State of Florida



Aublic Service Commission FPSC

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEY ARD A 2: 44
TALLAHASSEE, FLORIDA 32399-0850

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

COMMISSION CLERK

DATE:

January 11, 2011

TO:

Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

BF

FROM:

Bart Fletcher, Public Utilities Supervisor, Division of Economic Regulation

RE:

Docket No. 100127-WS, Application for increase in water and wastewater rates in

Marion County by Tradewinds Utilities, Inc.

Attached is a letter dated January 7, 2011, from Mr. Charles deMenzes to Mr. MarshallWillis for inclusion in the docket file in the above-referenced docket.

Tradewinds Utilities, Inc.

P.O. Box 5220 Ocala, Fl 34478-5220 352-622-4949

January 7, 2011

Mr. Marshall Willis Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

RE: Docket No. 100127-WS

Dear Mr. Willis,

Per your letter of December 20, 2010 the following responses are hereby tendered.

1. Attached please find a schedule B-8 Revision 2 which corrects the prior test year to 1993 as it was a typo error, but the figures are correct. As to the various increases please note that in 1993 we did not serve two (2) subdivisions and a shopping center which more than doubled our service area.

2.

- A) The only two (2) consultants employed by Tradewinds Utilities are Tangibl, LLC and Ms. Marsha Rule of Rutledge, Ecenia & Purnell, P.A.. Fees for these consultants are Tangibl, LLC is \$12,500.00 and legal fees by Ms. Marsha Rule at a rate of \$290.00 per hour. The law firm of Rose, Sundstrom & Bentley, LLP was originally used but no longer represents Tradewinds Utilities, Inc.
- B) Copies of Tangibl, LLC invoice enclosed along with Legal fees paid to date.
- C) N/A
- D) Estimated cost to complete for Tangibl, LLC in addition to the \$12,500.00 would be 10 hours at \$125.00 per hour for interrogatory responses. Legal fees would be 8 hours at \$290.00 per hour as required. Employee (deMenzes) should be about 40 hours at \$100.00 per hour as Qualified Representative responding to Staff requests.
- E) Itemized costs would mainly include printing notices and postage.
- Please refer to item 1 above referencing expansion of service area. 3.
- See attached computer printout. I am afraid bad debt write offs are total and not available 4. by water and wastewater and can include multiple months.
- \$16,039.21 was a carry over from 2008 and posted in January 2009. 5.
- Please see attached scheduled B-6 which has been approved by your engineer. 6.
- 7. A Board resolution from December 2010 stipulated a personnel salary increase of 5% as our employees have not had a raise in five (5) years. This stipulation was subject to cash flow increase via the MFR. Copy attached.
- 8. The personal loan from deMenzes was expected to be repaid within 90 days and therefore interest was not indicated at that time. Some payments have been made and plans are to payoff the loan in 2011.

Sincerely

Charles deMenzes

00256 JANII = FPSC-COMPLOSION CLERK

STATE OF FLORIDA

COMMISSIONERS: ARTHUR GRAHAM, CHAIRMAN LISA POLAK EDGAR NATHAN A. SKOP RONALD BRISÉ EDUARDO BALBIS



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

Hublic Service Commission

December 20, 2010

Mr. Charles DeMenzes Tradewinds Utilities, Inc. P. O. Box 5220 1410 NE 8th Avenue Ocala, FL 34478

Re: Docket No. 100127-WS - Application for an increase in water rates in Marion County, Florida by Tradewinds Utilities, Inc.

Dear Mr. DeMenzes:

Staff needs the following information to complete our review of the application filed by Tradewinds Utilities, Inc. (TUI or Utility).

