

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
 AGENDA ITEM SUMMARY

BLUE SHEET NO: 20030066-UTL

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Board approve Division of Utilities' determination not to grant any additional water or sewer credit adjustments to Reddy Ice, a commercial customer of the utility.

**WHY ACTION IS NECESSARY:**

Request by Reddy Ice, Inc. to have Board of County Commissioners review the adjustments previously granted to Reddy Ice.

**WHAT ACTION ACCOMPLISHES:**

Present all facts and information regarding Reddy Ice's request for additional water and sewer credits to the Board for review and final administrative determination.

**2. DEPARTMENTAL CATEGORY:** 10 - UTILITIES  
**COMMISSION DISTRICT #:** 5

A10A

**3. MEETING DATE:**

02-04-2003

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: \_\_\_\_\_

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE \_\_\_\_\_
  - ORDINANCE \_\_\_\_\_
  - ADMIN. CODE \_\_\_\_\_
  - OTHER Admin. Determination

**6. REQUESTOR OF INFORMATION**

- A. COMMISSIONER: \_\_\_\_\_
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director

DATE: 1/21/03

**7. BACKGROUND:**

January 11, 1999, Clear Channel Real Estate opened a commercial account for water and sewer service at 13320 Metro Parkway. One-1.5" meter serves the entire building, the rate established as Commercial 1.5", and services provided were water and sewer. LCU was notified that the type of customer that would be occupying the space was a radio broadcasting station and that it was a (single) commercial account.

(CONT'D.)

**8. MANAGEMENT RECOMMENDATIONS:**

No further credits are warranted due to the circumstances of the matter.

**9. RECOMMENDED APPROVAL**

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: 1-22-03	N/A Date:	N/A Date:	N/A Date:	<i>[Signature]</i> Date: 1/22/03	<i>[Signature]</i> Date: 1/23/03	<i>[Signature]</i> Date: 1/23/03	<i>[Signature]</i> Date: 1/23/03	<i>[Signature]</i> Date: 1/23/03	<i>J. Lavender</i> Date: 1-22-03

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

Rec. by CoAtty  
 Date: 1/22/03  
 Time: 3:49 PM

Forwarded To:  
 Budget  
 1/23/03 1:03 PM

RECEIVED BY  
 COUNTY ADMIN.  
 1-23-03  
 1:10

COUNTY ADMIN.  
 FORWARDED TO:  
 1/23 3:30

**BLUESHEET NO. 20030066-UTL**  
**PAGE 2**

November 17, 1999, Rosemary Pond, Office Manager with Reddy Ice, Inc., contacted Utilities staff requesting sewer credits for water used in ice production, which was their business. At that time, the customer was told that a second meter would need to be installed to separate the production water from water used in restrooms and more information would be needed to determine volume of ice returning to the County sewer system. The telephone call was referred to Jim Swift, Water Distribution Manager for site check and customer consultation.

Between November 17, 1999 and December 16, 1999, the LCU Water Distribution Manager visited the service address and noted the following: The majority of water use goes to ice production; Reddy Ice occupies approximately ½ of the building. The front of the building was vacant and is not part of the ice production business. Some extensive piping changes are needed with 3 total meters for the facility: 1) 1 for unoccupied portion of building, currently vacant; 2) 1 meter for water used in ice production, and; 3) 1 for restrooms for back part of building. To better understand water use at the facility and to ensure compliance with established regulations, the management of Reddy Ice was asked to complete an Industrial Wastewater Questionnaire.

January 24, 2000, Rosemary Pond sent Industrial Wastewater Questionnaire and letter to Kevin Koehler, Utilities Wastewater Collection Utility Manager, requesting phone call and follow up regarding pretreatment issues.

January 27, 2000, Jim Swift, Utilities Water Distribution Utility Manager faxed John Palatta, Pretreatment Officer, City of Fort Myers, the Industrial Wastewater Questionnaire and Ms. Pond's letter. Mr. Swift requested that Mr. Palatta review the documents and accompany Mr. Swift and Mr. Koehler to Reddy Ice for a facility inspection.

February 17, 2000, Memo from Jim Swift, Water Distribution Manager to Glenn Greer, Utilities Director detailing the inspection of Reddy Ice facilities.

February 22, 2000, John Palatta, Pretreatment Officer with City of Fort Myers issued a "Notice of Violation" to Reddy Ice Co., for violations pertaining to City of Fort Myers' Sewer Use Ordinance #2613 and Lee County's Sewer Use Ordinance #98-20. Reddy Ice was given 10 days to take corrective action.

May 2, 2000, Jim Swift, Utility Manager, wrote a letter to Jack Benitez, Plant Manager for Reddy Ice, outlining site inspection findings and possible methods to address the water and sewer use issues at the facility.

May 9, 2000, Gary Maier, Director of Department of Health was faxed a copy of the May 2, 2000 letter from Jim Swift to Jack Benitez, Plant Manager-Reddy Ice. Mr. Maier was asked to review the letter and facility information to determine if the Health Department would need to be involved in modifications needed to address the water and sewer issues at Reddy Ice.

May 15, 2000, Gary Maier, Director of Department of Health wrote letter to Jack Benitez, Plant Manager, Reddy Ice requesting a detailed plan in writing of any proposed changes to the water system so that the Health Department could determine if a permit would be required.

June 15, 2000, Jim Swift and Tom Hill met with Bob Stump of Sun-Tec Plumbing at Reddy Ice to review findings/plans for plumbing changes.

**BLUESHEET NO. 20030066-UTL**  
**PAGE 3**

June 22, 2000, Bob Stump of Sun-Tec Plumbing and Gary Maier, Director of Environmental Engineering met to discuss the proposed alterations to the potable water system at Reddy Ice. A letter was received from Jack Benitez of Reddy Ice, to Jim Swift guaranteeing that all water sprinkled on their lawn is potable.

July 5, 2000, Jack Benitez wrote a letter to Jim Swift outlining Reddy Ice's plan to eliminate all water coming into building, except for restrooms, from going to the sewer system.

July 6, 2000, Reddy Ice pays water connection fees, main tap fee and water deposit for additional water meter, \$3,120.00. On July 13, 2000, a 1-inch Water Meter is installed. (The existing 1.5 inch diameter meter becomes water only account, rate applied as Commercial 1.5 inch diameter meter, the new meter is water and sewer account for restrooms, rate applied as Commercial 1 inch. Account continues to be in Clear Channel's name, Reddy Ice indicates that it does not want to establish service in their name.)

December 2000, Meeting with Jack Benitez of Reddy Ice, Jim Swift, Carolyn Andrews and Rosa Silcox of Lee County Utilities staff regarding request for rate adjustment for production water being measured by 1.5 inch diameter water meter. Water accounts continue to be in the name of Clear Channel Real Estate. Utilities staff recommended that Reddy Ice place accounts into their name so that staff could work with Reddy Ice directly as the customer, instead of having to direct communications through the current customer, Clear Channel Real Estate.

December 12, 2000, Received approval from Utilities Director and Rate Analyst to change rate of 1.5 inch diameter water meter for production water from Commercial 1.5 inch diameter to Commercial Non-irrigation 1.5 inch diameter classification, if service was placed in Reddy Ice's name. December 2000 ice production utility bill was billed at the Commercial Non-irrigation 1.5-inch diameter rate.

September 19, 2001, letter from Rosemary Pond, Office Manager with Reddy Ice requesting credit for difference between Commercial 1.5 inch diameter and Commercial Non-irrigation 1.5 inch diameter classification.

November 2001, meeting with Joel M. Sinkule, Energy Diagnostic Services, Inc. Utility Assessment Group representing Reddy Ice, and Carolyn Andrews, Customer and Meter Service Manager of Utilities. Mr. Sinkule requested water rate adjustment between Commercial 1.5-inch diameter rate and Commercial Non-irrigation 1.5-inch diameter rate and sewer credit for water used in ice production between October 1999 and December 2000.

November 26, 2001, letter from Joel Sinkule, Energy Diagnostic Service, Inc. to Rick Diaz, Utilities Director outlining credit requested for water and sewer services for production water between October 1999 and December 2000.

January 17, 2002, letter from Rick Diaz to Joel Sinkule granting credit for rate difference for water usage from August 2000 through November 2000. Rate adjustment calculated based on difference between the Water Commercial 1.5 inch diameter service rate and the Water Commercial Non-irrigation 1.5 inch diameter service rate (\$8,484.00), since the necessary plumbing modifications were not complete until July 2000. No sewer credit adjustments from October 1999 to July 2000 were made.

**BLUESHEET NO. 20030066-UTL**  
**PAGE 4**

February 14, 2002, letter from Joel M. Sinkule, Energy Diagnostic Services, Inc. to Rick Diaz, acknowledging receipt of Mr. Diaz's letter of January 17, 2002.

August 19, 2002, letter from Rosemary Pond, Office Manager, Reddy Ice requesting sewer rate adjustment from October 1999 to July 2000 crediting for sewer charges of approximately \$37,000.

October 8, 2002, letter from Rick Diaz to Rosemary Pond, Office Manager, Reddy Ice explaining that the original account was in the name of the landlord, Clear Channel Real Estate. When Reddy Ice agreed to place the service into their name, the Commercial Non-irrigation rate ("Z" rate) was made available to them. Previously water credit was adjusted to the account (between Commercial 1.5-inch diameter rate and Commercial Non-Irrigation 1.5-inch diameter rate) for August 2000 through November 2000. No further credit for sewer service was granted.

All credits duly applicable to Reddy Ice based upon the facts of the situation as outlined above have been made to Reddy Ice. No further credits are warranted due to the circumstances of the matter.

Attachments: Background Documents



11-17-99

From: Terry Kelley  
To: Swift, Jim  
Date: 11/17/99 2:31PM  
Subject: READY ICE @ 13320 METRO PKWY

768-6841

Reply requested when convenient

JIM

POW

ROSEMARY FROM READY ICE CALLED THIS AM BECAUSE OF HIGH BILL. WOULD LIKE A WAY TO RECV CREDIT FOR WATER USED IN THE PRODUCTION OF THE ICE THAT DOES NOT GO INTO THE SEWER SYSTEM. I EXPLAINED WE WOULD PROBABLY HAVE TO HAVE A SECOND METER INSTALLED FOR THE PRODUCTION BUT WOULD NEED EVIDENCE OF WHAT ACTUALLY GOES INTO THE SEWER SYSTEM. ALSO WHAT HAPPENS TO THE EXCESS OR ICE CHIPS ETC FROM THIS PRODUCTION? DOES IT GO DOWN DRAINS & ULTIMATELY INTO THE SEWER SYSTEM? WOULD YOU BE ABLE TO VISIT THE SITE & MAKE SOME RECOMMENDATIONS ON WHAT NEEDS TO BE DONE?

IF YOU HAVE ANY QUESTIONS, I'M AT ROSA'S DESK DOWNSTAIRS FOR THE NEXT COUPLE OF WEEKS.

THANX

TERRY

[See attached 11-8 & 11-9 calls]

MONDAY 12-6  
1:30



PACKAGED ICE, INC.

Jack Benitez  
Plant Manager

P

13320 Metro Parkway  
Ft. Myers, Florida 33912

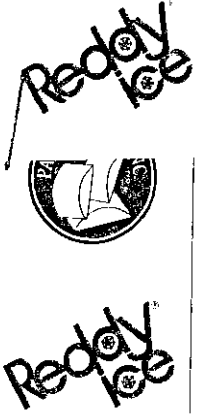
(941) 768-6037  
Fax: (941) 768-5506

Rosemary Pond  
Office Manager

13320 Metro Parkway  
Ft. Meyers, Florida 33912

(941) 768-6841  
Fax: (941) 768-5506  
(800) 395-6760

Handwritten notes: Rosemary Pond, 12-6, 1:30, Z.M.O.





Path Account 27206 Name CLEAR CHANNEL REAL ESTATE

UC List/Acct # | UC Acct Info | UC Comment Entr | Letter Select | UC Def/Response | UC Comment Hist

Contact Number 499777 Contact Type BILL Bill -Service Chg Inquiry

Print Date [ ] Print Amount [ ]  
 Print Comment 1 [ ]  
 Print Comment 2 [ ]  
 Print Comment 3 [ ]

Comment Lines	Type	
CUSTOMER QUESTION ABOUT BEING CHARGE FOR SEWER AND THEY USE	C	-
MOST OF THE WATER FOR MAKING ICE. EXPLAIN LCU CAN NOT MEASURE	C	
THE AMOUNT OF WATER USE FOR ICE AND AMOUNT GOES INTO THE SEWER	C	
FOR OTHER USE TOILETS, JAN WILL CALL CUSTOMER BACK. NAME IS	C	
MS. POND @766-6841.	C	
11/8/99 3:15 TALKED TO ROSEMARY POND. TELEPHONE WAS ANSWERED AS	C	
"READY ICE". (REAL ESTATE COMPANY OWNS, READY ICE IS TENANT)	C	
HAVE JUST STARTED PRODUCING ICE. CAN ANYONE GIVE THEM SEWER RATE	C	-
AT A FLAT CHARGE, OR AT AN ESTIMATED USAGE. DOESN'T WANT TO PAY	C	+

Investigate Fold/Unfold

OK Cancel

11/8/99

PAGE 182



Path Account 27206 Name CLEAR CHANNEL REAL ESTATE

UC List/Acct # | UC Acct Info | UC Comment Entr | Letter Select | UC Def/Response | UC Comment Hist

Contact Number 499777 Contact Type BILL Bill -Service Chg Inquiry

Print Date Print Amount

Print Comment 1

Print Comment 2

Print Comment 3

Comment Lines	Type
SEWER IF HAVEN'T USED IT. WILL REFER TO CAROLYN AND EITHER HAVE	C
HER CALL CUSTOMER OR I WILL CALL CUSTOMER BACK. JAN	C

Investigate Fgld/Unfold

7-25 USE ONLY

OK Cancel

File Edit Functions Go Path Help



Path  Account 27206 Name CLEAR CHANNEL REAL ESTATE

UC List/Acct # | UC Acct Info | UC Comment Entr | Letter Select | UC Def/Response | UC Comment Hist

Contact Number 500035 Contact Type BILL: Bill -Service Chg Inquiry  
 Print Date  Print Amount   
 Print Comment 1   
 Print Comment 2   
 Print Comment 3

Comment Lines	Type
PLEASE SEE PREVIOUS TELEPHONE CONVERSATION REGARDING BILL INQUIRY ON 11-8-99.	C
11-15-99 CUSTOMER CALLED BACK ASKING FOR RETURN CALL FROM ENGINEERING. REFERRED TO CAROLYN.	C
Talked to customer about a separate meter for this ice usage. Referred her to Engineering to get prices for new meter, etc. 11/15/99	C

Investigate Fold/Unfold

OK Cancel

E-CIS V55F1A03

11/9/99



Terry Kelley - READY ICE, 13320 Metro Pkwy.

Page 1

12-16-99

From: Jim Swift  
To: Kelley, Terry; Silcox, Rosa  
Date: 12/16/99 4:33PM  
Subject: READY ICE, 13320 Metro Pkwy.

Terry / Rosa,

Could you provide me with water use records (by January 6, 2000) for the Ready Ice business from the time they opened for business approximately 6 months ago.

FYI - We are investigating for Ready Ice management the possibility of providing a separate meter for their bathrooms, etc. to reduce their high sewer use charges. Practically all of the water used at the facility goes out as bags of ice and very little water goes into the County sewer.

The building is where the old Daniels Food Company use to be. Complicating the issue of separating water use in the facility is that Ready Ice is occupying only half of the building. The front of the building is vacant and will not be part of the ice making business. Some extensive piping changes are probably going to be needed and then a total of 3 meters would be required at the facility.

Thanks.  
Jim

CC: Hill, Thomas

Jim -  
As Requested  
Terry 12/17/99

1-27-00



**DEPARTMENT OF PUBLIC WORKS  
ENVIRONMENTAL SERVICES  
1500 Monroe Street  
Third Floor  
Fort Myers, FL 33901**

PHONE NUMBER (941) 479-8181

FAX NUMBERS:  
UTILITIES (941) 479-8176  
SOLID WASTE (941) 479-8119  
NATURAL RESOURCES (941) 479-8108

TO: John Palatta – Pretreatment Officer FAX NO.: 278-7300  
FROM: Jim Swift – Utilities Manager, Water PHONE NUMBER: 479-8149  
DATE: January 27, 2000 NO. OF PAGES: 10  
INCLUDING THIS ONE

SUBJECT: Pretreatment Survey – Ready Ice

**SPECIAL INSTRUCTIONS/MESSAGE:**

Included with this fax are copies of a letter and pretreatment survey form from Ready Ice. Following your review of the documents, Kevin Koehler and I would like for you to accompany us to the site for a facility inspection. Please call me at 479-8149 so we can schedule a time to meet. Thanks.



