

STATE OF FLORIDA

ORIGINAL

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OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

Public Service Commission

June 24, 2004

RECEIVED-FPSC  
04 JUN 24 PM 3:37  
COMMISSION  
CLERK

Ms. Debra Gill  
8436 Maid Marions Trail  
Lakeland, FL 33809

Re: Docket No. 031087-WU – Application for certificate to provide water service in Polk County by The Colinas Group, Inc., receivers for Lazy S Utility Co.

Dear Ms. Gill and customers of The Colinas Group:

Thank you for your correspondence dated May 24, 2004, signed by numerous customers of The Colinas Group regarding the application filed in the above-referenced docket, each of whom is being contacted by copy of this letter, as indicated on page 2. I apologize for the misspelling of the names of customers whose signatures I was unable to clearly read.

Your correspondence indicates that you object to the application. You also indicate that there are severe water leaks in the system and that the utility has not used the recent rate increase to fix the problem or to fix inoperative meters in order to charge a metered rate. Moreover, you state that the utility collected a refundable deposit of \$35.50 per home for one year to do the repairs, but that no refunds were given. Please be advised that the Commission staff will investigate all of your concerns during the course of this proceeding.

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SEC \_\_\_\_\_  
OTH \_\_\_\_\_  
Meanwhile, the Commission needs to know your intent regarding your objection to this application. If you choose to pursue the objection, you may request a formal hearing, which will be scheduled and at which you will be required to provide testimony and other evidence to support your protest. Although the Commission allows individuals to represent themselves at hearing, you may wish to hire an attorney to represent you.  
Please advise this Commission by **July 30, 2004**, if you intend to pursue your objection and wish to request a formal hearing. Your request should be made in writing and should be addressed to Blanca Bayó, Director, Division of Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If we do not hear from you by July 30, 2004, we will assume that you do not wish to pursue a formal hearing and your letter will be placed on the correspondence side of the docket file in this case for informational purposes.

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

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

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COMMISSION CLERK

Ms. Debra Gill  
June 24, 2004  
Page 2

If you have any questions, please feel free to contact me at (850) 413-6224.

Sincerely,



Rosanne Gervasi  
Senior Attorney

RG/cmd

cc: Division of the Commission Clerk and Administrative Services  
Charles S. Freed, P.E.  
George Gaufler  
Clifford E. Laur  
Kenneth Lawrence  
Georgetta Wilson  
Roberta Jeffery  
Marjorie N. Hutchins  
Debra Loy  
Johnny L. Moss  
F. Koneski  
Charles Tyson Sr.  
Joyce Nioll  
Adel Schmidt  
Resident – 1600 S. Westgate Ave.  
Linda Patterson  
Paula Salgado  
Iris Powell  
Crystal Davis  
Jim Jollie  
Bessie Young  
Brenda Michelson  
Michelle Tyndall  
Helen L. Snyder  
Resident – 1427 Faye Ave.  
Resident – 1403 Faye Ave.  
Resident – 1404 Southern Ave.  
Darlene Smith  
Robert Jones

**Barbara Myers**  
W.L. Wilson  
Sandra Lara  
Resident – 1428 Eva Ave.  
Resident – 1419 Eva Ave.  
Marie Gonzalez  
Resident – 1706 Faye Ave.  
Diana Whitehead  
Resident – 1506 Eva Ave.  
Paula Bowser  
Sabrina Taylor  
Verma Shearin  
**Alton E. Mercer Jr.**  
**Steven D. Hayes**  
Resident – 1414 Southern Ave.  
Resident – 1405 Southern Ave.  
Albert H. and Helen Cheney

ORIGINAL



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COMMISSION CLERK

5/24/04

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

031087-WU

**Petition in objection for Lazy S application for a utility in existence and rate change**

Re: Lazy S Water Utility Service Area / (The Colinas Group Inc.)  
Application for original certificate for a utility in existence and changing rates

In objection for Lazy S/The Colinas Group Inc. above mentioned application. It needs to be further known that the Lazy S/The Colinas Group Inc. water system is not operating to code as it was discussed in a meeting over a year and a half ago with The Colinas Group Inc. and the

CMP \_\_\_\_\_

COM \_\_\_\_\_ service area homeowners.