- 1. In the MFR's filed September 27, 2010 the utility showed a prior test year of 12/31/1991. In the revised MFR's filed November 22, 2010 a 12/31/1993 prior test year is used for some schedules. On Schedule 7, for example, the Salaries & Wages in the original filing were \$22,044 and the revised MFR's show Salaries & Wages of \$12,180. The Purchased Power went from zero to \$2,723 in the revised MFR's while the Contractual Services Testing went from \$10,519 to zero. Similar changes also appear on Schedule B-8. Please explain.
- 2. The following items relate to Tradewinds' requested rate case expense:
 - a. For each individual person, in each firm providing consulting services to Tradewinds pertaining to this docket, provide the billing rate, and an itemized description of work performed. Please provide detail of hours worked associated with each activity. Also provide a description and associated cost for all expenses incurred to date.
 - b. For each firm or consultant providing services for Tradewinds in this docket, please provide copies of all invoices for services provided to date.
 - c. If rate consultant invoices are not broken down by hour, please provide reports that detail by hour, a description of actual duties performed, and amount incurred to date.
 - d. Please provide an estimate of costs to complete the case by hour for each consultant or employee, including a description of estimated work to be performed, and detail of the estimated remaining expense to be incurred through the PAA process.
 - e. Please provide an itemized list of all other costs estimated to be incurred through the PAA process.

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

Internet E-mail: contact@psc.state.fl.us

Mr. Charles DeMenzes Page 2 December 20, 2010

- 3. Please explain why the Chemicals expense in 2009 on Schedule B-7 is less than half of the amount for Chemicals in 1991.
- 4. What were the actual bad debt expenses for 2008? What are the actual bad debt expenses for the first eleven months of 2010? Please identify for the water and wastewater separately.
- 5. Please explain (in detail) the increase in Miscellaneous Expenses from 1991 to the 2009 test year.
- 6. For the Used and Useful calculations in Schedule-6 (Rev. 1), please provide the inflow and infiltration (I&I) calculation justifying the 19 percent excess I&I determination indicated in Schedule-6 (Rev. 1).
- 7. In MFR schedule B-3, Tradewinds has requested a 5 percent salary and wage increase and an increase in healthcare costs. Please provide any and all calculations, workpapers, support documentation and/or studies that justify these increases.
- 8. In MFR Schedule D-5, lines 3 and 4 show "Due to deMenzes" with a zero percent cost rate. for example, Please explain why there is a zero cost rate, state if any principle payments have been made, and provide all documentation for the debt obligation.

Please submit the above information to the Office of Commission Clerk by January 19, 2011. If you have any questions, please contact me by phone at (850) 413-6932 or by e-mail at cdavis@psc.state.fl.us.

Sincerely,

Connie Davis

Regulatory Analyst II

Connie & Davis

cc: Division of Economic Regulation (Fletcher, Maurey, Daniel, Cicchetti, Lingo, Reiger)
Office of the General Counsel (Jaeger)
Office of Commission Clerk (Docket No. 100127-WU)

Detail of Operation & Maintenance Expense Comparison - Wastewater

Company: Tradewinds Utilities, Inc.

Docket No.: 100127

Historical Test Year Ended: December 31, 2009

Florida Public Service Commission

Schedule: B-8 [Revision 2]