Reddy  
Ice

PACKAGED ICE, INC.

1-24-00

Lee County Utilities  
Attn: Kevin Koehler  
2172 McGregor Blvd  
Ft. Myers, Fl 33902-2737

January 24, 2000

Dear Mr. Koehler:

Enclosed is the Industrial Wastewater Questionnaire from filled out by the plant manager at Reddy Ice Corporation.

We have been working with Mr. Swift of your company in an effort to get the sewer usage charges adjusted due to the fact that the water used in our facility is turned into a finished product, ice, and not processed by the county sewer system. The invoices bill the sewer usage based on the amount of water used, and that is not the case with our plant. This only became a problem when we actually got the plant into operation and began producing ice here in September 1999.

We will be awaiting a call from someone in your company to take this investigation on to the next step.

If you have any questions at this time, please contact our plant manager, Mr. Jack Benitez or myself.

Sincerely,

Rosemary Pond  
Office Manager

RECEIVED

JAN 26 2000

ENVIRONMENTAL SERVICES  
THIRD FLOOR

# CITY of FORT MYERS / LEE COUNTY UTILITIES WASTEWATER TREATMENT PROGRAM

## INDUSTRIAL WASTEWATER QUESTIONNAIRE

### SECTION A. GENERAL INFORMATION

1. Company Name: REDDY ICE CO.
2. Mailing Address: 13320 METRO PKWY FT MYER FL.  
33912.
3. Premise Address: SAME.
4. Name, title and telephone number of person authorized to represent this firm in official dealings with the City of Fort Myers/Lee County Utilities.  
Name: JACK BENITEZ  
Title: PLANT MANAGER. Telephone 768-6841
5. Alternate person to contact.  
Name ROSEMARY POND.  
Title OFFICE MANAGER. Telephone 768-6841
6. Identify the type of business conducted ( auto repair, machine shop, electroplating, meat packing, warehousing, etc.)  
ICE MANUFACTURING AND DISTRIBUTION.
7. SIC Code (Standard Industrial Classification Number) for your facilities:  
1 0 0 5 additional code:

This is to be signed by an official of your firm after adequate completion of this form and review by the signing official. Information provided in this questionnaire shall be available to the public without restriction.

I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware there are penalties for submitting false information.

1-14-00  
Date

Jack Benitez  
Signature (Seal, if applicable)

SECTION B. PRODUCT OR SERVICE INFORMATION

Provide a brief narrative description of manufacturing or service activities at premises:

WE MANUFACTURE WAREHOUSE AND DISTRIBUTE  
ICE. WE USE THE CITY WATER TO PRODUCE OUR  
ICE AND BAG IT ON THE PREMISES.

SECTION C. PLANT OPERATION CHARACTERISTICS

1. Are major processes batch or continuous?

% Batch \_\_\_\_\_ % Continuous \*

Average number batches per 24 hour day: \_\_\_\_\_ Per year \_\_\_\_\_

2. Shift Information

a. Number shifts per work day 3

b. Number work days per week 6

c. Average number of employees per shift

1st 8 2nd 1 3rd 1 Total 10

d. Shift start times

1st 7 To 3:00 2nd 3 To 12:00 3rd 12 To 7

SECTION D. WATER CONSUMPTION AND LOSS

1. Raw water source (Utility) City, County, etc.): \_\_\_\_\_

2. List past twelve months water usage from water bills:

OLD Meter # 225-0640-003 Gallons 53,000 From March 3, 1999 TO Sept 8, 1999  
New Meter # 60180647 Gallons 35,380 From Sept 8, 1999 TO Dec 10, 1999

3. Wastewater system (City, County, Utility, or Septic): County

Is wastewater discharge just from bathrooms and sinks?  Yes  No

SECTION D (Continued)

4. List average volume of discharge or water loss due to the following:

	<u>Average gal. per day</u>
a. Municipal Sewer	_____
b. Storm Sewer	_____
c. Surface Water	_____
d. Groundwater	_____
e. Waste Haulers	_____
f. Evaporation	_____
g. Contained in product	_____
h. Other	_____

5. Are there any batch discharges to the sewer system? If yes, indicate the following:

Frequency \_\_\_\_\_

Volume \_\_\_\_\_

Chemical Constituents N/A \_\_\_\_\_

\_\_\_\_\_

6. Describe any wastewater treatment equipment or process in use:

N/A. \_\_\_\_\_

\_\_\_\_\_

7. Describe any raw water treatment process utilized:

N/A. \_\_\_\_\_

\_\_\_\_\_

SECTION E. WASTEWATER INFORMATION

1. If any wastewater analyses have been performed on the wastewater discharged from your facilities, attach a copy of the most recent data to this questionnaire. Be sure to include the date, the analysis, name of laboratory performing the analysis, and locations from which samples were taken (attach sketches, plans etc.).

- 
2. If your facility employs processes in any of the industrial, business, or institutional activities listed below and any of these processes generate wastewater or waste sludge, circle the appropriate activity.

Industrial Categories

Aluminum Forming  
Asbestos Manufacturing  
Battery Manufacturing  
Builder's Paper  
Carbon Black  
Cement Manufacturing  
Coil Coating  
Copper Forming  
Dairy Products Processing  
Electrical and Electronic Components  
Electroplating  
Feedlots  
Ferroalloy Manufacturing  
Fertilizer Manufacturing  
Fruits and Vegetables Processing  
Glass Manufacturing  
Grain Mills Manufacturing  
Ink Formulating  
Inorganic Chemicals  
Iron and Steel Manufacturing  
Leather Tanning and Finishing  
Meat Processing  
Metal Finishing  
Metal Molding and Casting  
Nonferrous Metals Manufacturing  
Paint Formulating  
Paving and Roofing (Tars and Asphalt)  
Pesticides  
Petroleum Refining  
Pharmaceuticals

Phosphate Manufacturing  
Photograph Processing (more than 1600 sf per day)  
Plastics Molding and Forming  
Porcelain Enameling  
Pulp and Paper  
Rubber Processing  
Seafood or Shrimp Processing (more than 2000 lb/ day)  
Soaps and Detergents Manufacturing  
Steam Electric  
Sugar Processing  
Timber Products Manufacturing  
Textile Mill

Business Categories

Dairy Products  
Slaughter/Meat Packing/Rendering (handling more than 6000 lbs per day)  
Food/Edible Products Processor  
Beverage Bottler

Institutional Category

Hospital

---

### 3. Priority Pollutant Information

Please circle the compounds in the table below you would expect to find in your wastewater discharged to the sewer. (See attached table of chemical uses.)

Acenaphthene	Ethylbenzene
Acrolein	Fluoranthene
Acrylonitrile	Haloethers
Aldrin/Dieldrin	Halomethanes
Antimony and compounds	Heptachlor and metabolites
Arsenic and compounds	Hexachlorobutadiene
Asbestos	Hexachlorocyclopentadiene
Benzene	Hexachlorocyclohexane
Benzidine	Isophorone
Beryllium and compounds	Lead and compounds
Cadmium and compounds	Mercury and compounds
Carbon Tetrachloride	Naphthalene
Chlordane	Nickel and compounds
Chlorinated benzenes	Nitrobenzene
Chlorinated ethanes	Nitrophenols
Chloroalkyl ethers	Nitrosamines
Chlorinated naphthalene	Pentachlorophenol
Chlorinated phenols	Phenol
Chloroform	Phthalate esters
2-chlorophenol	Polychlorinated biphenyls (PCB)
Chromium and compounds	Polynuclear aromatic hydrocarbons
Copper and compounds	Selenium and compounds
Cyanides	Silver and compounds
DDT and metabolites	2,3,7,8,-Tetrachlorodibenzo-p-dioxin (TCDD)
Dichlorobenzenes	Tetrachloroethylene
Dichlorobenzidine	Thallium and compounds
Dichloroethylenes	Toluene
2, 4-dichlorophenol	Toxaphene
Dichloropropane & Dichloropropene	Trichloroethylene
2, 4-dimethylphenol	Vinyl chloride
Dinitrotoluene	Zinc and compounds
Diphenylhydrazine	
Endosulfan and metabolites	
Endrin and metabolites	



---

4. Pretreatment devices or processes used for treating wastewater sludge (circle all that are appropriate). Where underlined provide type of device or process.

Air Flotation

Centrifuge

Chemical Precipitation

chlorination

Cyclone

Filtration

Flow Equalization

Grease or Oil Separation \_\_\_\_\_

Grease Trap

Grit Removal

Ion Exchange

Neutralization, pH correction

Ozonation

Reverse osmosis

Screen

Sedimentation

Septic tank

Solvent Separation

Spill Protection

Sump

Biological Treatment \_\_\_\_\_

Rainwater Diversion/Storage \_\_\_\_\_

Other Chemical Treatment \_\_\_\_\_

Other Physical Treatment \_\_\_\_\_

Other \_\_\_\_\_

No Pretreatment Provided

For the above underlined process wastes, does your company practice:

( ) on-site storage      ( ) off-site storage

( ) on-site disposal      ( ) off-site disposal

Briefly describe the method(s) of storage or disposal checked above: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

## TABLE OF CHEMICAL USES

Acenaphthene - Dye intermediate; pharmaceuticals; insecticide; fungicide; plastics

Acrolein - Intermediate for polyurethane and polyester resins, and pharmaceuticals; herbicide; teargas.

Acrylonitrile - Acrylic fibers

Aldrin/Dieldrin - Insecticide

Antimony and compounds - Storage batteries; cable sheaths; bearing metal; solder; semicond. Tech.

Arsenic and compounds - Alloying additive for metals; semiconductors; medicine; insecticides; dyeing; paint pigments; leather industry; wood treating; glass making.

Asbestos - Fireproof fabrics; brake lining; gaskets.

Benzene - Styrene; synthetic detergents; insecticides; paint remover; rubber cement.

Benzidine - Congo red dye; stiffening agent in rubber compounding.

Beryllium and compounds - Special windows for x-ray tubes; electron tubes;.

Cadmium and compounds - Coatings on metals; electrical equipment; solar and storage batteries; power transmission wire; photography; dyeing and printing textiles.

Carbon Tetrachloride - Refrigerants and propellants; metal degreaser; agricultural fumigant.

Chlordane - Insecticide

Chlorinated benzenes - DDT; pharmaceuticals; solvent.

Chlorinated ethanes

Chloroalkyl ethers

Chlorinated naphthalene - Plastics; solvent; mineral and vegetable oils; varnish.

Chlorinated phenols - Solvent; Intermediate in dyes and drugs; fungicide.

Chloroform - Fluorocarbon refrigerants and propellants; solvents.

2-chlorophenol - Organic synthesis

Chromium and compounds - plating on metals for corrosion resistance; automotive; recording tapes; tanning; photography baths.

Copper and compounds - Wiring; plumbing; switches; cooking utensils; paint pigments; mildew preventive;

Cyanides - Electroplating; cleaning metals, insecticide; fumigation.

DDT and metabolites - insecticide.

Dichlorobenzenes - Insecticide; fumigant; solvent; degreaser; metal polisher.

Dichlorobenzidine - Intermediate for dyes and pigments.

Dichloroethylenes - Solvent for organics, dye extraction; lacquers.

2, 4-dichlorophenol - Organic synthesis

Dichloropropane & Dichloropropene - Antiknock fluids; solvents; spotting agent; organic synthesis; soil fumigant.

2, 4-dimethylphenol (xylenol) - Disinfectant; solvent pharmaceutical; additive to lubricant and gasoline.

Dinitrotoluene - Organic synthesis; explosives; dyes

Diphenylhydrazine -

Endosulfan and metabolites - Insecticide.

Endrin and metabolites - Insecticide.

Ethylbenzene - Intermediate in styrene production; solvent.

Fluoranthene - Coal tar.

---

Haloethers

Halomethanes

Heptachlor and metabolites - Insecticide.

Hexachlorobutadiene - Solvent; hydraulic fluid.

Hexachlorocyclopentadiene - Intermediate for resins, dyes, pesticides, pharmaceuticals.

Hexachlorocyclohexane

Isophorone - In solvent mixtures for finishes; for polyvinyl resins; pesticides.

Lead and compounds - Storage batteries; sheet and pipe; solder; paint base; staining glass; ceramics; varnish; paint drier; putty; curing agent.

Mercury and compounds - Electric switches; chlorine & caustic production; vapor lamps; thermometers; medicine; batteries; photography.

Naphthalene - Moth repellent; fungicide; lubricant; synthetic resin & tanning; preservative; solvent.

Nickel and compounds - Alloys; electroplated coatings; storage batteries; ceramics.

Nitrobenzene - solvent for ethers; metal and shoe polishes.

Nitrophenols - Indicator; intermediate in organic synthesis.

Nitrosamines

Pentachlorophenol - Fungicide, algicide; herbicide; wood preservative (telephone poles; pilings).

Phenol - epoxy resins; dyes.

Phthalate esters

Polychlorinated biphenyls (PCB) - Insulating fluid in electrical equipment

Polynuclear aromatic hydrocarbons

Selenium and compounds - Electronics; rectifiers; relays.

Silver and compounds - Photographic chemicals; water distillation; mirrors batteries; table cutlery; jewelry; medicine.

2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

Tetrachloroethylene - Dry-cleaning solvent; drying agent for metals.

Thallium and compounds - Medicine; catalyst; Analysis.

Toluene - High octane blending for gasoline; solvent for paints, resins; thinner; adhesive solvent for plastics; dyes

Toxaphene - Insecticide

Trichloroethylene - Solvent for oils, fats waxes; refrigerant; anesthetic.

Vinyl chloride - PVC; adhesives for plastics

Zinc and compounds - Galvanizing iron; electroplating; auto parts; fuses; batteries; roofing gutters; engravers plates cable wrappings.

MEMORANDUM  
FROM  
ENVIRONMENTAL SERVICES DEPARTMENT  
UTILITIES DIVISION

2-17-00

DATE: February 17, 2000

TO: Glenn Greer

FROM: Jim Swift

SUBJECT: **READY ICE - SEWER USE CHARGES**

Ready Ice (Packaged Ice, Inc.) management has asked LCU to provide for reduced monthly sewer charges at their Metro Parkway facility. They rightfully contend that the potable water used at the facility is primarily for the production of ice that is shipped offsite to various retail establishments. They currently are using over a million gallons a month and only a small portion of the water is actually going into the County sewer system.

John Palatta, Pretreatment Officer for the City of Fort Myers, performed an inspection of the Ready Ice facility with Tom Hill and me on 2/15/00. Mr. Palatta noted only some unacceptable floor drains that need to be plugged. He will be providing a copy of his inspection report to LCU. Observations pertaining to water use at the facility are as follows:

The building is currently served with one (1 1/2") meter and a fire line. The water service will require backflow prevention.

Four restrooms (2 men, 2 women) are connected to the building's potable water service. Ready Ice is leasing only the rear half of the building with two of the restrooms. A separate meter is needed for the front portion of the building.

Excess snow/ice from ice production is moved by conveyer and is stored in a tank behind the facility. Water from the melted ice in the tank is used for the cooling tower unit on top of the building. This "pre-chill" tank appears to remain full and continually overflows into the facility drains which then flows into the County sewer system.

Ice dropped or spilled from the ice production equipment and during the bagging of ice melts and goes into the floor drains and flows into the County sewer system.

Although not visible from piping during this inspection, condensation from the ice production equipment drains into the County sewer system.

Possible considerations to reduce Ready Ice sewer charges:

Install two new water meters for the building's restrooms. Re-pipe the potable water lines to the restrooms providing separate meters for both the front and rear restrooms.

Utilize the existing (1 1/2") meter for ice production as a "water only account" without sewer charges.

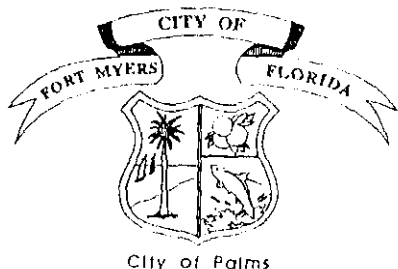
Plug all of the facility floor drains and (except for restrooms) plug or disconnect all on-site sewer lines connected the County sewer system.

