## Public Service Commission

June 29, 2011

Mr. Donald Mathews  
4526 Reno Lane  
Springfield, OH 45503



**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Mr. Mathews:

Thank you for your letter in which you expressed your concerns about the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. The operation and maintenance expenses are being examined very carefully, including the management fee. Costs found to be imprudent or unreasonable will be disallowed. All consumer comments, including those that were received at the customer meeting, will be taken into consideration by the Commissioners in reaching their decision.

If you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6185 for legal questions.

Sincerely,

A handwritten signature in black ink that reads "Shannon J. Hudson". The signature is written in a cursive style.

Shannon J. Hudson  
Regulatory Analyst IV

/sh

cc: Division of Economic Regulation (Maurey, Fletcher, Simpson, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

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COMMISSION  
CLERK

## Public Service Commission

June 29, 2011

Ms. Marjorie Gallagher  
410 49<sup>th</sup> Ave. Drive West  
Bradenton, FL 34207

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01906-11		
DISTRIBUTION: _____		

**Re: Docket No. 100472-WS – Application for a staff-assisted rate case in Manatee County by Heather Hills Estates Utilities, LLC**

Dear Ms. Gallagher:

Thank you for your letter in which you expressed your concerns about the scheduling of the customer meeting and the proposed rate increase for Heather Hills Estates Utilities, LLC. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

Staff is aware that sometimes residents are unable to attend customer meetings for various reasons. Unfortunately, the timing of the customer meeting is dictated by the time the application for a staff assisted rate case is initiated. Because this case was initiated on December 28, 2010, the schedule for this case required that the customer meeting be scheduled for late June so that the Commission could issue a Proposed Agency Action Order (PAA Order) no later than September 12, 2011. Florida Statutes (F.S.) dictates the timing of the case. Pursuant to Section 367.0814, F.S., the Legislature has given the Commission a certain amount of time in which it must issue a final order. To issue a PAA Order by that date, Commission staff must complete an initial draft of its recommendation on the rate increase by August 4, 2011, with a final recommendation being filed on August 11, 2011, for consideration by the Commission at the August 23, 2011, Commission Conference. To adequately address issues or concerns raised by the customers, staff needs at least six weeks from the date of the customer meeting (or the date that the information was obtained from the customer) in which to conduct further investigation and draft its recommendation.


If you, or others, are unable to attend the customer meeting, you may send written comments to the following address:

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

All correspondence should refer to "Docket No. 100472-WS, Staff Assisted Rate Case for Heather Hills Estates Utilities, LLC" Any written comments provided by customers are treated in the same manner as if you had spoke at the customer meeting. Also, if you wish to contact the Commission regarding complaints about service, you may call the Commission's Division of Service, Safety and Consumer Assistance at the following toll-free number: 1-800-342-3552.

Finally, if you wish to contact staff members assigned to this docket, you may call me at 850-413-7021 for technical questions, or Lee Eng Tan at 850-413-6185 for legal questions.

Sincerely,



Shannon J. Hudson  
Regulatory Analyst IV

SH/

cc: Division of Economic Regulation (Maurey, Fletcher, Williams, Daniel, Bruce, Stallcup)  
Office of the General Counsel (Tan)  
Office of Commission Clerk (Docket No. 100472-WS)

100472-WS

June 18, 2011

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Commission Clerk, Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

11 JUN 24 AM 8:57

COMMISSION  
CLERK

Re: Docket No. 100472-WS ,Heather Hills Estates Utilities, LLC

Dear Commission Clerk,

In response to a Notice of Customer Meetings dated June 10<sup>th</sup>, 2011 I would like to take this opportunity to voice my opposition, not only to the requested rate increase, but also to the propriety of the timing of the customer meetings .Enclosed is a copy of a letter, dated May 3,2011, which was sent to your office at that time which lists most of my objections to the rate increases.