Page 1 of 1

Preparer: W. Wade Horigan, CRRA

Explanation: Complete the following comparison of the applicant's current and prior test year 0&M expenses before this Commission. Provide an explanation of all differences which are not attributable to the change in customer growth and the CPI-U. If the applicant has not filed a previous rate case, use the year 5 years prior to the test year for comparison. Provide an additional schedule, if necessary, to explain differences.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Line		Prior TY	Current TY	TY Adjs.	Adjusted TY	\$	%	
No.	Account No. and Name	12/31/1993	12/31/2009	Per B-3	12/31/2009	Difference	Difference	Explanation
1	701 - Salaries & Wages - Employees	13,858	\$ 81,600	\$ 3,526	\$ 85,128	71,268	514.28%	Tradewinds was a Class C utility during the 1993 test year. It is now a Class B utility, which has different requirements. Changes in employee benefit costs are directly related to
2	704 - Employee Pensions and Benefits	904	2,295	721	3,016	2,112	233.49%	changes in premium costs and increases in salaries for employees, which is correlated with the change from a Class C utility to a Class B utility.
3	711 - Sludge Removal Expense	2,953	8,147	-	8,147	5,195	175.94%	Changes in purchased power are directly related to changes in power usage and tariff rates.
4	715 - Purchased Power	8,600	23,564	-	23,564	14,964	174.00%	Changes in purchased power are directly related to changes in power usage and tariff rates.
5	718 - Chemicals	2,094	6,007	-	6,007	3,913	186.91%	Changes in chemical costs are directly related to changes in prices from chemical suppliers.
6	720 - Materials & Supplies	2,696			-	(2,696)	-100.00%	,
7	734 - Contractual Services - Legal		6,740	-	6,740	6,740	n/m	
8	734 - Contractual Services - Mgt. Fees	18,062	22,125	-	22,125	4,063	22.50%	
9	736 - Contractual Services - Other		8,880	-	8,880	088,8	n/m	
10	741 - Rental of Building/Real Property	6,054	7,650	•	7,650	1,596	26.37%	
11	741 - Insurançe - General Liability	2,694	4,845	•	4,845	2,151	79.83%	Changes in insurance expenses are directly related to increased premiums from the insurance providers.
	750 - Transportation Expense	2,485			-	(2,485)	-100.00%	
12	759 - Law Suit Settlement	-	62,500	(62,500)	-	-	n/m	
13	766 - Regulatory Commission Expenses - Amortization of Rate Case Expense	-	-	2,625	2,625	2,625	n/m	There was no amortized rate case expense in the previous test year.
14	770 - Bad Debt Expense	306	-	3,412	3,412	3,108	1014.34%	Bad debts percentage increases with higher rates. Additionally, a weaker economic environment leads to more customers moving out of the complexes without paying.
15	775 - Miscellaneous Expenses	906	5,083	•	5,083	4,177	461.32%	Tradewinds was a Class C utility during the 1993 test year. It is now a Class B utility, which has different requirements.
16								The action of the state of the
17	TOTAL	\$ 61,611	\$ 239,436	S (52,216)	\$ 187,220	\$ 125,609	203.87%	
18				7 (17				
19	Total Customers (ERC's)	130			194	64	49.23%	
20	• •		I		•			
21	Consumer Price Index - U	144.5			215.9	71.4	49.41%	
22	,						.,,	
23		Benchmark Ind	lex: Increase in (Customer ERCs		49.23%		
24			Increase in CP	4		49.41%		
25						122.97%		



301 Oxford Valley Rd / Suite 1604 / Yardley, Pennsylvania 19067-7706 TEL 215.369.9345 / FAX 215.369.9344 / www.tangibl.com

INVOICE

SOLD TO:

Tradewinds Utilities

P.O. Box 5220 1410 NE 8th Avenue Ocala, FL 34478

DATE:

December 10, 2010

INVOICE #:

40-34004.09

TERMS:

Net 30 days

ATTENTION: Mr. Charles DeMenzes

FORM OF CONTRACT: Verbal NTP

REQUESTED BY:

Charles DeMenzes

PROJECT:

DeMenzes Tradewinds Utilities

SCOPE OF SERVICES: Prepare rate case filing.

PROFESSIONAL SERVICES

TIME PERIOD: 11/01/10 TO 11/30/10

00.00
00.00
00.00
00.00

TOTAL AMOUNT DUE THIS INVOICE: \$1,000.00 INVOICES BEING PAID BY TRADEWINDS UTILITIES, INC. CHECK & 3501

Vendor

Invoice Humber - Tuy have they do

June Ameanut.

631004 TANGIBL, LLC

40-34004.09

12/10/2010 12/05/5/10 1900.00

Tradewinds Utilities, Inc. P.O. Box 5220

Check No. 3527

REDACTE

PAY TO THE

ORDER OF

TANGIBL, LLC

12/13/2010

***\$1,000 DOLLARS AND .00 CENTS

*\$1000.00

Independent National Bank

Ocala,FL 34478

"O3521

TANGIBL, LLC 301 OXFORD VALLEY RD # 1604 YARDLEY, PA 19067-7706

Rutledge, Ecenia & Purnell, P.A.

