



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** July 30, 1999

**TO:** Division of Records and Reporting

**FROM:** Division of Legal Services (Jacget)

**RE:** Docket No. 921098-WS - Application for certificates to provide water and wastewater service in Alachua County under grandfather rights by TURKEY CREEK, INC. & FAMILY DINER, INC. d/b/a TURKEY CREEK UTILITIES.

Please file the attached interrogatories and notice of service of same, in the docket file for the above-referenced docket.

RRJ/dr

cc: Division of Water and Wastewater (Chase)

I:\921098FM.RRJ

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
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- WAS \_\_\_\_\_
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- WAW \_\_\_\_\_
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REC. DIVISION/REPORTING

IN THE CIRCUIT COURT OF THE  
EIGHTH JUDICIAL CIRCUIT IN AND  
FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

Petitioner,

CASE NO.: 98-2252-CA

vs.

DIVISION: J

NORWOOD W. HOPE and  
TURKEY CREEK, INC. &  
FAMILY DINER, INC. d/b/a  
TURKEY CREEK UTILITIES

Respondents.

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COMMISSION STAFF'S FIRST SET OF INTERROGATORIES TO  
TURKEY CREEK, INC. & FAMILY DINER, INC. d/b/a  
TURKEY CREEK UTILITIES

The Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby propounds the following interrogatories, numbered one through six, to Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities (Turkey Creek or utility), pursuant to Rule 1.340, Florida Rules of Civil Procedure. These interrogatories shall be answered under oath by Turkey Creek or its agent who is qualified to answer and who shall be fully identified, within thirty (30) days.

INSTRUCTIONS

A. Turkey Creek shall answer these interrogatories to the fullest extent possible and shall furnish all information which is reasonably available to Turkey Creek, its principals, agents, attorneys, affiliates or other representatives.

B. If Turkey Creek cannot answer a particular interrogatory in full, after exercising due diligence to secure the information to do so, it should state the answer to the extent possible and specify why it is unable to answer the remainder. In addition, Turkey Creek shall state whatever information or knowledge that it has concerning the unanswered portion.

C. If the requested information is not applicable, that response should be reported as well as the reason why. If the

COMMISSION STAFF'S FIRST SET OF INTERROGATORIES  
TO TURKEY CREEK, INC.  
CASE NO. 98-2252-CA

requested information is not available, that response should be reported as well as the reason why.

D. Please report the name(s) of each person responding to each of the following interrogatories, the business address and telephone number of each such person, and the relationship of each person to Turkey Creek. Also, identify which interrogatory each such person has answered.

PRELIMINARY STATEMENT

By Order No. PSC-93-1769-FOF-WS, issued December 9, 1993, the Commission ordered Turkey Creek, Inc. and Family Diner, Inc., d/b/a Turkey Creek Utilities to refund: (a) with interest improperly charged service rates from June 30, 1992, through September 23, 1993; (b) accrued interest on customer deposits from June 30, 1992, through the date each customer's deposit was returned; (c) any fire protection charge to the Turkey Creek Master Owners Association (TCMOA); (d) miscellaneous service charges from July 6, 1993 through September 23, 1993; and (e) late payment charges from July 6, 1993 through September 23, 1993. Also, by letter dated December 16, 1997, Mr. Norwood Hope refers to the requirements for refunds in (b), (c), (d), and (e) above, and for each respective paragraph states: (b) he will pay the interest on customer deposits calculated by staff to be \$205.74; (c) that the utility never collected any money for fire protection and so no refund is due; (d) that he will accept the miscellaneous service charges figure of \$25 each, and will apply that amount to the 26 new customer accounts for a total refund of \$650; and (e) that he will accept \$17 due over a period of three months to 9 customers for a total of \$459 (late fee refunds). For (a) above, Mr. Hope indicates that he will continue to work on those refunds. The following interrogatories are based on the requirements of Order No. PSC-93-1769-FOF-WS and the representations of Mr. Hope in his December 16, 1997 letter.

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INTERROGATORIES

1. What was the total amount of refunds made for improperly charged service rates from June 30, 1992, through September 23, 1993 above? Did this amount include any interest?

2. Did the utility pay accrued interest on customer deposits from June 30, 1992 through the date the customer's deposit was returned? If so, how much total interest was paid?

3. Did the utility collect any fire protection charge from the Turkey Creek Master Owners Association (TCMOA), and, if so, were those collections refunded?

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4. For the miscellaneous service charges from July 6, 1993 through September 23, 1993, did the utility ever refund the \$25 to each of the alleged 26 new customer accounts for a total refund of \$650? Please indicate the customer's name and amount paid to each customer.

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5. For the late fee charges, from July 6, 1993 through September 23, 1993, did the utility ever refund the \$17 due over a period of three months to 9 customers for a total of \$459? Please indicate the customers' names and the amount paid to each customer.

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6. Please state who answered each interrogatory or portion of interrogatory.

DATED:

July 30, 1999

Ralph R. Jaeger

RALPH R. JAEGER, SENIOR ATTORNEY  
Florida Bar No.: 326534

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Bureau of Water and Wastewater  
Division of Legal Services  
Telephone No.: (850) 413-6234  
Facsimile No.: (850) 413-6235

COMMISSION STAFF'S FIRST SET OF INTERROGATORIES  
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I HEREBY DECLARE that the responses to the above interrogatories are true and correct to my best knowledge and belief.

Turkey Creek, Inc. & Family Diner, Inc. d/b/a  
Turkey Creek Utilities  
c/o Michael W. Jones, P.A.  
P.O. Box 90099  
4046 Newberry Road  
Gainesville, Florida 32607

By: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1999, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Print or Type Name


( S E A L )



COMMISSION STAFF'S FIRST SET OF INTERROGATORIES  
TO TURKEY CREEK, INC.  
CASE NO. 98-2252-CA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the Commission Staff's First Set of Interrogatories to Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities, numbered one through six, has been furnished to **Turkey Creek Utilities c/o Michael W. Jones, P.A.**, P.O. Box 90099, 4046 Newberry Road, Gainesville, Florida, 32607, by U.S. Mail, this 30<sup>th</sup> day of July, 1999.

  
\_\_\_\_\_  
RALPH R. JAEGER, SENIOR ATTORNEY  
Florida Bar No.:

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
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TURKEY CREEK UTILITIES

Respondents.  
\_\_\_\_\_ /

NOTICE OF SERVICE OF COMMISSION STAFF'S  
FIRST SET OF INTERROGATORIES TO TURKEY CREEK, INC. &  
FAMILY DINER, INC. d/b/a TURKEY CREEK UTILITIES

TO: Turkey Creek, Inc.  
c/o Michael W. Jones, P.A.  
P.O. Box 90099  
4046 Newberry Road  
Gainesville, Florida 32607

Pursuant to Rule 1.340 of the Florida Rules of Civil Procedure, the Plaintiff, State of Florida, Public Service Commission, hereby gives notice that Commission Staff's First Set of Interrogatories, numbered one through six have been served upon the Defendants, Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities, by U.S. Mail, this 30th day of July, 1999.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the Commission Staff's First Set of Interrogatories to Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities, numbered one through six, has been furnished to **Turkey Creek Utilities c/o Michael W. Jones, P.A.**, P.O. Box 90099, 4046 Newberry Road, Gainesville, Florida, 32607, by U.S. Mail, this 30<sup>th</sup> day of July, 1999.

  
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