I would like at this time to add some thoughts to the discussion. If the requested rate increases include any increased costs from the Manatee County Utility Commission I would have no objection to the pass through of only those charges. If there are no pass through charges then the any rate increases cannot be justified. Rumor has it that the Stevens wish to add the expense of monthly instead of quarterly meter readings. If that is correct it would be a false assumption of additional expense for the following reasons: first, it has not been necessary for the past 40 years, and secondly, nearly three fourths of the homes are unoccupied by their snowbird owners for most of the year.

The timing of the hearing either by design or by chance is scheduled when 75% of the residents are not available to voice their objections in person. This meeting should be postponed until the winter season between the months of December and April. Only then can there be a fair and impartial hearing.

Please give serious thought to my comments.

Sincerely,

*Marinus C. Staal*

Marinus C. Staal, owner of 404 50<sup>th</sup> Ave. Plaza in Heather Hills Estates  
2032 Krislin Dr. N.E.  
Grand Rapids, MI 49505

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
DISTRIBUTION: _____		

MAY 3, 2011

*Resubmitted 6/18/10*

FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET 100472  
2540 SHUMARD OAK BLVD  
TALLAHASSEE FL 32399-0850

I have been a winter resident in Heather Hills Estates since 1998. I am opposed to the requested rate increases for the following reasons.

When I asked the former owner, Mr. Starkey, why he would not repair the section valves he stated that he would if we would pay for it, notwithstanding the fact that he had earned a significant profit from the system but over the years had failed to exercise the valves adequately to keep them operable and consequently, repeatedly shut off the water, without notice, to all 353 homes.

When I served on the board of directors of the property owners association Mr. Starkey set the value of the amenities and the water and sewer system at over 2 million dollars and had multiple offers to consider.

When Mr Starkey sold the amenities to the Stevens' it was for only 1.6 million. Later he offered to sell the water and sewer system to us for several hundred thousand dollars, which we refused.

He finally sold the water and sewer system to the Stevens' at a reduced price of only 123 thousand.

I believe that the price was reduced because of the deplorable condition of the system, therefore any improvements at this time should be considered as part of the selling price, not as part of routine maintenance with the costs passed on to the consumers.

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It is my understanding that Chris Stevens is paying herself 11 dollars an hour for 40 hours a week as a water clerk. I have serious doubts if she spends more than 20 hours a week in the office to manage all three of the businesses listed in the above paragraph.


The Stevens have notified the residents of major increases in requests for water turn on/off charges.

The recent installation of new water meters was done to minimize lost water and will undoubtedly pay for itself through increased revenues.

I believe that all routine maintenance of a water and sewer system should be paid for out of the normal revenues received. Years of hoarded profits and lack of maintenance by a former owner do not justify rate increases to the new owners when they new they were buying a poorly maintained system at a bargain price.

The consumers have been and are paying a fair price for the services received.

Respectfully submitted,

  
Marinus Staal  
404 50<sup>th</sup> Ave. Plz. W  
Bradenton FL 34207

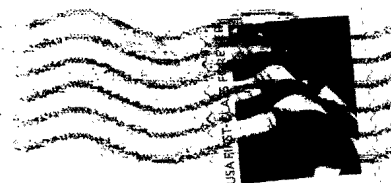
2032 Krislin DR. N.E.  
Grand Rapids MI 49505



Marinus Staal  
2032 Krislin Dr. NE  
Grand Rapids, MI 49505

GRAND RAPIDS MI 493

20 JUN 2011 PM 7 L



Commission Clerk, Office of Commission Clerk  
FLORIDA Public Service Commission  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE FL 32399-0850

32399+0850



Marjorie T. Gallagher  
410 49<sup>th</sup> ave. drive west  
Bradenton, Florida 34207  
June 17<sup>th</sup>, 2011

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
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11 JUN 21 AM 11:38

COMMISSION  
CLERK

Commission Clerk, Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Docket No. 100472-WS Heather Hills Estates  
Utilities, LLC

I, the undersign above, Marjorie Gallagher, wish to make a complaint regarding the Staff -Assisted Rate Case in Manatee county.