P.O. Box 551 Tallahassee, Fl 32302 850-681-6788 (Office) 850-681-6515 (Fax) FEIN: 59-3142223

September 23, 2010

TRADEWINDS UTILITIES, INC. ATTN: CHARLES DEMENZES, PRESIDENT P.O. BOX 4230 OCALA, FL 34478 Invoice #
Client #

33444

Billed through

2766-00001 08/31/2010

2010 RATE CASE

PROFESSIONAL SERVICES

08 03 2010	MER	PREPARE DRAFT REQUEST FOR CHARLES DEMENZES'S APPOINTMENT AS QUALIFIED REPRESENTATIVE OF C.F.A.T. AND TRADEWINDS AND DRAFT AFFIDAVIT SUPPORTING SAME; EMAIL MEMORANDUM TO CHARLES DEMENZES RE: REQUIRED FAMILIARITY WITH VARIOUS STATUTES AND RULES	0.75	hrs	\$217.50
08 04 2010	MER	TELEPHONE CONFERENCE WITH CHARLES DEMENZES RE: HIS EXPERIENCE AND KNOWLEDGE OF UTILITY MATTERS; REVISE DRAFT AFFIDAVIT IN SUPPORT OF REQUEST FOR APPOINTMENT AS QUALIFIED REPRESENTATIVE	0.40	hrs	\$116.00
08 11 2010	MER	RECEIVE AND REVIEW AFFIDAVIT OF CHARLES DEMENZES IN CONNECTION WITH QUALIFIED REPRESENTATIVE APPLICATION AND CORRESPONDENCE WITH FORMER COUNSEL RE: SELF-REPRESENTATION; FINALIZE QUALIFIED REPRESENTATIVE APPLICATION FOR FILING; EMAIL TO CHARLES DEMENZES RE: SAME	0.25	hrs	\$72.50
08 12 2010	MER	PREPARE LETTER TO FPSC REQUESTING FILING OF QUALIFIED REPRESENTATIVE APPLICATION AND AFFIDAVIT; FINALIZE ALL FOR FILING; EMAIL TO CHARLES DEMENZES WITH FILE-STAMPED COPY OF APPLICATION	0.20	hrs	\$58.00
08 13 2010	MER	EMAIL CORRESPONDENCE WITH CHARLES DEMENZES RE: QUALIFIED REPRESENTATIVE APPLICATION	0.10	hrs	N/C

Page 2

08|17|2010

MER

OBTAIN AND REVIEW ORDER GRANTING QUALIFIED REPRESENTATIVE APPLICATION; EMAIL TO CHARLES DEMENZES RE: SAME

0.10 hrs

\$29.00

Total Fees

\$493.00

BILLING SUMMARY

Total professional services	\$493.00
Total of new charges for this invoice	\$493.00
Total balance now due	\$493.00

ROSE, SUNDSTROM & BENTLEY, LLP

P.O. BOX 1567 TALLAHASSEE, FLORIDA 32302-1567

F.E.I.# 59-2783536

(850) 877-6555

PLEASE REFER TO INVOICE NUMBER WHEN REMITTING

TRADEWINDS UTILITIES, INC. CHARLES DEMENZES P.O. BOX 5220 OCALA, FL 34478-5220

MAY 10, 2010 INVOICE # 42442 FILE # 34017-00002 PAGE 1

MATTER: 12/31/09 TY RATE CASE

4/05/10 REVIEW TEST YEAR APPROVAL LETTERS AND LETTER TO .20 MR. deMENZES AND MR. CLAYTON

TOTAL HOURS .20
PROFESSIONAL FEES \$ 66.00

TOTAL COSTS ADVANCED \$.00

ROSE, SUNDSTROM & BENTLEY, LLP

P.O. BOX 1567 TALLAHASSEE, FLORIDA 32302-1567

F.E.I.# 59-2783536

(850) 877-6555

PLEASE REFER TO INVOICE NUMBER WHEN REMITTING

TRADEWINDS UTILITIES, INC. CHARLES DEMENZES P.O. BOX 5220 OCALA, FL 34478-5220

APRIL 9, 2010 INVOICE # 42129 FILE # 34017-00002

		PAGE 1	
	MATTER: 12/31/09 TY RATE CASE		
3/11/10	RESEARCH AND DRAFT TEST YEAR REQUEST L	ETTER	. 80
	TOTAL HOURS		. 80
	PROFESSIONAL FEES	\$ 264.00	
	FEDERAL EXPRESS COPIES FROM PSC	12.41 3.32	
	TOTAL COSTS ADVANCED	\$ 15.73	
	TOTAL STATEMENT	\$ 279.73	

