

State of Florida



CORRESPONDENCE  
1/10/2023  
DOCUMENT NO. 00170-2023

# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** January 10, 2023

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Jacob Imig, Senior Attorney, Office of the General Counsel  
Adria E. Harper, Attorney Supervisor, Office of the General Counsel

**RE:** Docket No. 20220035: Application for staff-assisted rate case in Polk County by S.V. Utilities, Ltd.

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Please find herewith e-mail communications between Jacob Imig and Tom Bertz for filing into the “correspondence” file of the above-referenced docket. This correspondence should be categorized as Parties and Interested Persons.

**From:** [Jacob Imig](#)  
**To:** ["Tom Bertz"](#)  
**Cc:** [Takira Thompson](#)  
**Subject:** RE: S.V. Utilites Staff-Assisted Rate Case  
**Date:** Tuesday, January 10, 2023 2:52:49 PM  
**Attachments:** [image001.png](#)

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Mr. Bertz,

Good Afternoon. We received your letter dated January 7, 2023, and we acknowledge you are not requesting a hearing. Pursuant to your request, we are placing your letter dated January 7, 2023, in Docket 20220035 where Commissioners, Commission staff, and outside parties may read it. Additionally, there will be another customer meeting within the next three months to discuss the Utility's service interruption issues.

Thank you,  
Jacob Imig  
Senior Attorney  
Public Service Commission  
[jimig@psc.state.fl.us](mailto:jimig@psc.state.fl.us)  
(850) 413-6738

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**From:** Tom Bertz <tom.bertz@gmail.com>  
**Sent:** Sunday, January 8, 2023 10:33 PM  
**To:** Jacob Imig <JImig@psc.state.fl.us>  
**Subject:** Re: S.V. Utilites Staff-Assisted Rate Case

Mr Imig,  
Sorry about the delayed response. I had a great deal of discussion with my attorney on this topic.  
I have decided that this issue does not require an administrative hearing in that it is primarily an objection to Public Service Commission action.  
We believe we have insufficient objective documentation to proceed with an administrative hearing at this time and simply choose to have our concerns entered into the record.

I have attached a copy of our Opposition Comments for your review.  
I have also filed a copy with the on-line documentation process of the PSC in hopes that it will be incorporated into the record of proceedings for Docket 20220035.

Thank you for your assistance.  
I remain available for questions/comments/etc.

Tom Bertz  
President, Swiss Village HOA  
[tom.bertz@gmail.com](mailto:tom.bertz@gmail.com)  
612-578-8238 (cell)

On 12/15/2022 11:45 AM, Jacob Imig wrote:

Mr. Bertz,

Good Morning, I hope this finds you well.

We have been informed by the Commission Clerk's that you would like to object to the Commission's decision in Docket Number 20220035-WS – Application for staff-assisted rate case in Polk County by S.V. Utilities, Ltd. I am writing to determine your intent regarding your letter of objection: (1) whether you wish to state for the record your objection to the transfer; or (2) whether you are requesting that an administrative hearing be held with regard to your objection.

An administrative hearing is similar to a trial, and would be scheduled in accordance with Sections 120.569 and 120.57, and Chapter 367, Florida Statutes. As a party to the hearing, you would have certain rights and responsibilities to put on your case, such as filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a Prehearing Conference in Tallahassee, putting on witnesses, cross-examining utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates and procedural requirements that must be met by all parties. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission (Commission), it may be preferable to hire counsel or a qualified representative to represent you. Please feel free to discuss this with the Office of Public Counsel (OPC) as it can provide further information and assistance on how Commission hearings work.

If you do not wish to pursue a hearing on this matter, your letter will remain on the correspondence side of the docket file in this case, where your concerns will be available for review and informational purposes. If you wish to request a hearing, you will have the opportunity to do so, in writing, for the 21 days following the issuance of the Commission's Order in this docket. As of today the Order has not yet been issued. If we do not receive a request for hearing within 21 days of the issuance of the Order, there will be no further action and this docket will be closed.

If you have any questions or if I may be of assistance, please contact me at [jimig@psc.state.fl.us](mailto:jimig@psc.state.fl.us) or by phone at (850) 413-6738.

Sincerely,

**Jacob Imig**

Senior Attorney

Regulatory Analysis Section

Office of the General Counsel

850-413-6738

[jimig@psc.state.fl.us](mailto:jimig@psc.state.fl.us)

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