The owners of the Utilities of Heather Hills Estates has requested this increase and knowingly that most of the people who live in Heather Hills would not be there to protest, and we would surely protest because when we voted to have them purchase the Utilities, they promised us that there would be no increase, infact we would be better off , regarding cost. This will be the second increase they have made.

The staff that they will add, is probably the kid that accompanies the owner of the park , to check the meters. I would not surprised they have the child's name as the individual.

It would be fair to stall them until the residents are back in their homes. Most of the residents are only on Social Security and it would be a burden for the increase.

Thank you for any help you may provide.

Sincerely,

*Marjorie T. Gallagher*

Marjorie T. Gallagher

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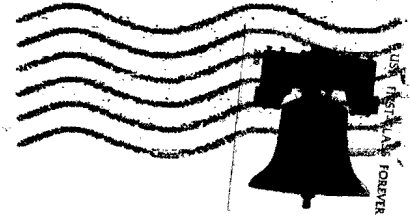
JUN 21 2011

Florida Public Service Commission  
Tallahassee, FL 32399-0850

M. Gallagher  
358 Orbit Dr.  
Amherst, NY 14228

ROCHESTER NY 144

18 JUN 2011 PM 4 T



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JUN 21 2011

Florida Public Service Commission  
Tallahassee, FL

Florida Public Service Commission  
2540 Sumner Oak Blvd.

Tallahassee, Florida

32399-0850

32399#0850



To Whom it may concern

Docket No. 100472

Heather Hills Estates Utilities

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11 JUN 21 AM 9:25

COMMISSION  
CLERK

June 18<sup>th</sup> 2011

Donald Mathews

209 48<sup>th</sup> Ave West

Bradenton, FL 34207

I have lived in Heather Hills 6 months of every year since 1997. I have paid for a full year of water & sewer every year since I've lived there.

I don't understand why they want an increase in the water & sewer since we are not using the service for 6 mo. but are still paying for a full yr.

We are also paying a sum of over \$200,000.00 per yr. for the use of the club house and it is just a shell and can only use it when Rick & Chris says we can.

We own our land & Pay our Taxes We pay for all  
our utilities, we don't understand why Rick & Chris are  
gouging us on the water & sewer when They are  
collecting over \$200,000.00 from the people in the park  
and The only thing we get is the ~~use of~~ The  
use of the outdated Club house when He will  
allow us to use it. I think The administration  
of Manatee County should do some auditing of

082  
Rick & Chris Starens

Sincerely  
Donald Matthews

FPSC, CLK - CORRESPONDENCE  
☐ Administrative ☐ Parties ☒ Consumer  
DOCUMENT NO. 01966-11  
DISTRIBUTION: \_\_\_\_\_

Donald Mathews  
4526 Reno lane  
~~Springfield~~, Oh. 45503



Commission Clerk, Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Fl. 32399-0850

323999850



REGARDING "DOCKET NO. 100472-WS, HEATHER HILLS ESTATES UTILITIES, LLC" THE STAFF RECOMMENDED RATES IF IMPLEMENTED ARE AN ATTEMPT ~~TO~~ TO EXPLOIT DISABLED PEOPLE, AND OTHER SENIORS AND THE ELDERLY OUT OF MUCH OF THEIR FIXED INCOME, I AM DISABLED WITH A SEVERE FORM OF CONGESTIVE HEART FAILURE, I MUST TAKE PRESCRIPTION MEDICATIONS, THAT LOWER MY BLOOD FLOW RATE DANGEROUSLY LOW, I CANNOT ATTEND ANY 6 P.M. MEETING ON JUNE 30, 2011. BUT, I ~~WANT~~ TO HAVE MY OPINION VOICED, WITH THIS MAILING.