CTR \_\_\_\_\_

ECR \_\_\_\_\_ There are severe water leaks which is causing Lazy S/The Colinas Group Inc. to loose profit, but

GCL \_\_\_\_\_ rather than fixing the problem as they promised over a year and a half ago, they just raised their

OPC \_\_\_\_\_

MMS \_\_\_\_\_ rates so that each property owner living in their service area pays an absurd amount for water.

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC 1

OTH Lkin Ana

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

No one operates off a meter because some of them do not work, and instead of fixing them as promised, the Lazy S/The Colinas Group Inc. simply ignores all meters and charges everyone the same rate. So a home with a family of five or more, pays the same high price as a single person that lives alone and uses much less water.

Prior to the meeting a year and a half ago, the meters were read and billed accordingly. But when The Colinas Group Inc. got involved they said they had to make up a deficit and raise rates TEMPORARILY to \$35.50 per month for one year and collect a refundable deposit of \$35.50 per home for one year to do repairs and then meters would be read and rates would be lowered and the deposits would be paid back to the homeowners. NO REFUNDS WERE GIVEN!!!

The current rate is \$35.50 which is three times higher than some homeowners were paying at the time, and was only passed because the Lazy S/Colinas Group Inc. promised to have the piping corrected and meters in place within one year. Now instead of doing the needed work so they could bill their customers for what was really used. They are wasting an undocumented number of gallons of precious water each month due to ignored needed repairs.

The increased rates that were already paid in the past year and a half only lined the owners wallets and the funds were not used for what was promised to the homeowners living in their service areas.

PLEASE PAY HEED to this request and investigate with the appropriate officials.

These families are on low and fixed incomes and can't afford to be railroaded by this company any longer. We beg for assistance to make Lazy S <sup>COLINAS</sup> keep their word and start operating legitimately.

I think of times when water restrictions are set due to water shortages, and the Lazy S Utilities <sup>COLINAS</sup> is dumping large volumes of water away due to the leaking. This should not be overlooked. The pipes and meters should be fixed and the customers should be paying for their use at a reasonable rate and not a penny more since they have over paid for the past year and a half to help Lazy S / <sup>COLINAS</sup> with repairs that were never done. It would seem that Lazy S / <sup>COLINAS</sup> owes each property owner a refund for not fulfilling the work as promised.

NAME:

ADDRESS:

- 1) Debra S. Hill
- 2) George Gough
- 3) Clifford P. Loun
- 4) Kenneth Lawrence
- 5) Margetta Wilson
- 6) Margetta Wilson
- 7)
- 8)
- 9)
- 10)
- 11)
- 12)
- 13)

- 8436 Maid Marion Trail 33809
- 1613 FAYE Street 33803
- 1504 Lawn Place
- 1511 S. Westgate Ave
- 1519 ASICK. AVE
- 1507 Lawn Place
- 1509 Lawn Place
- 1511 Lawn Place
- 1510 Lawn Place
- 1512 Lawn Place
- 1514 Lawn Place
- 1516 Lawn Place
- 1518 Lawn Place

NAME:

ADDRESS:

14) Bernette Wilson

1530 Laurel Place

15) Roberta Jeffrey

1606 Faye St.

16) Marjorie A. Hutchins

1611 Faye St.

17) Delora Roy

1501 Laurel Place

18) Johnny D. Moss

15015 Westgate Ave <sup>33803</sup>

19) Felix Korvicki

1502 S. Westgate Ave.

20) Charles Tyson Sr.

