

Carlotta Stauffer

From: Michael Lawson
Sent: Monday, January 06, 2014 1:50 PM
To: Carlotta Stauffer
Subject: FW: Summertree Reponse Item No. 2**PAA, Docket No. 120209-WS
Attachments: 2014-Letter to Commissioners, 1-6-14.docx

Please place the attached letter in the docket file for docket # 120209

Thanks,
Mike Lawson

From: Sayler, Erik [<mailto:SAYLER.ERIK@leg.state.fl.us>]
Sent: Monday, January 06, 2014 12:40 PM
To: Michael Lawson; Martin Friedman (MFriedman@sfflaw.com)
Cc: Jennifer Crawford; Todd Brown; Marshall Willis; Andrew Maurey; Kelly, JR; Vandiver, Denise; Rehwinkel, Charles
Subject: FW: Summertree Reponse Item No. 2**PAA, Docket No. 120209-WS

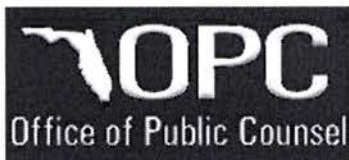
Michael & Marty,
Please see attached letter from Ms. Ryan. She outlined three questions and concerns of which you should be aware.

Ms. Ryan and others from her community will be listening to the Commission's decision for item No. 2 tomorrow, and, in as much as it is possible, the addressing the three questions and concerns she raises.

Regarding the "close the docket issue" (issue 3), we agree and will request the docket open remain open until a permanent solution is implemented. Keeping the docket open for review and implementation of the permanent solution appears to be consistent with Commissioner Balbis' motion as amended by Chairman Graham. It is also administratively efficient. An open docket would allow the filing of periodic updates, resolving any disputes (should any arise), and the submitting of proposed solutions for Commission review and determination. OPC is prepared to address the close the docket issue more fully tomorrow.

Regards,
Erik

Erik L. Sayler
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Please note: Florida has a very broad public records law and e-mail communication may be subject to disclosure.

From: Ann Ryan [mailto:amr328@hotmail.com]
Sent: Monday, January 06, 2014 11:33 AM
To: Commissioner Arthur Graham, Chairman; Commissioner Ronald Brise; Commissioner Lisa Edgar; Commissioner Eduardo Balbis; Commissioner Julie Brown
Cc: Commissioner Jack Mariano; Mike Fasano; Ann Marie Ryan; Anthony Liguori; Fred Stall; Joe Mitchell; John Russotto; Lee Robida; Richard Neilson; Ed Youngs; Saylor, Erik; SIMPSON.WILTON.WEB; Corcoran, Richard
Subject: Summertree Reponse Item No. 2**PAA, Docket No. 120209-WS

Dear Commissioners:

RE: Item No. 2**PAA, Docket No. 120209-WS

I have attached a document for your review to address issues for the Florida Public Service Commission, Commission Conference Agenda, Dated: Tuesday, January 7, 2014.

As we are unable to attend the conference, we appreciate your reviewing our questions, concerns and approval of the issues on this agenda.

Thank you,
Ann Marie Ryan
Summertree Water Community Alliance Contact
11436 Windstar Ct, New Port Richey, FL 34654
(727) 267-7162 (C) • amr328@hotmail.com

Summertree Water Alliance Members:
Anthony Liguori, Joe Mitchell, Richard Nielson, Lee Robida, John Russotto, Ann Marie Ryan, Fred Stall

Ann Marie Ryan

Contact for Summertree Water Alliance
11436 Windstar Ct. • New Port Richey, FL 34654
(H) 727-856-2203 • (C) 727-267-7162

January 6, 2014

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

Re: Docket No. 120209-WS

Dear Commissioners:

After reviewing the following three documents, I would like to inform you of the Summertree Alliance Community questions, concerns and responses for your review before the final PAA Document is issued on January 7, 2014.

1. FLORIDA PUBLIC SERVICE COMMISSION VOTE SHEET
November 14, 2013 - Docket No. 120209-WS
 - RE: FLA PSC VOTE SHEET 11 15 13 on rate increase.pdf

Issue 1 Written Statement of Commission (page 4): Is the quality of service provided by UIF Satisfactory?