Require Ready Ice to handle all excess waste water from ice production on site. Possible disposal methods, subject to regulatory agencies' approval, include but are not necessarily limited to:

- Providing onsite storage and utilizing the excess water for lawn sprinkling.
- Installing a septic tank and/or drain field for the excess water.
- Piping the excess water to the on site retention ponds.
- Installing a well for disposing of the excess water.

Following your review and comment on the findings and recommendations, we can present Ready Ice management options for further action.

cc: Jo Ann Greenwell  
Tom Hill



City of Palms

2-22-00  
*City of Fort Myers, Florida*

P.O. Drawer 2217  
Fort Myers, FL 33902-2217

\*  
**\*NOTICE OF VIOLATION\***

IN THE MATTER OF:

INDUSTRY: **REDDY ICE CO.**  
ADDRESS: 13320 Metro Parkway  
Fort Myers, FL. 33912  
Mr. Jack Benitez, Plant Mgr.

**\*\*\* LEGAL AUTHORITY \*\*\***

In accordance with the City of Fort Myers' Sewer Use Ordinance #2613 and Lee County's Sewer Use Ordinance #98-20, you are hereby notified that the above described property is in violation of Section 26-114 of City Ordinance #2613. Findings are made and notice issued pursuant to the authority vested in the PUBLIC WORKS DIRECTOR.

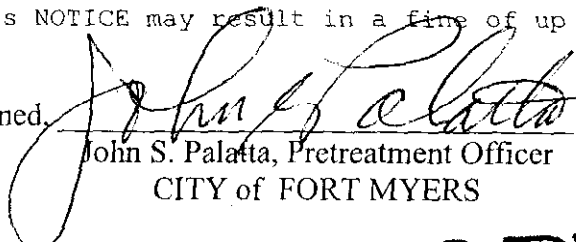
**FINDINGS**

1. The City of Fort Myers is charged with construction, maintenance and control of the City's sewer system and its Wastewater Treatment Facilities.
2. To protect the sewer system and Wastewater Treatment Facilities, the City of Fort Myers administers a industrial pretreatment program.
3. Upon inspection of this facility's engine room, it has been determined that a violation and a potential hazard exists.

**VIOLATION: Compressor engines, oil feeds and oil drums are within a few feet of several floor drains which discharge into sanitary sewer. Corrective action must be taken to prevent an accidental discharge of lubricants/oils from entering any of the floor drains.**

THEREFORE, BASED ON THE ABOVE FINDINGS, IS HEREBY NOTIFIED THAT:

4. This facility is in violation of the City of Fort Myers' Industrial Pretreatment Ordinance 2613, Section 26-114.b & Section 26-113.4,5,6,7.
5. This facility has **10 days** to respond in writing/telephone, stating what **corrective action** will be taken. Pretreatment office: 941-278-7266.
6. **Failure to comply** with this NOTICE may result in a fine of up to \$1,000.00 per/day.

Signed,  Date: 02/22/00  
John S. Palatta, Pretreatment Officer  
CITY of FORT MYERS

**COPY**

5-9-00



# LEE COUNTY

## SOUTHWEST FLORIDA

### DEPARTMENT OF PUBLIC WORKS ENVIRONMENTAL SERVICES

1500 Monroe Street  
Third Floor  
Fort Myers, FL 33901

PHONE NUMBER (941) 479-8181

FAX NUMBERS:  
UTILITIES (941) 479-8176  
SOLID WASTE (941) 479-8119  
NATURAL RESOURCES (941) 479-8108

TO: Gary Maier – Director, DOH FAX NO.: 939-4038  
FROM: Jim Swift – Utilities Manager PHONE NUMBER: 479-8149  
DATE: May 9, 2000 NO. OF PAGES: 4  
INCLUDING THIS ONE  
SUBJECT: Reddy Ice – Water / Sewer use

SPECIAL INSTRUCTIONS/MESSAGE:

Please review the letter included with this fax to determine if your office would require involvement in addressing issues pertaining to water and sewer use at the Reddy Ice facility. Thank you.

PLEASE CONTACT THIS OFFICE IMMEDIATELY IF TRANSMITTAL IS NOT RECEIVED PROPERLY. THANK YOU.



LEE COUNTY  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

5-2-00

(941) 479-8181

Writer's Direct Dial Number: \_\_\_\_\_

John E. Manning  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

May 2, 2000

Jack Benitez, Plant Manager  
Packaged Ice, Inc.  
13320 Metro Parkway  
Fort Myers, Fl. 33912

**SUBJECT: WATER/SEWER USE CHARGES**

Dear Mr. Benitez:

You had requested consideration for a reduction in sewer charges based on water use for your ice production facility. It is understood that most of the metered water used at the facility is made into ice and transported off-site with only a portion of the water going into the County sewer system.

Lee County Utilities staff, along with City of Fort Myers Pretreatment staff, performed a general inspection and evaluation of the ice production facility. The purpose was to determine how the potable water is used at the facility and the feasibility of separating water used for ice production from what actually goes into the County sewer system. The following are observations from the Packaged Ice (Reddy Ice) facility inspection:

- The building is currently served with one (1 1/2") meter and a fire line. The water service will require backflow prevention.
- Four restrooms (2 men, 2 women) are connected to the building's potable water service. Reddy Ice is leasing only the rear half of the building with two of the restrooms. A separate water meter may be needed for the front portion of the building.
- A cooling tower at the rear of the building is indirectly supplied by metered water. A drain line from the cooling tower is supposedly connected to the County sewer system. It is our understanding that a cooling tower "blow down" is performed periodically releasing an unknown quantity of wastewater from the unit into the County sewer system.
- A "pre-chill" tank at the rear of the facility supplies cold water to the cooling tower. Excess snow/ice from ice production is moved by conveyer and stored in the tank. The tank appears to remain full with a considerable amount of water from the melted ice continually overflowing into the facility drain piping which then flows into the County sewer system.



Jack Benitez, Plant Manager  
May 2, 2000

- Floor drains in the facility appear to be connected to the County sewer system. Ice dropped or spilled from the ice production equipment and during the bagging of ice melts and goes into the floor drains and flows into the County sewer system.
- The ice production equipment is connected with drain piping. Although not visible during the inspection, condensation from the ice production equipment would appear to drain into the County sewer system.

All areas in the facility relating to water and sewer use must be considered. Although not meant as approved or required actions for addressing the facility water use issues, the following possibilities are included for your consideration:

1. Have two new water meters installed specifically for the building's restrooms. Re-pipe the potable water lines to the restrooms providing a separate meter for both the front and rear restrooms.
2. Utilize the existing (1 1/2") meter for ice production as a "water only account" without sewer use charges.
3. Except for restrooms, plug or disconnect all on-site facility drain lines connected to the County sewer system.
4. Disconnect the cooling tower drain line from the County sewer system or re-pipe to provide only metered water to the unit. Currently it appears there is no way of determining how much of the cooling tower water is continually or sporadically being allowed into the County sewer. Disconnecting the cooling tower drain from the County sewer system may not be feasible.
5. Reddy Ice would need to address how to handle all excess water from the ice production facility. Possible disposal methods (subject to regulatory agencies' approval) include but are not necessarily limited to:
  - Providing onsite storage utilizing any excess water for lawn sprinkling.
  - Installing a septic tank and/or drain field for the excess water.
  - Piping the excess water to the on site retention ponds.
  - Installing an injection well for disposing of the excess water.

Jack Benitez, Plant Manager  
May 2, 2000

Lee County Utilities is willing to consider allowing separate metered accounts for the Reddy Ice facility. Reddy Ice management must, however, provide a detailed plan in writing as to how the various facility water use issues are to be addressed. This would include demonstrating that no water from a newly established "water only account" would enter the County sewer system. Lee County Utilities will continue to work with you and your staff and provide assistance where possible to resolve the issues.

Thank you very much.

Sincerely,

**ENVIRONMENTAL SERVICES DEPARTMENT**



Jim Swift  
Utilities Manager  
Lee County Utilities

cc: A. Glenn Greer, P.E. Director  
Jo Ann Greenwell, Manager

5-15-00



Jeb Bush  
Governor

Robert G. Brooks, M.D.  
Secretary

May 15, 2000

Jack Benitez, Plant Manager  
Packaged Ice, Inc.  
13320 Metro Parkway  
Fort Myers, FL 33912

Reference: Proposed Changes to Water Use to Facilitate a Reduction in Sewer Charges

Dear Mr. Benitez:

It has come to the attention of the Lee County Health Department (LCHD) that your Packaged Ice (Reddy Ice) facility may be planning to alter its water system in order to facilitate a reduction in sewer charges.

A water system construction permit may be required from the LCHD prior to commencing construction or alteration.

Please provide a detailed plan in writing of any proposed changes to the water system so that the LCHD can determine whether a permit is required. The detailed plan should include drawings of the proposed work project which contain sufficient detail to clearly appraise the LCHD of the work to be undertaken.

Thank you for cooperating with the LCHD. If you have any questions, please call me at (941) 939-4245.

Sincerely,

Gary A. Maier, P.E.  
Director  
Environmental Engineering

cc: Jim Swift

6-15-00

**From:** Jim Swift  
**To:** Hill, Thomas  
**Date:** 6/15/00  
**Time:** 9:00AM - 10:00AM  
**Subject:** Building Plumbing Modifications  
**Place:** Reddy Ice - Metro Pkwy

Tom,

Please meet with Bob Stump of Sun-Tec Plumbing to review findings/plans for plumbing changes. See me prior to this meeting. Thanks.

Jim



PACKAGED ICE, INC.

6-22-00

Reddy  
Ice

To: Jim Swift  
Utilities Manager  
Lee County Environmental Services  
Utilities Division

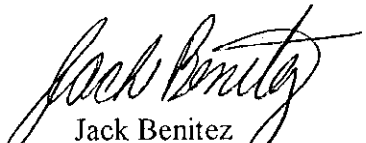
From: Jack Benitez Reddy Ice Corporation

Date: June 22, 2000

Dear Mr. Swift:

As per the plans that have been submitted on our behalf by Suntech Plumbing, we guarantee that all water to be sprinkled on our lawn is totally potable and contains no harmful chemicals or additives.

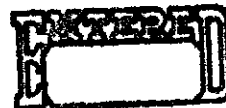
We thank you for your cooperation and look forward to proceeding with our project.

  
Jack Benitez  
Reddy Ice Corporation

RECEIVED

JUN 27 2000

ENVIRONMENTAL SERVICES  
THIRD FLOOR





6-22-00

Jeb Bush  
Governor

Robert G. Brooks, M.D.  
Secretary

June 22, 2000

Robert Stumpf  
Vice President  
Sun Tech Plumbing Inc.  
2738 Craig St., #2  
Fort Myers, FL 33905

Reference: Packaged Ice Facility (Reddy Ice) @ 13320 Metro Parkway, Fort Myers.

Dear Mr. Stumpf:

Thank you for meeting with me today to discuss the proposed alterations to the potable water system at the above referenced facility. It is our understanding that there will be two metered potable water service connections serving this facility, and that each service connection will have a reduced-pressure principle backflow-prevention assembly on it for premises isolation. It is also our understanding that air gaps will be used on all process equipment for internal protection.

Based upon current guidance, this project will not need a drinking water construction permit from the Lee County Health Department (LCHD). Our guidance may change in the future, so please do not extrapolate this decision to other future projects.

Although the LCHD is not requiring a drinking water construction permit for this project, you must ensure that the components are constructed in accordance with acceptable engineering principles as established in Rule 62-555.310 through .360, F.A.C. Also, prior to placing the components into service, you must ensure that all components required to be disinfected according to Chapter 62-555, F.A.C., (and AWWA disinfection standards incorporated by reference therein) are disinfected and bacteriologically tested with results showing the absence of total coliform organisms in two consecutive daily samples.

Please be aware that your proposed water discharge to the ground is an industrial discharge under the jurisdiction of the Florida Department of Environmental Protection (DEP). Please contact Tom Jackson or Charles Davault at DEP (941-332-6975) to obtain approval for your proposed industrial discharge. Thank you for working with the LCHD on this project. If you have any questions, please call me at (941) 939-4245.

Sincerely,

Gary A. Maier, P.E.  
Director  
Environmental Engineering

cc: ✓ Jim Swift, Lee County Utilities  
Jack Benitez, Packaged Ice, Inc  
Charles Davault, DEP  
Tom Jackson, DEP

RECEIVED

JUN 23 2000

ENTERED



LEE COUNTY HEALTH DEPARTMENT  
Judith Hartner, M.D., M.P.H.  
Director

REPLY TO: Environmental Engineering  
60 Danley Drive, Unit #1  
(941) 939-4245 Ft. Myers, Florida 33907



Reddy Ice

PACKAGED ICE,

7-5-00

APPROVED  
FOR M305A  
INSTALLATION  
7/6/00

To: Jim Swift  
Utilities Manager  
Lee County Environmental Services  
Utilities Division

From: Jack Benitez  
Reddy Ice Corporation

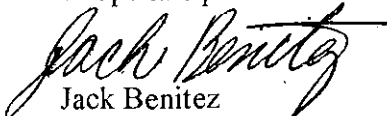
Date: July 5, 2000

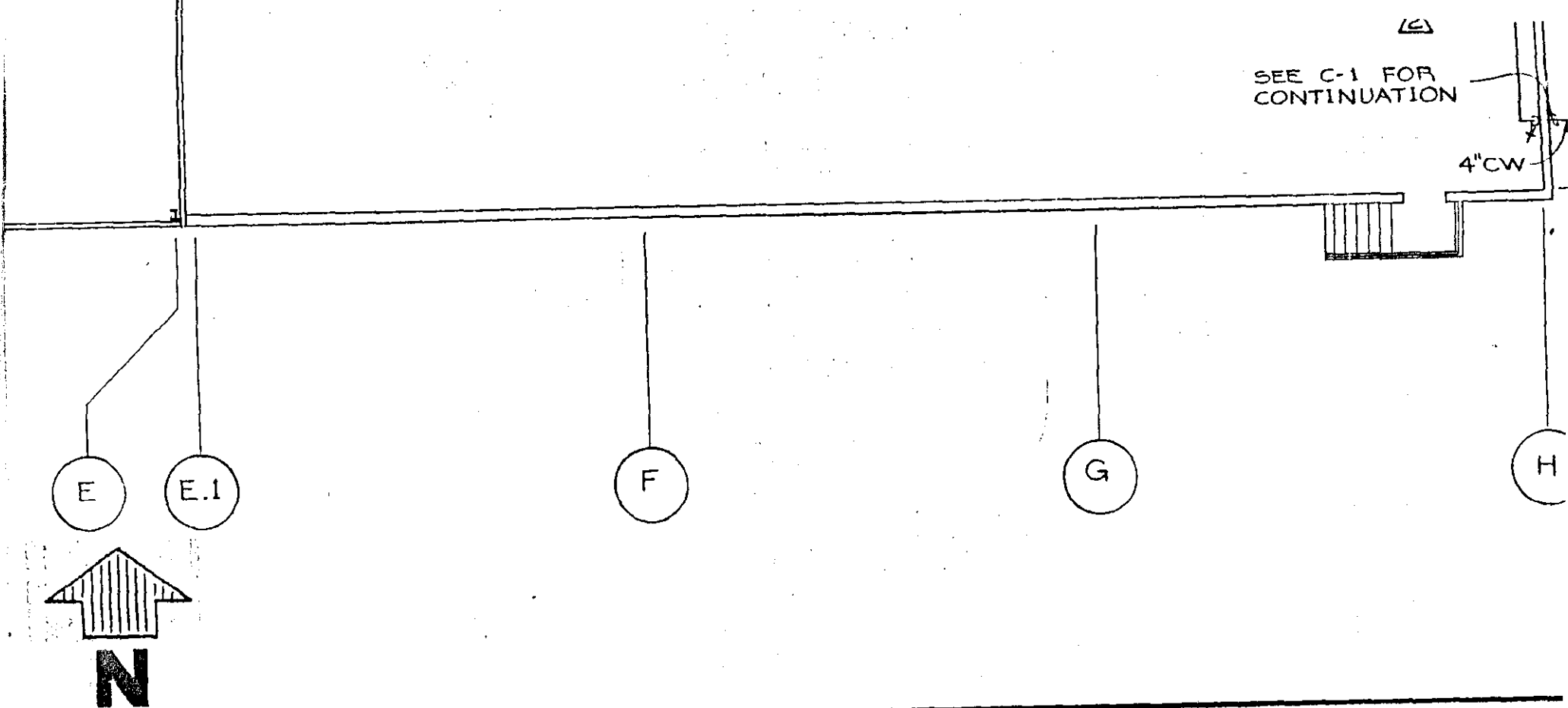
Dear Mr. Swift:

As per our conversations, we here at Reddy Ice along with Suntech Plumbing, would like to present our plan in order to eliminate all water other than that coming from our restrooms from entering the sewer system. Below we list items covered in our plan.

