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October 13, 2004

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VIA FACSIMILE # 1-800-511-0809

The Florida Public Service Commission
Division of Commission Court and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

**Re: *Staff-Assisted Rate Case for Environmental Protection
Systems of Pine Island, Inc. in Lee County, Florida
(Document Number 030106-SU); Request to Investigate
Failure to Comply with PSC Order***

To Whom It May Concern:

Please be advise that this Firm serves as legal counsel to Cherry Estates Property Owners' Association, Inc. ("the Association"), which is the entity responsible for the management and operation of the Cherry Estates residential community located in St. James City, Florida. In that capacity, the Association has directed us to contact the Florida Public Service Commission regarding the above referenced matter.

Specifically, Environmental Protection Systems of Pine Island, Inc. ("EPS") filed an application for a proposed rate increase, requesting PSC staff assistance, with the PSC on January 30, 2003. A Customer Meeting was held by the PSC on July 24, 2003 and a PSC staff recommendation report was issued shortly thereafter.

DOCUMENT NUMBER-DATE

11149 OCT 18 04

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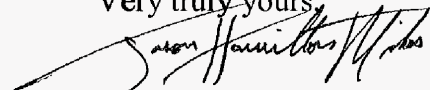
The Florida Public Service Commission
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October 13, 2004
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The PSC staff report recommended, among eighteen (18) other staff items, that the Docket should remain open for an additional ten (10) months from the issuance of the Consummating Order in order for EPS to complete construction and interconnection of its system with Pine Island Regional Treatment Systems. Accordingly, EPS was given until September 15, 2004 to complete construction and interconnection.

The Association has advised that EPS is no where near completion of construction and interconnection with Pine Island Regional Treatment Systems; and therefore, requests that the PSC investigate the matter to determine why EPS failed to comply with the PSC consummating order. Additionally, the Association requests EPS be required to submit a new request for a staff-assisted rate increase and that the PSC take additional customer comments regarding EPS's rate increase.

If you have any questions regarding this matter or need further information, please do not hesitate to contact me. I sincerely appreciate your consideration of this matter.

Very truly yours,



Jason Hamilton Mikes,
For the Firm

JHM/ak

cc: James Phillips, President
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