*Recommendation was modified with regard to the water portion of the docket; all systems were found to be satisfactory, with the exception of Summertree, which was found to be **unsatisfactory**. The order will direct the utility to work with OPC to develop a customer engagement plan, options, and provide outcomes. Any Problems are to be brought back to the commissioners.*

Issue 25 – Should the docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, a consummating order should be issued. The docket should remain open for staffs' verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

**** CONCERN:**

On Issue 1: Will this decision be memorialize in the final PAA document.

On Issue 25: We all thought the docket would stay open regarding Summertree water issues while we work toward and permanent solution. A time frame of twenty-one days of issuance of the order is not a realistic to complete the tasks for our issues to meet the Commission's directive.

2. On December 23, 2013, Document No. 07580-13 was filed by FPSC – Commission Clerk (Stauffer)
- RE: <http://www.psc.state.fl.us/library/FILINGS/13/07580-13/07580-13.pdf>

Under Case Background on page 3, paragraph 2, sentence 2 states:

*On October 28, 2013, the Office of Public Counsel (OPC) filed a Notice of Intervention in this docket, and an order acknowledging intervention was issued on October 30, 2013.^s **Prior to the Notice of Intervention, OPC submitted a letter and a CD dated October 25, 2013, composed of customer complaints and protests from the Utility's Summertree customers.***

The paragraph 2, sentence 2, statement remains in error in the December 23, 2013 Staff Recommendation Memorandum. We discussed this huge oversight at length during the Commission Conference on November 14. Yet, this document does not the efforts of our community by recording the number of documents submitted by the Summertree community in presenting our water issues to the Commission.

OVERVIEW:

- OPC submitted a cover letter and a backup CD with the e-filings for Summertree Water Alliance Cover letter and over 3,000 Protest Forms to Florida Public Service Commission from the Summertree Residents opposed to 2013 Utilities, Inc. of Florida Rate Increase—Docket No. 120209.
 - RE: ***120209.ltr. to PSC Clerk w. attached Customer Protest Complaints ltr. pdf***
- Secondly, the CD contained e-filing for the Summertree Water Alliance cover letter and over 500 Petitions to Florida Public Service Commission from Summertree residents opposed to 2013 Utilities, Inc. of Florida Rate Increase Docket No. 120209-WS
 - RE: ***120209 – Cover letter with Summertree Petition. pdf***
- Additionally, the governor's office had forwarded to the PSC over 514 letters from the Summertree residents which were sent to Governor Rick Scott informing him of our water issue.

****REQUEST:**

We would appreciate the PSC Staff amending this oversight to reflect the Summertree community efforts of the over 4,000 letters, forms, and petitions to be recorded in the final documents.

3. Florida Public Service Commission, Commission Conference Agenda, January 7, 2014

<http://www.psc.state.fl.us/agendas/archive/140107cc/140107.pdf>

Item No. 2**PAA, Docket No. 120209-WS

- **Issue 1** (page 4): Should the revenue requirements and resulting rates, approved by the Commission on November 14, 2013, be revised to correct errors related to the Utility's roll-forward adjustments?
Recommendation: Yes. The resulting revenue impacts for all systems for this case are reflected below in a chart. The resulting water and wastewater rates from the corrected revenue requirements are shown on Schedule Nos. 4-A through 4-E.
- **Issue 2:** Should the initial interim refund calculations be revised, and, if so, what is the amount of any refunds?
Recommendation: Yes.
- **Issue 3:** Should this docket be closed?
Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notices have been filed by the Utility and approved by staff, and that the interim refund for Orange County water has been completed and verified by staff. Once these actions are complete, this docket should be closed administratively, and the corporate undertaking should be released.

Response to Issues 1 & 2:

We were delighted to see that the staff made recommendations for additional adjustments.

Concern for Issue 3: Closing the Docket

We would like to see the docket remain open for Summertree until the permanent solution is achieved to meet the Commission's directive.

Although we have pointed out some oversights, I would like to thank the Commission and staffers for the additional time they have taken to review several issues, meetings with the OPC and Utilities of FL, Inc. to make these additional adjustments.

Thank you for taking the time to review Summertree concerns.

Sincerely,

Ann Marie Ryan