1. Install new 1 inch water line with meter and backflow protection in order to supply our restrooms, allowing you to monitor the amount of water going into the sewer system.
2. Installing new backflow protection on our existing water line and making it an ice production only line. No water from this line will go in the sewer system.
3. Cutting and capping off sewer line coming out of our drain lines in our humidity control room evaporators.
4. Disconnecting floor drains in packaging room and overflow line from condenser from the sewer system and connecting them to a 1100 gallon holding tank, also connected to sprinkler lines that will allow us to sprinkle the overflow water out on our lawn. All water used is potable and contains no contaminants or chemicals harmful to the environment.
5. All drains in the engine room will be capped so as to eliminate any water going into the sewer system.
6. Blow off water coming from the condenser, even though minimal, will be piped into a 500 gallon holding tank and will be pumped out off site by an independent service. We have not yet determined who the contractor will be. We will keep a running file of water transferred off site for your inspection.
7. We will maintain the lift station for the sewer system currently on site for your inspection.

I hope this plan will satisfy your requirements.

  
Jack Benitez  
Plant Manager



new facility  
**DANIELS FOODS**  
fort myers, florida

**PLUMBING PLAN**  
**WAREHOUSE**

COMPLETE PLAN w/ Jim Swift

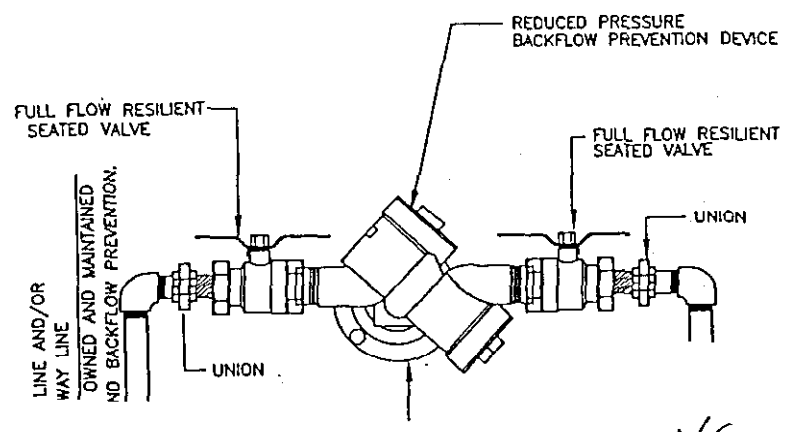
7-5-00



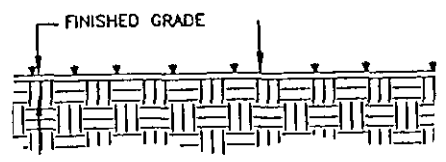
7-5-00

CUSTOMER OWNED/MAINTAINED  
BACKFLOW PREVENTION DEVICE 3/4" - 2"

TO  
REPAIR  
FOR  
SOLAR  
7/14/00



12" MIN.  
18" MAX.



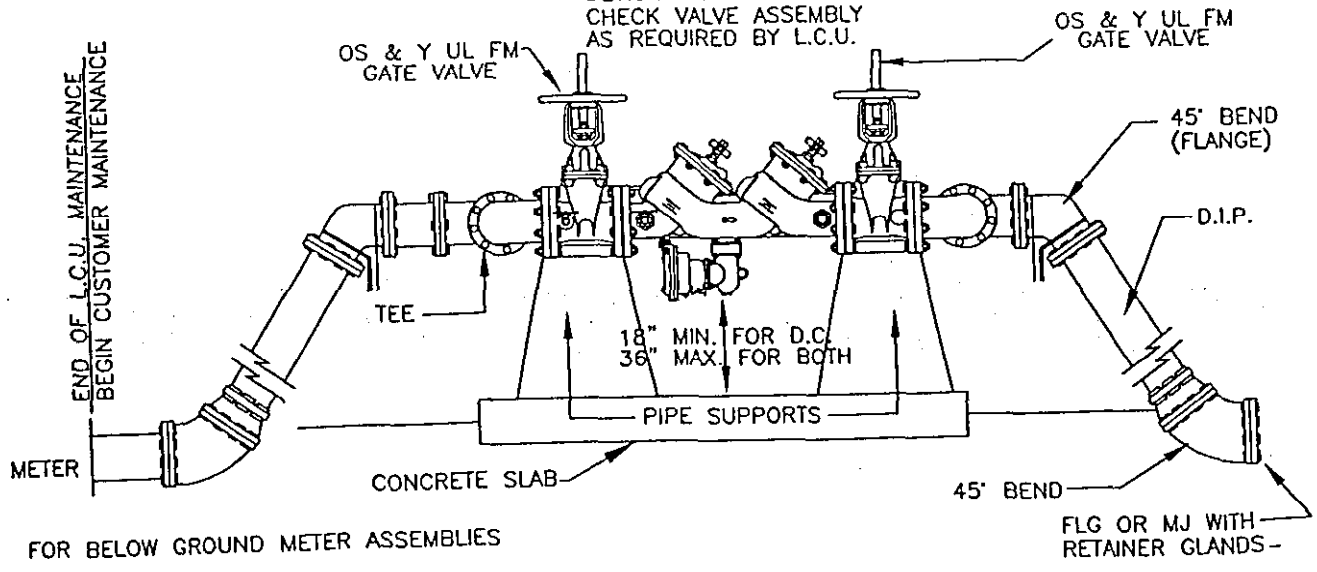
UNIONS, OPTIONAL  
ANNUAL DEVICE TESTING REQUIRED

1" meter  
INSTALLED  
7/13/00

Mr Bowman  
CALIFORNIA  
7/17/00  
TO HAVE 1/2  
ACCOUNT  
CHANGED TO  
WATSON BUCH

3" OR LARGER  
AND BACKFLOW PREVENTION

REDUCED PRESSURE  
BACKFLOW PREVENTION  
DEVICE OR DOUBLE  
CHECK VALVE ASSEMBLY  
AS REQUIRED BY L.C.U.



NOTE: IF UNINTERRUPTED SERVICE IS REQUIRED, A  
PARALLEL BACKFLOW PREVENTION DEVICE MAY BE  
INSTALLED, WITH TEES AND BENDS.

7-6.00

**From:** Jim Swift  
**To:** Whitman, Amy  
**Date:** 7/6/00 4:32PM  
**Subject:** Reddy Ice

Amy,

I left a check form Jack Benitez of Reddy Inc. at your desk. Assuming the amount is correct and all appropriate paperwork is in order, you may proceed with issuing a work order for an additional meter to be installed for Reddy Ice at 13320 Metro Pkwy.

After the new meter is installed and the plumbing work has been completed, we will be asked to change the existing 1-1/2 inch meter to a water only account. Before this existing account is changed, we will probably need to inspect the facility to ensure all required plumbing modifications have been completed.

If you need to speak with Mr. Benitez, his number is 768-6037.

Thanks.

Jim

**CC:** Silcox, Rosa

CUST 27206-2

40 LISA NEWCOMBE

13320 METRO PKWY  
FT MYERS FL  
33912

# Lee County Utilities Water/Sewer Service Fee Receipt

07/07/00

STRAP No.: 19-45-25-00-00002.001A

Type of Service Water

Case No.:LWS2000-00963

Owner Name: CLEAR CHANNEL REAL ESTATE INC

Owner Telephone: 768-6037

Owner Address:200 CONCORD PLAZA STE 600

Project Name:

Description: INSTALL 1" METER TAP IN

Job Address: 13320 METRO PKWY

Subdivision

Lot:

Block:

Contractor/Agent: CLEAR CHANNEL REAL ESTATE

Mailing Address: C/O LISA NEWCOMBE

13320 METRO PKWY

FT MYERS, FL 33912

Directions

**Fees:**

Tap-In Meter Size 1"	\$455.00
Water Connection Meter 1"	\$2,550.00
Water Dep. Com. Meter 1"	\$115.00
<b>Total Fee Amount:</b>	<b>\$3,120.00</b>
<b>Total Amount Paid:</b>	<b>\$3,120.00</b>
<b>Total Amount Due</b>	<b>0.00</b>

TO GUARANTEE THE PAYMENT OF ANY AND ALL INDEBTEDNESS FOR WATER AND/OR SEWER SERVICES WHICH MAY BE OR BECOME DUE TO UTILITIES DEPARTMENT (HEREINAFTER CALLED THE DEPARTMENT) BY SAID CUSTOMER. CUSTOMER AGREES THAT SUCH DEPOSIT OR ANY PART THEREOF MAY BE APPLIED BY THE DEPARTMENT AT ANY TIME IN SATISFACTION OF SAID GUARANTEE. THAT AFTER SUCH APPLICATION THE REMAINDER THEREOF MAY BE APPLIED IN DISCHARGE OF ANY INDEBTEDNESS OF THE CUSTOMER TO THE DEPARTMENT WHATSOEVER AND THAT THE DEPARTMENT MAY USE SAID DEPOSITS AS IF THE DEPARTMENT WERE THE ABSOLUTE OWNER THEREOF, UPON DISCONTINUANCE OF ANY OR ALL SERVICES COVERED BY THIS DEPOSIT, AND THE PRESENTATION OF THIS RECEIPT AND PROPER IDENTIFICATION IF REQUIRED. THE DEPARTMENT AGREES TO REFUND TO THE CUSTOMER THAT PORTION OF THE DEPOSIT APPLYING TO THE SERVICE OR SERVICES DISCONTINUED, LESS ANY AMOUNTS THEN DUE THE DEPARTMENT.

THIS DEPOSIT SHALL NOT PRECLUDE THE DEPARTMENT FROM DISCONTINUING FOR NONPAYMENT ANY AND ALL SERVICES COVERED BY THIS DEPOSIT REGARDLESS OF THE SUFFICIENCY OF SAID DEPOSIT TO COVER SUCH INDEBTEDNESS FOR SUCH SERVICES.

RENDERING OF SERVICES COVERED BY THIS DEPOSIT RECEIPT IS SUBJECT TO CLEARANCE FROM OUR ENGINEERING AND ACCOUNT DEPARTMENTS.

1. I HEREBY REQUEST AND AUTHORIZE LEE COUNTY UTILITIES DEPARTMENT TO SUPPLY WATER AND/OR SEWER SERVICE TO THE ABOVE DESCRIBED PROPERTY UNTIL RECEIPT OF FORMAL NOTICE FROM ME REQUESTING DISCONTINUANCE OF SUCH WATER AND/OR SEWER SERVICE
2. I AGREE TO PROMPTLY PAY FOR SAID WATER AND/OR SEWER SERVICE AT THE RATES ESTABLISHED BY THE LEE COUNTY UTILITIES DEPARTMENT AND WITHIN THE TIME PERIODS DELINEATED IN THE DEPARTMENT OF LEE COUNTY UTILITIES OPERATIONS MANUAL.
3. I HEREBY AGREE TO ABIDE BY THE RULES AND REGULATIONS APPLICABLE TO SAID WATER AND/OR SEWER SERVICE AS DELINEATED IN THE DEPARTMENT OF LEE COUNTY UTILITIES OPERATIONS MANUAL.

Owner/Contractor: \_\_\_\_\_ Identification: \_\_\_\_\_

**Line Items:**

Case No	Tran Code	Description	Revenue Account No.	Amount Due
LWS2000-00963		Water Connection Meter 1"	GC5000048712.343300.9003	\$2,550.00
LWS2000-00963		Water Dep. Com. Meter 1"	48710.220010	\$115.00
LWS2000-00963		Tap-In Meter Size 1"	OD5360048700.343300.9002	\$455.00

**Payments:**

Method	Payer	Bank No	Acct Check No	Amount Paid
Check	PACKAGED ICE INC	4816	368631	\$3,120.00
<b>TOTAL AMOUNT PAID:</b>				<b>\$3,120.00</b>

**PACKAGED ICE, INC. & SUBSIDIARIES**  
 3535 Travis Street, Suite 170, LB 104  
 Dallas, TX 75204

368631

VENDOR NO.	DESCRIPTION	INVOICE NO.	INVOICE DATE	GROSS AMOUNT	DISCOUNT	NET AMOUNT
994207		15260	06/30/00	3,120.00	.00	3,120.00
PLEASE DETACH AND RETAIN FOR YOUR FILES						<b>CHECK AMOUNT</b> 3,120.00

**PACKAGED ICE, INC. & SUBSIDIARIES**  
 REDDY ICE CORPORATION  
 SOUTHERN BOTTLED WATER  
 CASSCO COLD STORAGE  
 3535 TRAVIS STREET, SUITE 170, LB 104  
 DALLAS, TX 75204

**BANK ONE**  
 BANK OF TEXAS N.A.  
 PORT ARTHUR TEXAS OFFICE  
 MEMBER FDIC  
 1-800-595-1111

PACKAGED ICE, INC. & SUBSIDIARIES  
 VOID AFTER 60 DAYS

BY *Bill*

NOT VALID IN EXCESS OF \$400.00 PER CHECK. COUNTERSIGNED BY AUTHORIZED OFFICER.

368631  
 368631

06/30/00

**CHECK AMOUNT**  
 XXX,120.00

PAY THREE THOUSAND ONE HUNDRED TWENTY DOLLARS 00 CENTS

TO THE ORDER OF  
 PUBLIC WORKS ENVIRO SERVICES DEP  
 1500 MONROE ST FIRST FLOOR  
 FORT MEYERS FL 33901

⑈368631⑈ ⑆113101401⑆ ⑈9320004816⑈

7-6-00



7-6-00

**PUBLIC WORKS  
ENVIRONMENTAL SERVICES DEPARTMENT  
UTILITIES DIVISION - CUSTOMER SERVICE SECTION  
(941) 479-8160**

**QUOTE**

**CUSTOMER NAME:** READY - ICE

**PROJECT NAME:** NA

**STRAP NUMBER:** 19-45-25-00-00002.001A

**SERVICE LOCATION:** 13320 METRO PARKWAY

**DESCRIPTION OF SERVICE:** WATER 1" METER

**AMOUNT DUE:** \$3,120.00 (See breakdown below)

<b>Water Deposit</b>	<b>\$ 115.00</b>
<b>Water Tap In Fee</b>	<b>455.00</b>
<b>Water Connection Fee</b>	<b>2,550.00</b>

**REMIT PAYMENT TO:** **LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
PUBLIC WORKS/ENVIRONMENTAL SVC DEPT.  
UTILITIES DIV./ CUST. SVC. - AMY WHITMAN  
1500 MONROE ST - FIRST FLOOR  
FORT MYERS, FL 33901  
(941) 479-8160**

**METER WILL NOT BE INSTALLED UNTIL REQUESTED LETTER IS RECEIVED AND APPROVED BY MR. SWIFT.**

7-6-00

COPY

\* \* \* \* LEE COUNTY E-CIS \* \* \* \*  
Service Order

\*\* DUPLICATE COPY \*\* Service Order # 32612  
Service Order Type NI

Account Information

Service Order Information

Account # 51448-9  
  
Premises # 51000710579  
Point of Interest  
Name CLEAR CHANNEL REAL ESTATE  
C/O LISA NEWCOMBE  
13320 METRO PKWY  
FT MYERS FL 33912  
  
Call Back Phone #  
Phone Number  
Business Phone 768-6037

New Install - Activate W Only  
  
\* \* \* \* \*  
Crew Public Works Bldg - ENG -  
Scheduled 7/07/2000  
Time  
Taken By ROSA  
Date 7/07/2000  
Time 8:59:33  
Req by JIM SWIFT FOR REDDY ICE  
Other

Premises Information

Service Address 13320 METRO PKWY 1" MR, FT MYERS, FL  
Additional Desc  
Route 2250 Stop Premises Type Pending - New Installation

\* \* \* New Connect SERVICE ORDER \* \* \*

Current Read Date \_\_\_\_\_

Meter Information Meter # Serial #  
MFG \_\_\_\_\_ Mult \_\_\_\_\_ Type \_\_\_\_\_ Size \_\_\_\_\_ Dials \_\_\_\_\_ Install \_\_\_\_\_

Comment

INSTALL 1" METER TAP IN  
ATTN DISTRIBUTION: PLEASE NOTIFY LCU (AMY WHITMAN/JIM SWIFT)  
WHEN METER IS INSTALLED. IF POSSIBLE, PLEASE FAX COMPLETED  
W/O AS WELL. FAX NUMBER 479-8399  
CONTACT PERSON AT REDDY ICE MR. BENITEZ 768-6037

Start Date \_\_\_\_\_ Time \_\_\_\_\_

Completed by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Keyed \_\_\_\_\_

Dec 2000

PAPERWORK BROUGHT TO DECEMBER 2000 MEETING BY JACK BENETIZ,  
MANAGER-REDDY ICE, INC.