1 0 TRADEWINDS UTILITIES, INC. 59 TRIAL BALANCE AS OF 12/31/2009 PAGE 78

C/J NUM BEG BAL TR AMT DESCRIPTION ACCT # DATE 300.00 WATER FEES. 11/04/2009 655000 11/04/2009 2 1104 655000 12/01/2009 2 1201 375.00 WATER..12/01/2009 0.00 DB 3,825.00 3,825.00 ENDING ACCOUNT BALANCE CR 670000 BAD DEBT EXPENSE WATER BEGINNING ACCOUNT BALANCE 0.00 0.00 0.00 ENDING ACCOUNT BALANCE 0.00 DB CR 675000 MISC EXPENSE WATER 0.00 BEGINNING ACCOUNT BALANCE 675000 01/01/2009 2 101 1,053.35 SEP 08 SUPPLY..01/01/2009 675000 01/01/2009 2 4,825.00 SEP 08 MAINT..01/01/2009 1.01 675000 01/01/2009 2 101 690.96 AUG 08 MAINT..01/01/2009 101 1,425.00 JUL 08 MAINT..01/01/2009 675000 01/01/2009 2 675000 01/01/2009 2 101 2,725.00 JUN 08 MAINT..01/01/2009 675000 01/01/2009 2 101 1,230.00 DEC 08 MAINT..01/01/2009 675000 01/01/2009 2 101 300.00 NOV 08 MAINT..01/01/2009 16,029.31 675000 01/01/2009 2 101 430.00 OCT 08 MAINT..01/01/2009 101 3,350.00 OCT 08 MAINT..01/01/2009 675000 01/01/2009 2 675000 01/02/2009 2 102 129.95 CC CHGS..01/02/2009 675000 01/16/2009 1 3174 45.90 WALTON'S RENTAL CENTER-48080..01/16/2009 109.71 ADVANCED SECURITY, INC.-19794..01/23/2009 675000 01/23/2009 1 3178 675000 01/29/2009 2 129 2,185.52 JAN 09 MAINT..01/29/2009 675000 02/13/2009 1 3193 125.00 HAROLD ELLZEY PLUMBING-95392..02/13/2009 675000 02/26/2009 1 3201 130.00 FLORIDA RURAL WATER ASSOC.-TRA..02/26/2009 63.90 CC CHGS..02/28/2009 675000 02/28/2009 2 228 675000 02/28/2009 2 228 1,450.00 MAINT FEB..02/28/2009 421.00 CRANDON ELECTRIC CO, INC.-3269..03/06/2009 675000 03/06/2009 1 3207 675000 03/31/2009 2 331 600.00 MAR MAINT..03/31/2009 675000 04/30/2009 2 55.35 CC CHGS..04/30/2009 430 675000 04/30/2009 2 430 1,525.00 APR MAINT..04/30/2009 675000 05/08/2009 1 3239 58.84 WALTON'S RENTAL CENTER-49265..05/08/2009 675000 05/30/2009 2 530 15.00 MAINT..05/30/2009 675000 05/30/2009 2 530 50.00 MAINT..05/30/2009 675000 05/30/2009 2 530 150.00 TRACTOR REPAIR..05/30/2009 675000 06/12/2009 1 3257 318.00 HAROLD ELLZEY PLUMBING-96423..06/12/2009 675000 06/30/2009 2 630 390.00 MAINT..06/30/2009 55.29 CC CHGS..06/30/2009 675000 06/30/2009 2 630 675000 07/03/2009 1 3264 50.00 CITY OF OCALA-A29001 33634 2009..07/03/2009 675000 07/14/2009 2 714 25.00 SRF..07/14/2009 675000 07/24/2009 1 3277 502.50 HAROLD ELLZEY PLUMBING-96786..07/24/2009 675000 07/24/2009 1 3277 135.00 HAROLD ELLZEY PLUMBING-96785..07/24/2009 675000 07/31/2009 2 731 64.02 CC CHGS...07/31/2009 675000 07/31/2009 2 731 212.50 JULY MAINT..07/31/2009 675000 07/31/2009 2 731 375.00 JULY MAINT..07/31/2009 675000 08/14/2009 1 3289 200.00 FL PUBLIC SERVICE COMMISSION-W..08/14/2009 675000 08/31/2009 2 831 77.24 CC CHGS..08/31/2009 675000 08/31/2009 2 831 500.00 AUG MAINT..08/31/2009 675000 09/25/2009 1 3314 115.00 HAROLD ELLZEY PLUMBING-97276..09/25/2009 675000 09/25/2009 1 3314 438.01 HAROLD ELLZEY PLUMBING-97462..09/25/2009 675000 09/30/2009 2 930 976.00 SEPT MAINT..09/30/2009