Title  
XLVI  
CRIMES

Chapter 825

ABUSE, NEGLECT, AND EXPLOITATION OF  
ELDERLY PERSONS AND DISABLED ADULTS

View Entire  
Chapter

100472-WS

COMMISSION  
CLERK

11 JUN 20 AM 10:50

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825.103

Exploitation of an elderly person or disabled adult; penalties.

(1)

"Exploitation of an elderly person or disabled adult" means:

(a)

Knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use, an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who:

1.

Stands in a position of trust and confidence with the elderly person or disabled adult; or

2.

Has a business relationship with the elderly person or disabled adult;

(b)

Obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who knows or reasonably should know that the elderly person or disabled adult lacks the capacity to consent; or

(c)

Breach of a fiduciary duty to an elderly person or disabled adult by the person's guardian or agent under a power of attorney which results in an unauthorized appropriation, sale, or transfer of property.

(2)(a)

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 01966-11		
DISTRIBUTION:		

11 JUN 20 AM 7:25

MAIL ROOM CENTER

10/8/2010

If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at \$100,000 or more, the offender commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)

If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at \$20,000 or more, but less than \$100,000, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c)

If the funds, assets, or property involved in the exploitation of an elderly person or disabled adult is valued at less than \$20,000, the offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.

s. 4, ch. 95-158; s. 5, ch. 96-322; s. 1, ch. 97-78; s. 29, ch. 2009-223.

FROM:

*Kenneth R. Garvick*

Kenneth R. Garvick  
210 - 50th Ave. Terr. W.  
Bradenton, FL 34207-2741

JUNE 16, 2011

10/8/2010

Kenneth R. Garvie  
210 - 50th Ave. Ter. W.  
Bradenton, FL 34207-2741

TAMPA FL 336  
SAINT PETERSBURG FL  
16 JUN 2011 PM 5 L



COMMISSION CLERK, OFFICE OF COMMISSION CLERK  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

32399+0850



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11 JUN 14 AM 11:04

COMMISSION  
CLERK

311 49<sup>th</sup> Ave. Dr. W  
Bradenton, FL 34207  
May 24, 2011

Florida Public Service Commission  
Docket 100472 - Heather Hills  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

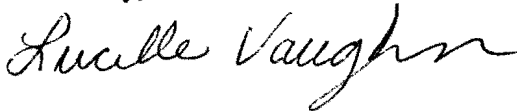
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<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>019166-11</u>		
DISTRIBUTION: _____		

To whom it may concern:

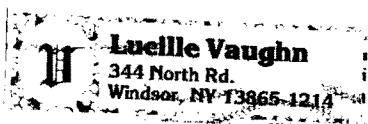
As a resident of Heather Hills Estate, I would like to oppose the utilities rate increase requested in Docket 100472-Heather Hills.

I feel the request is based on personal conflict with the residents and not a legitimate reason. It was repeated that they had referred to this program as a "Cash Cow". I hope that you do not let that happen.

Sincerely,



Lucille Vaughn



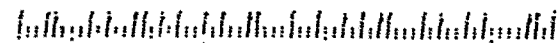
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11 JUN 2011 PM 1 T



Florida Public Serv. Comm  
Docket 100472. Heather Hills  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

32399-0850



100472-WS



In regard to the  
Proposed increase in  
our Park of  
Heather Hills Estates,  
by the Stephens,  
I vote NO!  
Thank you.  
Rose Mears

COMMISSION  
CLERK

11 MAY -9 AM 8:50

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**Rose Mears**  
110 50th Avenue Dr. W  
Bradenton, FL 34207-2715

FPSC, CLK - CORRESPONDENCE  
☐ Administrative ☐ Parties ☒ Consumer  
DOCUMENT NO. 01966-11  
DISTRIBUTION: \_\_\_\_\_

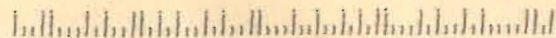
**Rose Mears**  
110 50th Avenue Dr. W  
Bradenton, FL 34207-2715