# PACKAGED ICE, INC.

**JB**



1 cubic ft. = 7.48 gallons

## Tampa

1.30 per 100 cubic ft.  
1.73 per 1000 gallons

## Jacksonville

2.45 per 100 cubic ft.  
3.34 per 1000 gallons

## New Smyrna

1<sup>st</sup> 50,000 gallons 1.05 per 1000 gallons  
2<sup>nd</sup> 50,000 gallons 1.25 per 1000 gallons  
over 100,000 gallons 1.70 per 1000 gallons

## Ft. Myers

1<sup>st</sup> 30,000 gallons 2.18 per 1000 gallons  
2<sup>nd</sup> 30,000 gallons 2.68 per 1000 gallons  
3<sup>rd</sup> 30,000 gallons 3.18 per 1000 gallons  
over 4.18 per 1000 gallons

## Davie

1.37 per 1000 gallons

\* DUPLICATE BILL \*



**LEE COUNTY UTILITIES**

P O BOX 2737  
FORT MYERS FL  
33902-2737  
(941) 338-3535

**JB**

**Account Number: 0027206-2 Please pay by Nov 06, 2000**

**\$4,184.60**

**CLEAR CHANNEL REAL ESTATE**

**Commercial**

**Service Address**

**Service from Sep 12 to Oct 10, 2000**

13320 METRO PKWY

**Billing Date Oct 23, 2000**

FT MYERS, FL

Meter Number	Rate Type	No of Days	New Meter Read	Last meter read	Multiplier	Usage
0060180647	C-1.5	28	16212	15171	1	1041

**Your meter was read On Oct 10, 2000**

<b>Previous Balance</b>	4,958.63
<b>Payments as of Oct 10, 2000</b>	-5,012.88
<b>Adjustments/Late Charges</b>	-9.18
<b>Unpaid previous bal.</b>	<b>-\$63.43</b>

**Your average cost of service during this period was \$151.72 per day.**

<b>Total charges:</b>	Water-Commercial	31.65
	Chgs in 1,000 Gal 30.00 x \$02.1800	65.40
	30.00 x \$02.6800	80.40
	30.00 x \$03.1800	95.40
	951.00 x \$04.1800	<u>3,975.18</u>

**Your past usage:**

Bill Month	Usage	No. of days	Use per day
Oct 00	1041.0028		37
Sep 00	1211.0036		34
Aug 00	1309.0026		50
Jul 00	3806.0034		112
Jun 00	3306.0028		118
May 00	3352.0034		99
Apr 00	2594.0029		89
Mar 00	1970.0029		68
Feb 00	1428.0030		48
Jan 00	1664.0031		54
Dec 99	1768.0032		55
Nov 99	2022.0031		65
Oct 99	3286.0030		110
Sep 99	106.0030		4

**Total Charges** 4,248.03

**Other charges**  
**Total other charges** .00

**Total Balance** \$4,184.60

**Please pay by Nov 06, 2000** \$4,184.60

I CERTIFY THE MERCHANDISE HEREON WAS RECEIVED IN QUANTITY SHOWN AND GOOD CONDITION. IT IS APPROVED FOR PAYMENT.

CHARGE ACCT. No. 300/338 205413

*[Signature]* 10-31-00

APPROVED DATE REC'D

Keep this portion for your records. Please see reverse for important information.

Please return this portion with your payment.



**LEE COUNTY UTILITIES**

P O BOX 2737  
FORT MYERS FL  
33902-2737  
(941) 338-3535

**Account Number: 0027206-2 Please pay by Nov 06, 2000**

**\$4,184.60**

Enter payment amount

4184.60



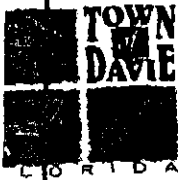
CLEAR CHANNEL REAL ESTATE  
C/O LISA NEWCOMBE  
13320 METRO PKWY  
FORT MYERS FL 33912-4703

**PAID**  
406975  
11-3-00

00272062 000000418460 000000418460

CK. NO. 406975  
DATE 11-3-00

**JB**



TOWN OF DAVIE  
 P.O. BOX 5917  
 DAVIE, FL 33310-5917

<b>ACCOUNT NUMBER</b>
9132-47316
<b>PAYMENT MUST BE RECEIVED BY DUE DATE TO AVOID LATE CHARGE</b>
<b>CURRENT CHARGES DUE DATE</b>
10/19/2000

<b>TOTAL BALANCE DUE</b>
3,850.60
<b>AMOUNT ENCLOSED</b>

REDDY ICE CORP  
 5050 SW 51 ST  
 DAVIE FL 33314-5758

<b>DISCONNECTION DATE FOR PAST DUE BALANCE</b>

Make check payable in U.S. funds to TOWN OF DAVIE  
 Please do not send cash through the mail. Entering your account number on your check or money order can insure correct handling.

9132473160000000000003850600

PLEASE TEAR HERE AND RETURN TOP PORTION OF BILL WITH YOUR PAYMENT.

ACCOUNT NUMBER	SERVICE ADDRESS	BILLING DATE	DUE DATE
9132-47316	5050 SW 51 PLANT ST	9/27/2000	10/19/2000

SUMMARY OF PREVIOUS CHARGES			
BILLED	DATE	LAST PAYMENT RECEIVED	AMOUNT
3,323.15	9/20/2000	3,323.15	.00

SUMMARY OF NEW CHARGES						
METER NUMBER	SERVICE USED	DATE	NO. OF DAYS	METER READING CURRENT	METER READING PREVIOUS	USAGE
53833615	8/15/2000	9/18/2000	34	44639	41949	2690

OFFICE LOCATED AT DAVIE TOWN HALL  
 6591 ORANGE DRIVE DAVIE, FL

NIGHT DEPOSIT LOCATED ON WEST SIDE OF TOWN HALL COMPLEX

FOR CUSTOMER SERVICE, CALL (954) 797-2050 MONDAY-FRIDAY 8:30 AM - 5:00 PM

FOR SERVICE PROBLEMS AFTER 5 PM WEEKDAYS, WEEKENDS & HOLIDAYS CALL (954) 433-4009

Water Base Charge 165.30  
 Water Usage 3,685.30

*Handwritten:* 2000/10/19  
 10.5.00  
 ACCT. No. 4061  
 APPROVED FOR PAYMENT

<b>CURRENT CHARGES DUE DATE</b>	10/19/2000	<b>TOTAL NEW CHARGES</b>	3,850.60
<b>DISCONNECTION DATE FOR PAST DUE BALANCE</b>		<b>TOTAL BALANCE DUE</b>	3,850.60

JB



Amount Now Due \$5,465.30

Your Account Number 0001804

Water Customer Class LARGE INDUSTRIAL

Water Usage History

Month	Hundred Cubic Feet (CCF)
SEP	3753
AUG	6249
JUL	7717
JUN	5921
MAY	5485
APR	5135
MAR	3420

\* See Reverse Side for additional information

PAGE 1 OF 1 0908

CHECK NO.	MARK NO.	USA CD.
1	10 11 12	13 14

Form 4100683 12/97

ACCOUNTS PAYABLE - White Copy VENDOR - Yellow Copy

OVERRIDE 15 CODE 18

Service For: SPARKLE ICE CORP 8710 E BROADWAY AVE

SERVICE TO: 08/25/2000

Meter Number \*Meter Reading \*100 CU. FT. Used 031931718 WTR 64869 P 3753

LAST BILLING 10,706.90 LESS PAYMENTS 10,706.90CR WATER CONSERVATION RATE 586.40 WATER CHARGE 4,878.90

RECEIVED SEP 12 2000 APPROVED FOR PAYMENT

LOCATION: 342 ACCOUNT NO: 205413 DATE: 09/07/00 MANAGER: [Signature]

Pay This Amount \$5,465.30

PLEASE PAY BY 09/22/2000 TO AVOID DELINQUENCY

ALL BILL INQUIRIES, AND START/STOP SERVICE DIAL... (813) 274-8811

TO MAKE PAYMENT ARRANGEMENTS ON PAST DUE BILLS.... (813) 274-8780 FOR MISSED PICK-UP OF SOLID WASTE..... (813) 348-1111

YOU MAY ALSO REACH US BY E-MAIL AT 'UTILBILL@CI.TAMPA.FL.US' OR BY FAX AT ..... (813) 274-8430.

DO YOU HAVE A "WATER WISE" YARD? THE SECOND ANNUAL COMMUNITY WATER WISE AWARDS RECOGNIZE RESIDENTIAL AND COMMERCIAL PROPERTIES THAT HAVE CREATED AESTHETICALLY PLEASING, WATER EFFICIENT LANDSCAPES. FOR AN ENTRY FORM OR MORE INFORMATION, CONTACT THE HILLSBOROUGH COUNTY COOPERATIVE EXTENSION SERVICE AT 744-5519, EXT. 144 BEFORE THE AUGUST 31, 2000 DEADLINE.

RECEIVED [Signature] 09/11/00

PAID SEP 15 2000

Entered By: [Signature]

TENANCE	AY/VOID DATE	DISCOUNT	
	63 64	71	
	7/08/00		
YEE	PRODUCT	QUANTITY	1099
82 82	82 83	89 100	

Date	09/12/00
Date	9/12/00
Date	9/12/00
Date	

342

**JB**

UTILITIES COMMISSION  
 City of New Smyrna Beach, FL  
 P. O. Box 100 - 200 Canal St.  
 New Smyrna Beach, FL 32170  
 (904) 427-1361

To Change Mailing Address, Check  
 Box and Enter on The Back

I Wish to Contribute to the WE CARE Fund.

\$1  \$2  \$5  \$10

ACCOUNT NUMBER 123506-522300

Please write Account Number on check and  
 make payable to Utilities Commission in U. S. Funds.  
 Thank you for your payment.

Previous Balance Pay Immediately	Total Amount Due
31.00	982.40
Current Charges Past Due After This Date	Please Enter Amount Paid
11/3/2000	\$

\*\*AUTO\*\*\*\*\*  
 C/O PACKAGED ICE CLO41  
 REDDY ICE CORP ICE ACCOUNT  
 1420 INDUSTRIAL DR  
 NEW SMY BCH FL 32168



123506 - 522300 98240

Please return this portion with payment in enclosed envelope.

C/O PACKAGED ICE CLO41  
 REDDY ICE CORP ICE ACCOUNT  
 1420 INDUSTRIAL DR  
 NEW SMY BCH FL 32168

**CUSTOMER STATEMENT**

Statement Date: 10/13/2000

Billing Period: 09/11/2000 to 10/09/2000

ACCOUNT NUMBER

123506-522300

SERVICE ADDRESS:

1420 INDUSTRIAL DR

**METER READINGS**

Present Read Date: 10/9/00  
 Approx. Next Read Date: 11/8/00

**Electric**

Meter No.  
 Current  
 Previous  
 kWh Used  
 Multiplier

**Water**

Meter No.  
 Current  
 Previous  
 1000 Gal Used

**Irrigation Water/Reuse Water**

Meter No 7070968  
 Current 90,928.00  
 Previous 90,383.00  
 1000 Gal Used 545.00

Deposit on Account 0.00

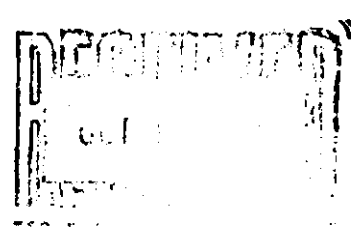
**Street Lights**

**CONSERVATION INFORMATION**

	This Month	Same Mo Last Year
<b>Energy Usage</b>		
kWh Used		
kWh/Day		
<b>Water</b>		
1000 Gal Used		858.00
<b>Irrigation/Reuse Water</b>		
1000 Gal Used	45.00	N/A
<b>Service Days</b>	28	29

Previous Statement Balance	2,066.60	
Penalty Charge	31.00	
Payment Received - Thank You	2,066.60 CR	
<b>BALANCE BEFORE NEW CHARGES</b>		<u>31.00</u>
Water Service		951.40
<b>TOTAL CURRENT CHARGES (Past Due After 11/03/2000)</b>		951.40
<b>TOTAL AMOUNT DUE</b>		<b>982.40</b>

*[Handwritten signatures and stamps]*



Budget Billing Plan is now available. For more  
 information or application for Budget Billing  
 please call customer service at (904) 427-1361.



21 West Church Street, Jacksonville, FL 32202-3139 • 904.632.5200

J8

WATER/SEW

CYCLE	ACCOUNT NUMBER	BILL DATE
08	32485-04671-0000-7-00-W	8/13/00

SERVICE ADDRESS
4671 EDISON AV

RATE
COMMERCIAL

REDDY ICE CORPORATION  
 PACKAGED ICE CLO41  
 4671 EDISON AVE  
 JACKSONVILLE FL 32254

CONSUMPTION HISTORY	
SEPT. 2000	172,800 CU FT
SEPT. 1999	183,100 CU FT
AUG. 2000	148,200 CU FT
AUG. 1999	154,800 CU FT

ADDITIONAL INFORMATION ON REVERSE SID

METER NUMBER	READ DATE	DAYS BILLED	CURRENT READING	READING TYPE	METER SIZE	CONSUMPTION CU FT & GALLONS	AVERAGE DAILY CONSUMPTION COST
0031884386	8/08	31	42884	REGULAR	2	172,800 CU FT	\$38.99 /

During the next few months, a representative of JEA's Business Support Department will visit many of our commercial business customers to learn more about how we're doing as your utility provider. We're eager to hear what you have to say - and to address your questions and concerns. For assistance with all of your account needs, please contact us at 665-6250 or by e-mail at: [business@jea.com](mailto:business@jea.com).