2008

100253	60	315.38	09/02/2008	0.00
100276	60	38.35	08/26/2008	0.00
100355	60	80.34	10/24/2008	0.00
100421	60	12.53	12/29/2008	0.00
101241	60	69.62	12/29/2008	0.00
101256	б0	445.88	08/26/2008	0.00
101476	60	268.24	12/29/2008	0.00
200272	60	50.61	12/29/2008	0.00
200302	60	55.35	12/24/2008	0.00
200522	60	108.03	02/04/2008	0.00
200923	60	0.91	09/24/2008	0.00
201241	60	2.79	10/24/2008	0.00
303044	60	58.88	10/24/2008	0.00
304214	60	33.11	02/12/2008	0.00
304255	60	79.74	08/26/2008	0.00
304617	60	39.43	10/24/2008	0.00
305141	60	46.12	06/02/2008	0.00
305162	60	244.21	08/26/2008	0.00
Total E	3ad	Debt Write	offs	

18 Dollar Amount 1949.52

Number

Number

15 Dollar Amount 1818.28

Used and Useful Calculations Wastewater Treatment Plant

Florida Public Service Commission

Company: Tradewinds Utilities, Inc. Schedule: F-6 [Revision 2]

Docket No.: 100127 Page 1 of 1

Historical Test Year Ended: December 31, 2009 Preparer: W. Wade Horigan, CRRA

Explanation: Provide all calculations, analyses and governmental requirements used to determine the used and useful percentages for the wastewater treatment plant(s) for the historical test year and the projected test year (if applicable).

3	Total U&Us	292	19%	100%	
2				,	
1	All	292	19%	100%	
No.	System	Customers	1&1	%U&U	
Line	Sewer	12/31/2009	% Excess	Treatment	
	(1)	(2)	(3)	(4)	

Recap Schedules: A-6, A-10, B-14

Wastewater Collection System

As of the end of the test year there were 38 commercial customers. The following is the build out of the system.

			Not
Premises	Total	Occupied	Occupied
Residential	254	254	-
Multi-Unit	-	-	~
Commercial	38	38	-
•	292	292	-

As shown on the maps accompanying the filing, there are no unoccupied lots in the system. As such, the system should be considered 100% used and useful.

Yearly Flow	21,431,000
Permitted	81,000
Daily Avg	58,715
Used Per	
25-30.432	72%

RESOLUTION OF BOARD OF DIRECTORS

Tradewinds Utilities, Inc..

RESOLVED that

Upon completion and approval of the utility rate case docket no: 100127-WS by the Florida Public Service Commission and subsequent to implementing said rate increase and provided sufficient funds are available, the company shall increase compensation to all utility employees by five (5%) percent for the year 2011. Further resolve that the increase shall be effective as of January 1, 2011.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution presented to and adopted by the Board of Directors of TRADEWINDS UTILITIES, INC., at a meeting duly called and held at 1410 NE 8th Avenue, Ocala, Florida 34470 on the 31st of December, 2010 at which a quorum was present and voted, and that such resolution is duly recorded in the minute book of this corporation; that the officers named in said resolution have been duly elected or appointed to, and are the present incumbents of the respective offices set after their respective names.