TAMPA FL 335  
SAINT PETERSBURG FL  
06 MAY 2011 PM 4T



Florida Public Serv. Comm.  
Docket 100472 Heather Hills  
2540 Shumard Oak Blvd.  
Tallahassee, FL-32399-0850

323990850





MAY 3, 2011

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11 MAY -9 AM 8:50

COMMISSION  
CLERK

FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET 100472  
2540 SHUMARD OAK BLVD  
TALLAHASSEE FL 32399-0850

I have been a winter resident in Heather Hills Estates since 1998. I am opposed to the requested rate increases for the following reasons.

When I asked the former owner, Mr. Starkey, why he would not repair the section valves he stated that he would if we would pay for it, not withstanding the fact that he had earned a significant profit from the system but over the years had failed to exercise the valves adequately to keep them operable and consequently, repeatedly shut off the water, without notice, to all 353 homes.

When I served on the board of directors of the property owners association Mr. Starkey set the value of the amenities and the water and sewer system at over 2 million dollars and had multiple offers to consider.

When Mr Starkey sold the amenities to the Stevens' it was for only 1.6 million. Later he offered to sell the water and sewer system to us for several hundred thousand dollars, which we refused.

He finally sold the water and sewer system to the Stevens' at a reduced price of only 123 thousand. I believe that the price was reduced because of the deplorable condition of the system, therefore any improvements at this time should be considered as part of the selling price, not as part of routine maintenance with the costs passed on to the consumers.

We residents pay nearly 600 dollars per year to the Stevens for the use of the club house. For them to propose that we pay them also for a paper work rental of the only office in the same building which is used three to four one-half days a week to manage Heather Hills Estates, their Real Estate business, and the water and sewer business is unconscionable.

It is my understanding that Chris Stevens is paying herself 11 dollars an hour for 40 hours a week as a water clerk. I have serious doubts if she spends more than 20 hours a week in the office to manage all three of the businesses listed in the above paragraph.

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The recent installation of new water meters was done to minimize lost water and will undoubtedly pay for itself through increased revenues.

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The consumers have been and are paying a fair price for the services received.

Respectfully submitted,

Marinus Staal  
404 50<sup>th</sup> Ave. Plz. W  
Bradenton FL 34207

2032 Krislin DR. N.E.  
Grand Rapids MI 49505

With  
God  
all things  
are possible  
2026

Mr. & Mrs. Marinus Staal  
2032 Krislin St. NE  
Grand Rapids, MI 49505-7160  
You Must Be Born Again



FLORIDA Public Service Commission  
(Docket 100472)

2540 SHUMARD OAK BLVD.  
TALLAHASSEE FL 32399-0850

32399-0850



RECEIVED-FPSC

11 MAR 24 PM 3:05

Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

**CONSUMER**COMMISSION  
CLERK

RE: Heather Hills Estates Utilities, LLC

To whom it may Concern,

I am writing to express my concern with the owners of the above listed Utility Company, which serves our land owned, Mobile Home Subdivision.

On SATURDAY, JANUARY 29, 2011, a man pulled up in front of my home and spoke to my wife and a friend who were sitting outside at our driveway. He said, "Do you live here? Are you a Cox" to which my wife replied yes, and then he said "I am here to shut your water off". My wife was completely shocked and asked him who he was. He said he was Rick and he was here to shut the water off because we had not paid our bill. I asked if I could get my husband who immediately produced the checks he had written (dated in December) for the yearly assessment to the owners of the clubhouse and the utility bill. We came to understand "Rick", was Richard Stephens, who owns the utility and the clubhouse in our subdivision. The rest of the subdivision is comprised of individual lots owned by the homeowners. This is NOT a rental park. My husband explained to Mr. Stephens that he had written the checks in December and after we arrived in Florida, made two attempts to pay them at the clubhouse office, however, since the hours of operation are very limited (three days a week, mornings only) the office was closed each time he went to pay these bills. We thought we had until the end of January to pay both invoices, however, a closer look at the utility bill indicated a January 21 payment date. That was indeed an error on our part. As new owners in the park, we simply had missed the due date on the utility bill.