WATER CHARGE.....	\$ 1,127.08
PUBLIC SERVICE TAX.....	112.71
TRANSFERRED AMOUNT.....	3,033.29

FACTORY TEST RECORDS STATED IN THIS INVOICE HAVE BEEN RECEIVED IN GOOD CONDITION AND IN THE QUANTITY SHOWN. IT IS THEREFORE THE RESPONSIBILITY OF THE CUSTOMER TO BE CHARGED TO USE.  
 ACCT. # 0031884386 MTR. 001510302  
 APPROVED BY \_\_\_\_\_ DATE REC'D \_\_\_\_\_

**PAID**  
 8/18/00

*Imahn Deater*

PAID  
 SEP 22 2000

*PO 5V8909*

**TOTAL DUE**  
**BY 10/05/00 TO AVOID 1.5% LATE PAYMENT FEE**  
**\$4,273.08**

PLEASE INDICATE ADDRESS CORRECTION BELOW

BILLING DATE : 9/13/00  
 ACCOUNT NAME : REDDY ICE CORPORATION  
 PRIMARY ACCOUNT : 32465-04671-0000-7-00  
 ACCOUNT NUMBER :  
 BUDGET NUMBER :  
 MA DT MTR RD MTR NBR :  
 32465046710001600W 4671 EDISC  
 09/07/00 030841955  
 32465046710002500W 4671 EDISC  
 09/07/00 001510302  
 PRIMARY ACCOUNT INFORMATION  
 32465046710000700W 4671 EDISC  
 09/08/00 031664386

SUBSIDIARY ACCOUNT STATUS SUMMARY:  
 DELETED TOTAL ACCT

PAID  
 SEP 22 2000

JB

Bill Inquiry (Questions/Investigation) (BILL) - CIS1310 - LEE COUNTY E-CIS

File Edit Functions Go Path Help

Path Account # 27206 Name CLEAR CHANNEL REAL ESTATE

Ledger Info Usage Info Usage Hist Comp Usage Hist Comp

Premises # 22506960 13320 METRO PKWY Bill Date 17

Meter # Usage Display Billed Usage Yes No

Bill Date	Util Meter #	Read Date	U/R	Reading	Usage
11/16/1999	S	11/08/1999	U	.00	1011.00
10/18/1999	S	10/08/1999	R	.00	1643.00
9/15/1999	S	9/08/1999	U	.00	53.00
8/15/1999	S	8/09/1999	U	.00	.00
7/15/1999	S	7/09/1999	U	.00	.00
6/15/1999	S	6/10/1999	U	.00	60.00
5/15/1999	S	5/10/1999	U	.00	60.00
4/15/1999	S	4/09/1999	U	.00	.00
3/15/1999	S	3/09/1999	U	.00	.00

Refresh Save

OK Cancel

JB

**Bill Inquiry (Questions/Investigation) (BILD) - CIS1375 - \*\*\* LEE COUNTY E-CIS \*\*\***

File Edit Functions Go Path Help

Path: [ ] Account # 27206-2 Name CLEAR CHANNEL REAL ESTATE

Lodge Info Usage Info Usage Hist Comp Usage Hist Comp

Service Address 13320 METRO PKWY FT MYERS, FL

Display Billed Usage  Yes  No

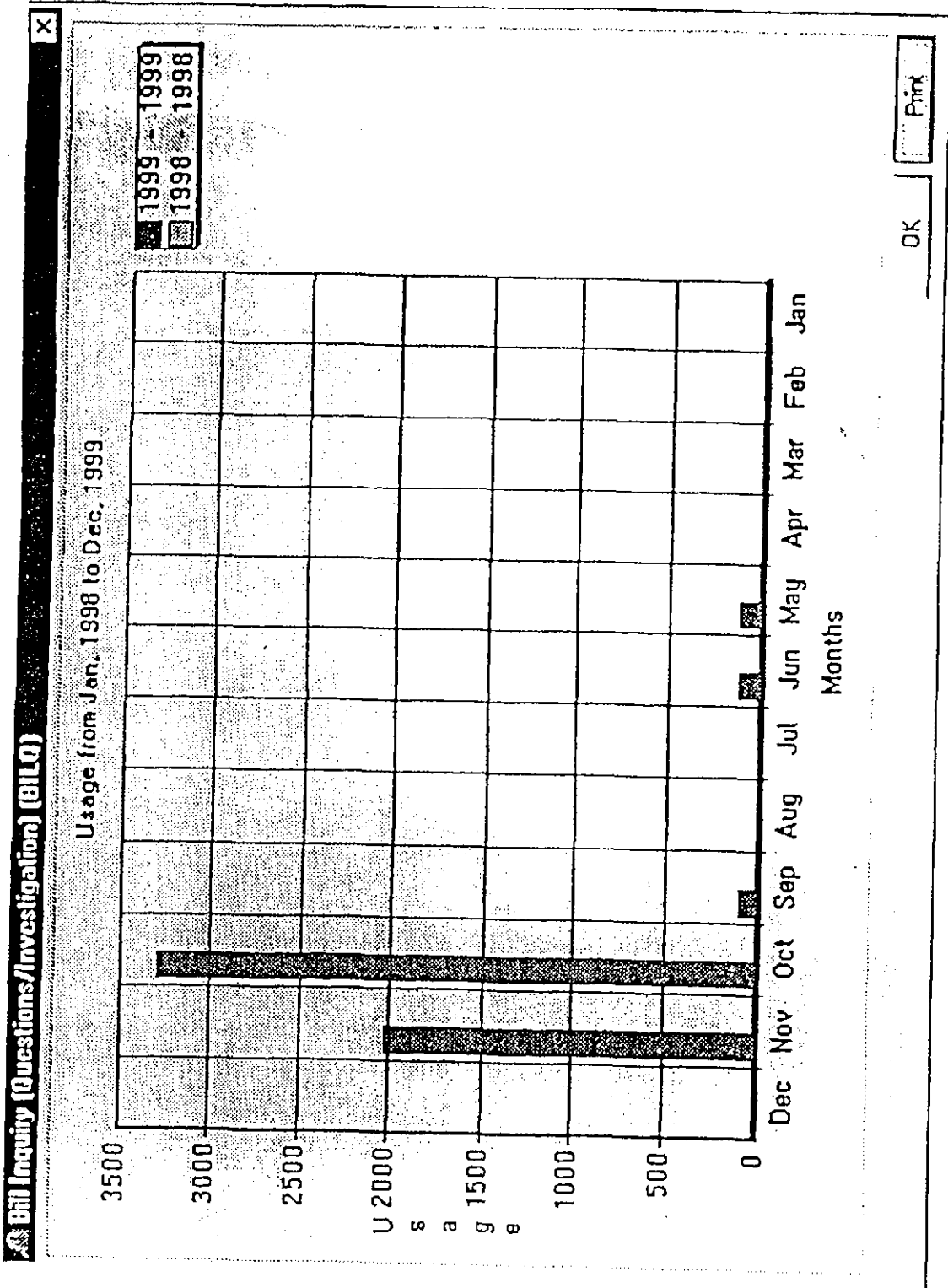
*** Meter Consumption Comparison ***								
1999	Dec	.00	1998	Dec	.00	1997	Dec	.00
	Nov	2022.00		Nov	.00		Nov	.00
	Oct	3286.00		Oct	.00		Oct	.00
	Sep	106.00		Sep	.00		Sep	.00
	Aug	.00		Aug	.00		Aug	.00
	Jul	.00		Jul	.00		Jul	.00
	Jun	120.00		Jun	.00		Jun	.00
	May	120.00		May	.00		May	.00
	Apr	.00		Apr	.00		Apr	.00
	Mar	.00		Mar	.00		Mar	.00
	Feb	.00		Feb	.00		Feb	.00
1999	Jan	.00	1998	Jan	.00	1997	Jan	.00
Total ==>		5654.00	Total ==>		.00	Total ==>		.00

E-CIS VER110

OK Cancel



JB



Dec 2000

PAPERWORK BROUGHT TO DECEMBER 2000 MEETING BY UTILITIES STAFF (LCU)  
REGARDING-REDDY ICE, INC.



LCU

Path Account 27206 Name CLEAR CHANNEL REAL ESTATE

UC List/Acct # | UC Acct Info | UC Comment Entr | Letter Select | UC Def/Response | UC Comment Hist

Contact Number 574428 Contact Type LCUC LCU-Carolyn DO NOT USE!!!

Print Date Print Amount

Print Comment 1

Print Comment 2

Print Comment 3

Comment Lines	Type
1	C
rates for 1 inch meter to ice mfg. Higher management wants todis	C
cuss water use rates, feel LCU's rates are highest in county.	C
Meter size was field verified by Payne Nally as a 1.5 meter	C
Reading taken at time of verification was 17294.7 on 11/13/00. P	C
revious reading was 16212.00, consumption since last reading 1082	C
.00. Contact was Jack Benetiz, Mgr at the local office 768-6841.	C
Carolyn Andrews	C

Investigate

Fold/Unfold

E-CIS 11/29/00

OK

Cancel

11/29/00

LCU

File Edit Functions Go Path Help



Path [ ] Account # 27206 Name CLEAR CHANNEL REAL ESTATE

Usage Info | Usage Hist Comp | Usage Hist Comp

Premises # 22506960 13320 METRO PKWY Bill Date 6/01/1999 17  
 Meter # 0060180647 Utility W Display Billed Usage Yes No

Bill Date	Utl	Meter #	Read Date	U/R	Reading	Usage
11/16/2000	W	0060180647	11/08/2000	R	17163.00	951.00
10/23/2000	W	0060180647	10/10/2000	R	16212.00	1041.00
9/18/2000	W	0060180647	9/12/2000	R	15171.00	1211.00
8/15/2000	W	0060180647	8/07/2000	R	13960.00	1309.00
7/28/2000	W	0060180647	7/12/2000	R	12651.00	1903.00
6/21/2000	W	0060180647	6/08/2000	R	10748.00	1653.00
5/26/2000	W	0060180647	5/11/2000	R	9095.00	1676.00
4/17/2000	W	0060180647	4/07/2000	R	7419.00	1297.00
3/29/2000	W	0060180647	3/09/2000	R	6122.00	985.00
2/15/2000	W	0060180647	2/09/2000	R	5137.00	714.00
1/25/2000	W	0060180647	1/10/2000	R	4423.00	832.00
12/15/1999	W	0060180647	12/10/1999	R	3591.00	884.00

Refresh

Already at top of area.

? [ ] [ ] [ ] OK Cancel

LCU

File Edit Functions Go Path Help

Path  [C:1.5] Commercial 1.5"

Water Chrg/Meter |

Rate Sch List | Rate Sch Entry1 | Rate Sch Entry2 | Rate Sch Entry3 | Rate Sch Desc | Rate Adj List | Supplmnt Water 1 |

Utility Type  Water Services

Effective Date   Expiration Date

Billing Class  Rate Revenue Type

Rate Description  Bill Description

	Limit	Rate		
Rate Step 1	30.00	2.1800000	Base Charge	31.65
Rate Step 2	30.00	2.6800000	Base Chg Rev Type	<input type="text" value="WTR"/>
Rate Step 3	30.00	3.1800000	Base Charge Pgm	<input type="text" value=""/>
Rate Step 4	999999999.00	4.1800000		
Rate Step 5				
Rate Step 6				
Rate Step 7				
Rate Step 8				

Rate 1.5 inch Commercial

LCU

Path [ ] Account # 27206-2 Name CLEAR CHANNEL REAL ESTATE

Customer Info | Cust Addtl Info | Account Info | Acct Addtl Info | Addtl Phone Inf | Acct Dates | Acct Override |  
 Premises Info | Premises Addtl | Comments | Billed Svc List | Account Svc Lst | Labels | Misc Chrg List |

Service Address 13320 METRO PKWY FT MYERS, FL

Util	Rate	-- Current --	-- Previous --	
Typ	Meter #	To Sch	Date	Reading
S		C-1.5	7/13	Closed
W	0060160647	W C-1.5	10/10	16212.00 Open

Buttons: Refresh, New Service, Select, Readings, Rates, Delete, Remote, Install

Meter <sup>size</sup> number was field verified (11-13-00)

Reading taken at time of verification: 17294.700

Previous reading (10-10-00) 16212.00

Consumption: 1082.00

Ice machinery

768-6841  
Jack Benitez

File Edit Functions Go Path Help



Path | Account # 27206-2 Name CLEAR CHANNEL REAL ESTATE

LCU

Usage Info | Usage Hist Comp | Usage Hist Comp |

Service Address 13320 METRO PKWY FT MYERS, FL

Bill Date 10/23/2000

Display Billed Usage  Yes  No

Year	Month	Days	Usage	\$Billed	Year	Month	Days	Usage	\$Billed
2000	Oct	28	1041	4248.03	1999	Oct	30	1643	12596.75
	Sep	30	1211	4958.63		Sep	30	53	153.44
	Aug	26	1309	5368.27		Aug	31	0	31.65
	Jul	31	1903	14598.75		Jul	29	0	31.65
	Jun	30	1653	12673.75		Jun	31	60	177.45
	May	31	1676	12850.85		May	31	60	177.45
	Apr	30	1297	9932.55		Apr	31	0	31.65
	Mar	31	985	7530.15		Mar		0	66.65
	Feb	28	714	5443.45		Feb		0	.00
2000	Jan	31	832	6352.05	1999	Jan		0	.00
	Dec	31	884	6752.45		Dec		0	.00
1999	Nov	30	1011	7730.35	1998	Nov		0	.00
Total ==>			14516	98439.28	Total ==>			1816	13266.69

E-CIS VENDING

OK Cancel

LCU



Path Account # 27206-2 Name CLEAR CHANNEL REAL ESTATE

Customer Info | Cust Addtl Info | Account Info | Acct Addtl Info | Addtl Phone Inf | Acct Dates | Acct Override |  
Premises Info | Premises Addtl | Comments | Billed Svc List | Account Svc Lst | Labels | Misc Chrg List |

Service Address

Premises #	House #	Frc	Prfx	Street	Suffix
22506960	13320			METRO PKWY	
13320 METRO PKWY		Dirct	Rpt #	City	
				FT MYERS	

Addtl Address Info	2 R/RED FIREPLUG-L/HYD	Service State	FL
Split Service Addr?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Service Zip Code	
Carrier Route		Delivery Point	
Route Number	2250	Stop Number	2740
Initial Service	9/21/1994	Discontinued	
Last Bill Date	10/23/2000	Work Zone	
Responsible Account		Last Purge Date	
Last Maint Date			



**12-12-00**

**From:** Jack Burgiel <jburgiel@prmginc.com>  
**To:** <andrewcb@leegov.com>  
**Date:** 12/12/00 2:28PM  
**Subject:** The Ice House

Carolyn,

I do not have a problem with the re-classification to "Z" class primarily due to the fact that the company's water use is what we classify as "essential" commercial use and is not being utilized for irrigation (blocks to min.excessive use.) The question I now ask is how do you bill them for consumption on the sewer side. I would assume that the majority of their water use each month never returns to the wastewater system. Do you cap their sewer consumption or charge them for all water use?

# Clear Channel Real Estate, Inc.

Executive Square Office Park  
406 Reo Street  
Suite 120  
Tampa, FL 33609  
Phone: 813-289-9201  
Fax: 813-282-9006

## **Memo** from the desk of Leisa Newcombe, Property Manager

To: Whom It May Concern

---

Date: August 21, 2001

---

Re: Tenant Reddy Ice

---

This memo is to state that Reddy Ice has been a tenant at 13320 Metro Parkway, Ft. Myers, FL 33912-4703 since January 1, 1999. From that date until November 1999 a meter was located at this address in the name of Clear Channel Real Estate and we were back charging Reddy Ice for the billed amount. Thereafter Reddy Ice procured a meter of their own and was billed directly by the water provider.

If I may be of any further assistance please contact me at any of the following:



Leisa Newcombe, Property Manager  
Clear Channel Real Estate  
406 Reo Street, Suite 120  
Tampa, FL 33609  
LNEWCOMB@worldshare.net  
813-289-9201 Phone  
813-282-9006 Fax



Reddy Ice

PACKAGED ICE, INC.

9-19-01

September 19, 2001

LEE COUNTY UTILITIES  
7401 College Pkwy.  
 Ft. Myers, FL 33907

ATTENTION: Carolyn Andrews, Customer Services Manager

Subject: Water-Sewer billings previously paid by Reddy Ice

A corporate phase I audit of our utility payables indicated an error in our ICE MANUFACTURING PLANT'S WATER BILLINGS from Lee County.

Re. Water rate issues:

It appears the nature of our manufacturing business was not realized by the Utility's office and we were inadvertently billed, unbeknownst to us, under the same category as a "residence or Non-Manufacturing business". We assumed our production plant had been rated appropriately.

On December of 2000, the appropriate water rate for (a customer that remanufactured water as a retail product) was applied to our account, resulting in a \$1.92 billing rate reduction that was very much appreciated. However, no method was provided for restitution of the previous 88% over payment period or any portions thereof.

Re. Sewer rate issues:

On August of 2000, a RATE correction was issued, eliminating the sewer charge.  
On December the "Z 1.5" rate named "Non-irrigation" was applied as a production plant.  
Again no provision was made to correct the previous non appropriately rated charges, < Ref. P.6, Table G, water billing Rate Changes FY93-94. (RTINC94) water.>.

It's important to notice that nothing in our production methods changed, only the bill rating from LCU. Reference the attached audit recapitulation.

Please advise how best Lee County Utilities can rectify these inadvertent incorrect previous billed and paid amounts.

As you know, Mr. Robert Young and Mr. Joel Sinkule will be visiting your offices to work out the details of such restitution.

Please extend to them the full courtesies you have given our local management.

Thank you in advance for your cooperation in this now pressing corporate matter.

Respectfully Submitted,

Rosemary Pond  
Office Manager

(No attach.)

11-26-01

Rick Diaz  
Utility Director  
Lee County  
P O Box 398  
Fort Myers, Fl 33902

copies to: Carolyn B Andrews  
under separate cover.