1508 S. Westgate Ave

21) Joyce Niell

1517 S. Westgate Ave

22) Adel Schmitt

1520 S. Westgate Ave

23) Richard de Muffin

1600 S. Westgate Ave

Vacant

1514 S. Westgate Ave

24) Ruth Patterson

1602 Faye St.

25) Paula Salgado

1604 Faye St.

26) Luis Powell

1607 Faye St.

27) Crystal Davis

1502 Alice Ave.

28) Jim Jellie

1506 Alice Ave

Vacant

1512 Alice Ave

Vacant

1503 Alice Ave

29) Bessie Young

1428 Faye Ave

30) Juan Robinson

1421 Faye Ave

31) Michelle Sydal

1419 Faye Ave

## NAME:

32) Helen L Snyder

Vacant

Vacant

Vacant

33) ~~Ken Day~~

34) Tony Smith

35) 1808 South Ave

36) Darlene Smith

Vacant

37) Robertsons

38) Barbara Myers

39) W L Wilson

40) Linda Jones

41) ~~Henry Ward~~42) ~~W S. [unclear]~~

43) Maice King

44) Allen Brown

(45) Diane Whitehead

(46) <sup>Ruth</sup> [unclear]

47) Paula Bowser

48) Danna Taylor

## ADDRESS:

1420 Faye

1414 Faye

1422 Faye

1424 Faye

1427 Faye

1403 FAYE AVE.

Kuni [unclear]

1405 Faye ave

1400 Faye Ave.

1404 Faye Ave

1408 Faye Ave

1413 Faye Ave

1501 Faye Ave

1428 King Ave

1419 EVA Ave

1408 EVA Ave.

1706 Faye St.

1501 EVA Ave.

1506 EVA Ave

1503 EVA Ave

1507 EVA AVE

NAME:

- 49) Verma Shearin
- 50) Alton E Mercer Jr.
- 51) Steven D. Hager
- 52) Rnd Crow
- 53) Beth Dedman
- 54) Robert H Cherry
- 55) Helen Cherry

ADDRESS:

- 1423 Southern Ave - Lakeland, FL
- 1421 southern ave Lakeland FL
- 1417 Southern Ave. Lakeland Fla.
- 1414 Seawoods Ave
- 1405 Southern Ave
- 1401 Southern Ave

 Ms. Debra Gill  
 8496 Maid Marlene Trl.  
 Lakeland, FL 33809-5064

APPLICATION FOR ORIGINAL  
CERTIFICATE FOR A UTILITY IN  
EXISTENCE AND CHANGING  
RATES

Notice is hereby given on  
May 12, 2004, pursuant to Sec-  
tion 367.045, Florida Statutes, of  
the application of the Lazy S Util-  
ity to operate a water utility to  
provide service to the following  
described territory in Polk Coun-  
ty, Florida, as follows:

DESCRIPTION OF THE LAZY S  
WATER UTILITY SERVICE AREA

Commencing at the  
Northwest corner of Sec-  
tion 26, Township 28 South,  
Range 23 East, thence  
South a distance of 25' to  
the South right-of-way line  
of Ariana Street also being  
THE POINT OF BEGINNING;  
thence due east along the  
South right-of-way line of  
Ariana Street to the North-  
east corner of the West 1/2  
of the East 1/2 of the  
Northwest 1/4 of said sec-  
tion, thence Southerly a  
distance of 1225', thence  
Easterly a distance of 670'  
to the East line of the  
Northwest 1/4 of said sec-  
tion, thence southerly  
along the East line of the  
Northwest 1/4 of said sec-  
tion a distance of 1430' to  
the Centerline of said sec-  
tion; thence West along  
the Centerline of said sec-  
tion to the West line of the  
Northwest 1/4 of section  
26, Township 28 South,  
Range 23 East, thence  
North along the West line  
of said section to the South  
right-of-way line of Ariana  
Street also being the POINT  
OF BEGINNING. Being 1.42  
acres more or less.

Any objection to said applica-  
tion must be made in writing  
and filed with the Director, Div-  
ision of Records and Reporting,  
Florida Public Service Commis-  
sion, 2540 Shumard Oak Boule-  
vard, Tallahassee, Florida 32399-  
0850, within thirty (30) days from  
the date of this notice. At the  
same time, a copy of said  
objection should be mailed to  
the applicant whose address is  
set forth below. The objection  
must state the grounds for the  
objection with particularity.

The Collins Group, Inc Receiver  
For the Lazy S Utility  
2031 E. Edgewood Drive-Suite 5  
Lakeland, Florida 33802-3601