The most difficult thing to understand is the hard line taken by the owner. There was never a call, written notice, a visit of contact of any kind (we are two streets from the clubhouse) to ask us why, or to ask if we had sent a check, not one single contact or inquiry of any kind. We did receive a letter mailed to our northern home the week after this incident. I enclose a copy of this notice for you to see they fully intended to shut our water off on a Saturday, which I understand is against the policy of your Commission. If Mr. Stephens had inquired civilly, we could have avoided this entire experience.

We are not the only victims of this disrespectful treatment. Our Homeowners Association, and many individual residents, is, or has been, routinely subjected to challenges over the use of the clubhouse, which we have had complete use of for a very substantial yearly assessment - \$206,000.00 this year, for over forty years. Many residents have been insulted, harassed, and rudely threatened with liens on their property since they have taken ownership.

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MAR 24 2011

Florida Public Service Commission

DOCUMENT NUMBER DATE

01966 MAR 24 =

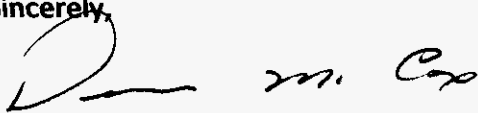
FPSC-COMM-SECLERK

I write to ask you to be aware of the difficulties this community of seniors must endure from the owners of the utility, and respectfully request they be instructed to follow the rules pertaining to the utility company that are required by the State of Florida.

It is my understanding they have successfully achieved huge increases in their fee schedule for the utility and are now requesting higher rate tables. Please remember this is a community of seniors, many on fixed incomes, and study their requests with an eye to all details of this utility and the expenses that are claimed, and submitted by Mr. Stephens.

I am sharing the experience that we have had and thank you for considering the general operating form of the owners of Heather Hills Estates Utility Company

Sincerely,



Mr. Dennis Cox  
212 50<sup>th</sup> Avenue Drive West  
Bradenton, Florida 34207

2432 St. Rt. 49  
Convoy, Ohio 45832

RECEIVED

MAR 24 2011

Florida Public Service Commission  
Division of RCA

**Date: January 24<sup>th</sup>, 2011**

**Dennis & Suzanne Cox  
2432 St. Rt. 49  
Convoy, Ohio 45832**

**Re: Water payment**

**Dear Mr. & Mrs. Cox,**

**Today is January 24th, 2011 and we have not received your water payment for the January 1<sup>st</sup>, billing. We do not know why this has not been paid.**

**This letter is to inform you that your water will be SHUT OFF on January 29th, 2011. There will be a Violation Reconnection fee of \$31.00 added on after that time as stated in the Miscellaneous Service Charges on the Water Tariff sheets.**

**This States: “Violation Reconnection – This charge would be levied prior to reconnection of an existing customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.”**

**There is a \$5.00 late fee charge after the 21<sup>st</sup> of January.**

**Sincerely,**

  
**Chris Stephens  
Heather Hills Estates Utilities LLC**

**RECEIVED**

**MAR 24 2011**

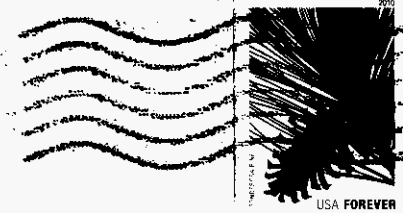
**Florida Public Service Commission  
Division of RCA**



**Mr. Dennis Cox**  
2432 State Route 49  
Convoy, OH 45832-9562

TOLEDO OH 43622

17 MAR 2011 PM 1 T



**RECEIVED**

MAR 24 2011

Florida Public Service Commission  
Division of RCA

*Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee FL 32399*

32399+0850