11/26/01  
SUBJECT : Reddy Ice Restitution Claim

Dear Mr. Diaz.  
Reddy Ice Co, of Fort Myers, Florida , at the direction of Carolyn B. Andrews we are submitting this restitution claim for your investigation and anticipated approval.

In briefest format (A & B) , the magnitude of the claim is as follows. Specific detail and required documents are attached for your reference :

**A) Re. SEWER CHARGE OVERPAYMENTS:**

Period : October 1999 through August 2000

Units overpaid: 10,480,000 gallons of sewer related charges @ \$3.52 / 1000 gallons  
Versus 2,179,000 gallons of now correctly documented used sewer gallons.  
**Total Restitution amount value is \$36,889.60 of OVERPAID dollars.**

**B) Re. WATER CHARGE OVERPAYMENTS:**

Period : October 1999 through December 2000

Units overpaid: 17,171,000 gallons of water related charges @ \$4.07 / 1000 gallons  
Versus \$2.15 / 1000 gallons  
@ \$1.92 OVERCHARGE = \$32,972.00 dollars  
**Total Restitution amount value is \$32,972.00 of OVERPAID dollars.**

**TOTAL RESTITUTION CLAIM \$69,861.60**

An appointment to finalize this matter would be appreciated. Please call me at your convince  
954-933-0929 , Fax 954-933-0791.

Respectfully Submitted,  
  
Joel M. Sinkule  
Utility Billing Project Manager

## ISSUES

**TWO ISSUES AT LARGE IN THIS CLAIM: Water and Sewer Rate applications .**

### **THE FIRST ISSUE RELATES TO PREVIOUSLY PAID MISAPPLIED WATER RATES.**

It appears the nature of our manufacturing business was not realized by the utility company's office and management personnel. Unbeknown to Reddy Ice , the utility Co.'s billing system would generate bills under a much higher cost, ( low volume usage rating) that did not allow for the high volume consumption requirements of a water product producing manufacturer of ice. *(Hi consumption. Under lower volume use rates, presumes water is being wasted. Through its pricing structure, consumer is penalized accordingly and there by discourages such waste.)*

As hindsight , after now seeing your schedule of water rates , it is clear that from day one, the ( Z 1.5 ) rate would have precisely matched our usage category . Had that schedule and its ramifications ever been explained and presented to Reddy Ice management, we all would not be troubled by this petition today.

In spite of our landlord being Clear Channel , we assumed that the Lee County Utility office understood that Reddy Ice was , at that time , being supplied through the landlords facility. I suppose this was attributable to our lack of exposure to the rate schedule and the inner workings of your rating system and or the mechanics of its ramifications etc. As a new consumer under your control in your field of utility territorial responsibility, we assumed you were aware of the hi volumes of water associated with ice production. Again, we , as consumers of your utility services , assumed the appropriate rate would be automatically applied or we would be so advised as to what needed to be changed physically in or facility to meet prescribed criteria. Our LANDLORD , Clear Channel Real estate , was also ignorant of the insuring details involved in modifying our facility's water & sewer systems to accommodate the idiocyncrocies of Lee County 's Utility system.

As you observed, once Reddy Ice was given direction by your staff, with in 30 days we had made \$20,000.00 dollars worth of modifications to our facilities as you staff requested.

Eventually, on December of 2000, the appropriate rate was in fact applied to our billing account, referred to as Classification: " Non Irrigation," at the rate of \$2.18 per 1,000 Gallons. **At that time however, no methods were provided for restitution of the previous 88% overpayment period .**

### **THE SECOND ISSUE IS MISAPPLIED SEWER rates.**

In August of 2000, a rate correction was also ultimately issued to Reddy Ice sewer account, stopping these also inappropriate sewer charges for water, the majority of which was being frozen and exported by truck to other destinations.

**Again, no provision was made to correct the previous inappropriately rated charges.**

The permitting and \$20,000.00 Dollars in the plant's drains and plumbing modifications, has allowed us to totally avoid the sewer costs through total disconnection of the production portion of the plant, from the sewer system .

It is noteworthy, that this disconnection, was the only significant change in plant operations since the first production months. Reference the attached audited recapitulation sheets.

**Attached Documents**

RE: Reddy Ice Restitution Claim

1. Chronological Order of Events. Two pages
2. The testimony letter on Ready Ice letterhead signed by Jack Benitez, Plant Manager, and Charles G. Don, III, Clear Channel's Vice President, regarding the specific lease to Ready Ice. This attests to its date of origin and the reference that Ready Ice had paid all bills in question and hence entitled to any and all rebates credits or restitution thereof.
3. A copy of the Clear Channel lease agreement with Ready Ice. Twenty eight pages
4. A copy of the current occupational license.
5. Rates, Changes, and Credits Calculation Review. Two pages

**Chronological Order of Events**

<p>January 1, 1999 Through September 1999</p>	<p>Reddy Ice begins tenancy under Land Lord , Clear Channel Real Estate and initiates reconstruction of the rented facility to conform to their ice plant configuration. During this interim period , R/I is modifying space, assembling ice production line equipment, and fabricating new and reconstructed ice manufacturing refrigeration equipment. R/I is also busy hiring and training personnel to operate plant.</p>
<p>September 1999</p>	<p>Full Ice production begins in plant.</p>
<p>October 19 .W/S bill was sent to Clear Channel and ultimately faxed on Oct 29 to Reddy Ice . This filtering of utilities, through the landlord is common in the industry because it gives the landlord first insight to cut off notices. Landlord simply adds the amounts to the lease monthly billing. This style of billing was as yet not a problem for either party because R/I personnel were preoccupied building the plant until October, when the Plant first began using water for ice production.</p>	<p>First ice production, water and sewer billing received by R/I from utility company for \$12,996.75. This bill is an increase over their average of \$85 - \$400 previous water and sewer bills.</p>
<p>October 1999 Mrs. Pond was passed to Terry who immediately stipulated that payment must be paid by due date. Terry tells Mrs. Pond to call Glenn Greer who in turn tells her to call a Mr. .Swift.</p>	<p>R/I office manager, Rosemary Pond, calls local Lee County representatives utility company requesting action to correct the amount of water and sewer dollar billings. Inquires as to possibility of meter inaccuracy or incorrect rate application to R/I account.</p>
<p>November, first week.. Swift returns call.  December -----  Feb 15<sup>th</sup> met with Palate (spelling) ? regarding pre treatment requirements. We give full cooperation.</p>	<p>A return call was made from Jim Swift in November. He just listened and told Reddy Ice that he would be gone on vacation till fist week January and would follow up at that time.  First visits from Mr. Swift, accompanied by a violations inspector from city of Fort Myers and two others, four men, all in response to Mrs. Ponds call for assistance. Much discouragement resulted herein that they simply appeared to be on MISSION TO OFFER DISCOURAGEMENT at best resolving our dilemma. To us, Reddy Ice, they seemed eager to discover any violation possible for which to site the plant.</p>
<p>January 14, 2000</p>	<p>Benitez , plant Mgr., fills out lengthy report form from Lee County Utilities of Ft. Myers. Interim more high billings arriving every month, which we pay in full , in good faith , and in anticipation of corrective action to be taken by the utility company.</p>
<p>January 24 , 2000  --Long period no action --</p>	<p>R/I Office Manager, Rosemary Pond writes Mr. Kevin Koehler responding with the Pre treatment Questioner filled out as requested by his office. Mrs. Pond renews her request for assistance with the water and sewer overcharges as originally requested from the utility visiting team last November.</p>

May 2, 2000	First written Lee County response only to the Sewer portion of our Sewer/Water hi bill complaint . R/I Responded immediately but received no counsel as to the high water rate.
May 15, 2000	Mr. Maier's written notification that any proposed changes in water flow systems must first be in writing with sufficient drawings LCU to see clearly proposed changes. Rather discouraging correspondence as it also <i>does not address the hi water rate issue.</i>
June 22, 2000	A Copy of letter from Maier to Mr. Stump relating to the Reddy Ice situation regarding more permitting and references to things that would not apply to their needs. It appears to be a form letter of or simply misapplied for this situation. Again no focus directed to the hi billing complaints. . Many restrictions again and heightened reason for Reddy Ice concern.
June 22, 2000	R/I guarantees Health Environmental Dept. that no non-potable water will be exposed to the lawn through the irrigation system. Ready to proceed.
June 29, 2000	Environmental Service Dept. Public Works bills R/I a total of \$3,120.00 for a 1" sewer meter hookup tap fee, connection fee and deposit.
June 29, 2000	SunTech Plumbing, Inc. submits bid for all work agreed to by the utility company at \$14,048.00 plus permits, plus electrical work, and plus new water meter. Ready to start.
July 5, 2000	R/I Jack Benitez requesting permission to present the plan for changes to the water and utility company's demands for land and building <i>modification.</i>
July 28, 2000	Utility company installs and tests new meters and RPZ valves.
August , 2000	Appropriately the sewer portion of our billing is eliminated ,drastically reducing dollar amounts. <b>Notice, hi bills are accumulating since September,1999</b>
December , 2000	The appropriate water rate is applied to our billing formula by Lee County Utilities drastically reducing dollar amounts paid . <b>Notice , hi bills are accumulating since September , 1999</b>



11-26-01

**Summary**

Re. Reddy Ice Restitution Claim

- A. Original notification that something was in error regarding the Reddy Ice water and sewer bill was filed the day the invoice was received by Rosemary Pond.
- B. Reddy Ice completed all the county and local requested modifications to their plumbing and building within thirty days of plan submission to the utility company for approval.
- C. Nearly 12 months had passed with 12 exorbitantly high sewer bills sent to Reddy Ice and paid for by Reddy Ice in good faith.
- D. Nearly 16 months passed with 16 high water bills before the rate was granted .
- E. Lee County Utilities have as of August 2000, granted and readjusted Reddy Ice's sewer rate to the proper billing level .
- F. Lee County Utilities have as of December 2000, granted and readjusted Reddy Ice's water rate.
- G. With closely identical pounds of ice production since first production in October together with equally close water consumption, the mystery of what constituted an over charge is relatively easy to ascertain.

Many thanks to Lee County Utility for resolving these rate issues, and trust our rebate requests for funds overpaid during the interim Due-Diligence period while paperwork and misunderstandings were corrected, will meet with your understanding and approval.

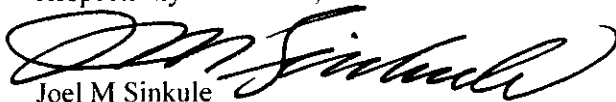
**In Conclusion**

Reddy Ice, is a reputable and substantial contributor to the economic benefit of the locale as the third largest employer with thirty local employees and obviously a heavy tax supporter.

We in turn are served well by Lee County Water and Sewer utilities, an equally reputable and sound service provider.

We respectfully request your management to develop an equitable solution to this inadvertent over-billing to our accounts which is by now realized by everyone involved.

Respectfully submitted.,



Joel M Sinkule  
Utility Billing project manager

Please direct questions or other responses to  
2541 NE 11<sup>TH</sup>. Street , Suite #116 , Pompano Beach , Florida 33062  
Telephone ( 954 ) 933-0929  
Fax ( 954 ) 993-0791

or  
Rosemary Pond ( 941 ) 768-6841

**RATES, CHARGES AND CREDITS REVIEW**

**Water Overcharges Due To Inappropriate Rate Schedule**

	<u>Overcharges</u>
A. October 1999 to August 2000 = \$24,308.97 12,659,000 gallons x \$1.92/000 gal.	\$24,308.97
B. August 2000 to November 2000 = \$ 8,663.04 4,512,000 gallons x \$1.92/000 gal.	<u>\$ 8,663.04</u>
Total Water Overcharges	\$32,972.00

**CREDIT REQUESTED: \$32,972.00**

**Sewer Overcharges Due To Inappropriate Rate Schedule**

A. October 1999 to August 2000*	<u>Total Paid</u>
12,659,000 gallons x \$3.52/000 gal. =	\$44,559.68

**Reddy Ice Consumption**

Current separately metered ice production water total for  
 December 2000 to July 2001 = \$7,622,000 gallons  
 8 months average gallons = 952,750 gal./mo. production factor  
 Based on this metered current factor:  
 952,750 gallons x 11 months\* = 10,480,250 total gallons  
 Previous Oct. 1999 to Aug. 2000 water (that sewer was billed from)  
 For 11 months = 12,659,000  
 Less 10,480,250 current use  
 = 2,179,000 gallons vs. 12,659,000

Sewer bill water should be \$7,670.08 (2,179,000 x \$3.52)

Actual billing was \$44,559.68 vs. \$7,670.08

Total Sewer Overcharges \$36,889.68

**CREDIT REQUESTED: \$36,889.68**

**Historical Data:**

		<u>Total</u>
The first 10 month average water & sewer bill =	\$9,680.90/mo.	\$96,889.00
The next 4 month average water & sewer bill =	\$4,595.83/mo.	\$18,383.00

**Current program:**

Next 9 months water (no sewer) average =	\$2,171.91	\$19,574.24
Based on above, customer was overcharged approx. \$8,875.00 ÷ 14 mos. =		<u>\$6,062.54/mo.</u>

<u>DATE</u>	<u>GALLONAGE</u>	<u>AMOUNT</u>
Oct. 8, 1999	1,643,000	\$12,596.75
Nov. 8, 1999	1,011,000	7,730.35
Dec. 10, 1999	884,000	6,752.45
Jan. 10, 2000	832,000	6,352.05
Feb. 9, 2000	714,000	5,443.45
Mar. 9, 2000	985,000	7,530.15
Apr. 7, 2000	1,297,000	9,932.55
May 11, 2000	1,676,000	12,850.85
Jun. 8, 2000	1,653,000	12,673.75
Jul. 13, 2000	1,903,000	14,598.75
Aug. 7, 2000 (N1)	6,100	<u>437.90</u> ?
		\$96,899.00 ÷ 10 mos. avg. = \$9,689.90
Aug. 7, 2000	1,309,000	\$5,368.27
Sep. 12, 2000	1,211,000	4,958.63
Oct. 10, 2000	1,041,000	4,184.60
Nov. 8, 2000	951,000	<u>3,871.83</u>
		\$18,383.33 ÷ 4 mos. avg. = \$4,595.83
Dec. 15, 2000	1,227,000	\$2,486.24
Jan. 12, 2001	745,000	1,655.75
Feb. 12, 2001	745,000	1,655.75
Mar. 26, 2001	1,283,000	2,828.59
Apr. 7, 2001	371,000	840.43
May 7, 2001	996,000	2,202.93
Jun. 6, 2001	1,068,000	2,359.89
Jul. 6, 2001	1,187,000	2,619.31
Aug. 6, 2001	1,315,000	<u>2,898.35</u>
		\$19,574.24 ÷ 9 mos. avg. = \$2,171.91
For 10 months overcharge of approx.		\$7,517.99/month
For 4 months overcharge of approx.		\$2,423.92/month
Projected Overcharge: \$34,875.60 ÷ 14 mos. =		\$6,062.54



PACKAGED ICE, INC.

11-26-01



September 24, 2001

Lee County Utilities  
P.O. box 2737  
Ft. Myers, FL 33902-2737

Dear Sirs:

This letter is to inform and certify that Reddy Ice Corp., a tenant of Clear Channel Real Estate, has leased a specified portion of the building located at 13320 Metro Parkway since January 1, 1999 and from that date until November, 1999, the water/sewer bills incurred at that location were included in the monthly lease payment to Clear Channel Real Estate.

In November 1999, the billing address on the account was changed to 13320 Metro Parkway, instead of 406 Reo Street, Tampa Fl. The payment for services continued to be made by Reddy Ice. In December 2000, Reddy Ice requested and received an account set up under their name with Lee County Utilities.

Reddy Ice is able, upon request, to provide proof of all payments by copy of cancelled check or cash receipt.

Therefore, as all charges for water and sewer were paid by Reddy Ice from January 1, 1999 to present, Clear Channel Real Estate directs any rebates, credits or restitution involving these said billings to the Reddy Ice accounts.

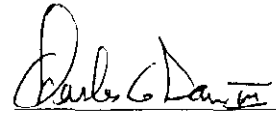
For Reddy Ice Corp:

  
\_\_\_\_\_  
Jack Benitez  
Plant Manger

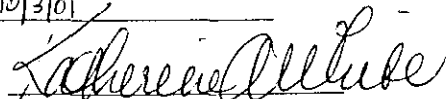
Dated: 9-24-01

Witness: 

For Clear Channel Real Estate, Inc.

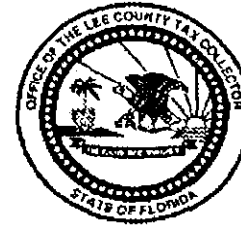
  
\_\_\_\_\_  
~~Leisa Newcombe~~ Charles G. Don III  
Property Manager Vice President

Dated: 10/3/01

Witness: 

# LEE COUNTY OCCUPATIONAL LICENSE

**LICENSE YEAR:** OCTOBER 1, 2001 THRU SEPTEMBER 30, 2002  
**LICENSE NO:** 000037      **SEC:** 482      **CODE:** 30.0  
**DESCRIPTION:** DISTRIBUTOR  
**BUSINESS NAME:** REDDY ICE CORP  
**OWNER:** PACKAGED ICE INC  
**PHYSICAL ADD:** 13320 METRO PARKWAY  
FT MYERS FL 33913  
**MAILING ADD:** 13320 METRO PARKWAY  
FT MYERS FL 33913



2001-2002

**POST CONSPICUOUSLY WITHIN THE PLACE OF BUSINESS  
AFTER SUBMITTING PAYMENT WITH THE ATTACHED BILL**

(fold here)

License becomes delinquent October 1st, at which time the law imposes a 10% penalty, plus 5% per month thereafter, maximum penalty is 25%.

If you are submitting payment within the months listed below, include the following penalty to license fee only, do NOT calculate the penalty on the Surcharge fee or Unpaid Prior Year penalty.  
October - 10% penalty, November - 15% penalty, December - 20% penalty, January through September - 25% penalty.

FAILURE TO RENEW THIS LICENSE COULD RESULT IN A FINE OF UP TO \$250.00 PER F.S. 205.053.

This statement does not include Tangible Personal Property Taxes. Any questions concerning these taxes contact the Property Appraiser's Office (941/339-6100).

If you have MOVED, CHANGED the BUSINESS NAME or the OWNERSHIP, a new application must be filed.  
DO NOT WRITE OR MAKE CHANGES ON THIS NOTICE. Please contact the Tax Collector's Office at (941/339-6000) or access our web site at <http://www.leetc.com>.

4 IMPORTANT - THIS LICENSE IS ONLY VALID FOR THE OCCUPATION AND LOCATION INDICATED.  
LICENSES MUST BE ISSUED FOR EACH ADDITIONAL LOCATION.

Call Lee County Pollution Prevention (941/479-8126) for questions concerning the Hazardous Waste SURCHARGE.

✂ DETACH CAREFULLY AND RETURN LOWER PORTION WITH PAYMENT.

PAID SEP 19 2001

COPY

11-26-01

1-17-02



**LEE COUNTY**  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 479-8181

Bob Janes  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Sitwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

VIA FACSIMILE 954-771-7550 933-8791  
CERTIFIED MAIL Z 311 921 863

January 17, 2002

Mr. Joel M. Sinkule  
Energy Diagnostic Services, Inc.  
275 Commercial Blvd., Suite 207  
Lauderdale-by-the-Sea, FL 33308

**SUBJECT: Reddy Ice Account #1028846-2**

Dear Mr. Sinkule:

After an extensive analysis of this case to include a review of the materials that you provided and our own records, we would like to present our findings and disposition for this matter:

1. The entity opening the initial account was Clear Channel Real Estate. At that time (October 1999), there was no mention of an ice-producing tenant.
2. In November 1999, Reddy Ice representatives complained about high water bills and requested our assistance.
3. In July 2000, a separate meter and a "Z" account were established. An environmental (Industrial Pretreatment) inspection was performed and the plumbing corrections were approved.
4. From August 2000 the "Z" rate was intended to be in effect. Sewer charges were not billed, but the \$2.18 rate was not applied to the new water meter's consumption.
5. In December 2000, the account was changed to Reddy Ice.
6. Water consumption was billed from August 2000 through November 2000 at the normal inverted rate, and should have been billed at the "Z" (flat) rate of \$2.18 per 1000 gallons.

Based on the above information, we will credit Reddy Ice's account the difference between the "Z" rate and the amount billed for the period between August 2000 and December 2000. Our accounting staff has calculated a credit amount of \$8,484.00. We will credit account # 1028846-2, \$2,484.00 the first month and then credit the account \$2,000.00 each month thereafter for three (3) consecutive months, until the total amount of \$8,484.00 has been credited to Reddy Ice.

SCANNED

027215

JAN 17 2002

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111  
Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

♻ Recycled Paper

Mr. Joel M. Sinkule  
RE: Reddy Ice  
January 17, 2002  
Page 2 of 2

Since the necessary plumbing repairs for the change to the "Z" rate were not completed until July 2000, we cannot make any adjustment to the billings prior to that month (those between October 1999 and August 2000). We hope this credit resolves your client's concerns. If you have any further questions, please contact my office at 941-479-8779.

Cordially,

**LEE COUNTY UTILITIES**



Rick Diaz, P.E.  
Utilities Director

RD:ac

cc: J. Lavender, Public Works  
D. Owen, Assistant County Attorney  
C. Andrews, Utilities



2-14-02

ENERGY DIAGNOSTIC SERVICES, INC.

February 14, 2002

Mr. Rick Diaz, P.E.  
Utilities Director  
Lee County Utilities  
P.O. Box 398  
Fort Myers, Florida 33902

Subject: Receipt of Certified letter mail #Z311921863 and the LCU Credit to Account #1028846-2, Meter #0060180647 for Reddy Ice Corporation, Fort Myers, Florida.

A. In reference to your Certified letter dated January 17, 2002:

Due the integrity of the parties involved, your personal scrutiny and intercession is needed here to further investigate these original issues as stated in our 11/26/01 claim.

We are disappointed that the response letter failed to fully address the sewer portion of our claim and clouded the water rating issue.

Debating the issues by mail will accomplish nothing except escalate legal issues to the point that the initial intent of the parties will become totally obscure. Namely that:

1. Reddy Ice has always been in the business of employing local people to manufacture ice by freezing city domestic water, and harvesting such into bags for delivery. Our sixty plants consistently provide such service throughout the United States. Our manufacturing of ice was not, intended to be a process kept secret from the utilities. Hundreds of broadly, identified truck load deliveries of ice throughout the community would, of course, make such secrecy impossible.
2. You would agree that no public service utility would or should endeavor to charge for services never delivered to a tax paying business entity, whether the error is discovered prior to or following the filing of paperwork.

In the public's eyes and utility ruling bodies, once the true facts come to light, such honorable parties adjust the paperwork to accommodate the truth and the wronged parties involved should get restitution.

SCANNED

035452

FEB 26 2002



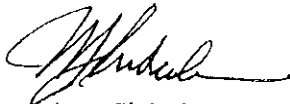
Beyond this statement of purpose, it is our intention to restate our position regarding these matters before any and all legally recognized non-prejudice authorities, until these issues are resolved with equity and integrity. We will employ whomever necessary to recover these overpayments.

B. In reference to your credit of \$2,484.00 to our water Account #1028846-2, Meter #0060180647, received as a credit to our current water billing:

1. It must be understood that Reddy Ice's acceptance of this credit in no way nullifies or negates our still pending claim for water overpayments restitution of \$32,972.00 filed with you on Reddy Ice letterhead dated 11/26/01, addressed to your attention. They are accepting this temporarily as a credit to the water portion of our above-mentioned Water Claim, leaving a Water Overpayment Claim pending balance of \$30,488.00. Should this not meet with your approval, please advise this office immediately.

Thanking you in advance for your timely intercession in this matter and a 10-day response, if possible, so as to finalize our position in these matters.

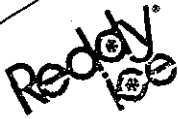
Respectfully submitted,



Joel M. Sinkule  
Project Manager

cc: Reddy Ice





PACKAGED ICE INC

cc! *Red Diaz*  
*Jim Lavender*  
*Jim Yaege*  
*David Owen*

**8-19-02**

**RECEIVED**  
SEP 03 REC'D

BOARD OF  
COUNTY COMMISSIONERS

August 19, 2002

Donald Stilwell  
County Manager  
P.O. Box 398  
Ft. Myers, FL 33902

**Subject:** Reddy Ice Mfg. Corp.  
**Recovery of \$69,972.60**  
**Of Lee County Utilities "LCU" Water / Sewer Mis-billings**

This letter is an attempt to avoid embarrassment, litigation expense, and unnecessary bad press for Lee County. **We need your assistance:** Enclosed is an outline of our claim filed with LCU on 11/26/01. We were granted 12% of our overpayments, which is unacceptable when you understand that it was LCU's negligence that caused the account to be mis-rated.

Reddy Ice of Ft. Myers is a solid taxpayer, provider of 30 individual's employment, a good citizen of this County, and owner of 60 other plant locations throughout the United States.

The matters at hand are as follows:

An extended period of time has passed since our last request to LCU filed on 2/14/02 (Reference Exhibit #1\_\_\_\_). Since this date we have had **no response to this 2<sup>nd</sup> written request or a response to our phone calls.** We feel we have respectfully allocated enough time for a response. We now have no other peaceful option but to involve the Commissioner's and your objective logic.

The focus of the three main issues are:

1. The lack of clarity in the 1999 LCU Customer Rate Schedule indicates that the **customers were never intended to determine for themselves which rate best applied to their business. Ref. EXHIBIT #A1 to 6 (to validate your own opinions).**

The May 2002 Internet-posted rates documents (A7) are very clearly stated and obviously intended for customer review. The rates as of last May is much improved, but far too late for Reddy Ice's mis-rated status. It appears our rate just evolved and was assigned to us by the service provider's personnel. No questions regarding the intended use or nature of the business were asked of Reddy Ice.

SEP 03 2002

8-19-02

2. The absence of a "due diligent" customer service representative, left the high volume commercial water and sewer user without the information necessary to select the correct rate. **Unwittingly the County Service Employee placed this large volume business applicant (us) on a commercial low volume water rate without a hint that other sewer and water rates were also available, which would be favorable to us.** In this case, the tenant and landlord were both blindsided by the application procedure until the outlandish increase of \$11,600 over the previous billing occurred on 10/29/99, the first month of production.

#### **ADDITIONAL INFRACTIONS OF CUSTOMER SERVICE:**

\*Due Diligence negligence occurred when LCU representatives did not take action regarding the \$12,000 billing reported by Reddy Ice. The production cost of water per pound of ice was out of line with our other plants. LCU still did not investigate or question the original rating assignment protocol. **INSTEAD, AN ENVIRONMENTAL AUDIT TEAM SHOWED UP 60-90 DAYS LATER SEEMING TO TOTALLY IGNORE THE ORIGINAL COMPLAINT.**

**Again LCU representatives were derelict in their duty by not immediately discovering at that point, that the wrong rate had been applied to the REDDY ICE ACCOUNT. Their hardball approach seems inappropriate when one knows what role they played in causing this rating error.**

Out of frustration, CORPORATE HEADQUARTERS ordered a utility evaluation audit that uncovered the \$36,889.60 SEWER and \$32,972 WATER OVERCHARGES. At that point, the result was the 1<sup>st</sup> letter to Carolyn Andrews and letter filed to Mr. Diaz on 11/26/01. Fifty-one (51) days later, on 1/17/02, LCU replied with a 12% restitution sum. Reddy Ice re-filed a petition on 2/18/02 to review the claim. To this date, six months later, still no response from Mr. Diaz, or Lee County.

3. \*Regards the misapplied sewer rates that were not finally corrected by LCU until August of 2000. They did not choose to credit back to the period when the rating error was created. Additionally note that Mr. Diaz's response totally ignored the sewer overcharges. We were charged approximately \$37,000.00 for sewer charges when sewer service was not provided.

As to the physical capacities of the plant's operation, our documented records indicate that we were being billed for services not rendered by the Fort Myers sewer treatment plant in that our sewer charges were for ASSUMED VOLUMES that matched our metered input to the plant. This is not the case since **the ice is manufactured from water and trucked away from the plant. In addition, runoff is used to compensate the water evaporated by our water cooling towers and our continuous need for irrigation water which we collect in a holding tank.**

Another point that would prove our water use versus water wasted to drain is that the ice producing equipment must be operated in a consistent manner or production will suffer a loss. This is validated by the correlating amounts of water used in the present

8-19-02

year with the newly installed meter, to the number of pounds of ice produced and the meter reading in the previous year prior to installation of the second meter. All things being equal, why would it not be fair to assume that the current monitoring is akin to the drain usage of that previous year. We could not possibly change and effect our plants water usage habits and yet still be as effective freezing and selling the near same pounds of ice. These characteristics can be clearly documented. The fact is that we were paying for phantom water to drain due to the errors sighted previously, and this amounted to approximately \$37,000.00, as previously stated. A service we were charged for, but did not receive.

We are respectful of LCU's position in needing to know exactly how much is going to the drain, but in this unusual circumstance, the documented consistency of our equipment, the chain of events previously described and the fact that the time delays were not due to Reddy Ice, it is fair and logical that a compromise for us is in order. We demonstrated good faith immediately to all county requests by making \$20,000.00 dollars of drain modifications within thirty (30) days, exactly as we were told.

We feel that our submitted average usage of water and production of ice were consistent enough between the two years in question that, under these trying circumstances, you should accept the current properly metered results of the following year to fairly represent the production to water usage habits of the previously non-metered year.

This is a judgement call, but one that can be substantiated by our documented production and metered water usage and one that is LOGICAL AND CONSTANT ENOUGH, to cause us to seek a fair solution from you and full reimbursement of our claim. We are willing to appear before any and all legal bodies or until these overpayments are recovered or other means are devised by you to recover these payments.

Miscellaneous other points of fact:

\*Note that 4-5 months passed before Reddy Ice was given a signal as to what modification to their drains would satisfy LCU.

\*All of these months were high bills honorable paid by Reddy Ice in good faith that the county would correct the matter in a timely and fair manner.

\*We now, by no LCU response, are being told that these GOOD FAITH PAID OVER BILLINGS sums are unrecoverable form the County.

\*The disconnection from the sewer system was to be the only significant modification in the plant since the October 1999 first production month. Reference the attached recapitulation sheet showing production and water consumption.

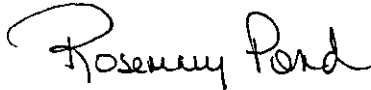
Fairness should be the byword for any UTILITY COMPANY SERVING CONSUMERS. We have faith in this premise, but please understand that we will proactively pursue this issue to

8-19-02

whatever level necessary, with the means necessary, to achieve full recovery of all overpayments.

We are looking to your impartiality to peacefully resolve this misunderstanding and will provide you with whatever materials or personal presentations that you deem necessary to set this matter straight. We would appreciate a proactive response within fifteen (15) days so we can determine our next course of action.

Respectfully submitted,



Rosemary Pond  
Office Manager  
Reddy Ice Corp.

cc: County Commissioners  
Joel Sinkule, Energy Diagnostic Services, Inc.



# PACKAGED ICE, INC.

8-19-02



*PREVIOUS CORRESPONDENCE*

September 19, 2001

LEE COUNTY UTILITIES  
7401 College Pkwy.  
Ft. Myers, FL 33907

ATTENTION: Carolyn Andrews, Customer Services Manager

Subject: Water-Sewer billings previously paid by Reddy Ice

A corporate phase I audit of our utility payables indicated an error in our ICE MANUFACTURING PLANT'S WATER BILLINGS from Lee County.

Re. Water rate issues:

It appears the nature of our manufacturing business was not realized by the Utility's office and we were inadvertently billed, unbeknownst to us, under the same category as a "residence or Non-Manufacturing business". We assumed our production plant had been rated appropriately.

On December of 2000, the appropriate water rate for (a customer that remanufactured water as a retail product) was applied to our account, resulting in a \$1.92 billing rate reduction that was very much appreciated. However, no method was provided for restitution of the previous 88% over payment period or any portions there-of.

Re. Sewer rate issues:

On August of 2000, a RATE correction was issued, eliminating the sewer charge.

On December the "Z 1.5" rate named "Non-irrigation" was applied as a production plant.

Again no provision was made to correct the previous non appropriately rated charges, < Ref. P.6, Table G, water billing Rate Changes FY93-94. (RTINC94) water.>.

It's important to notice that nothing in our production methods changed, only the bill rating from LCU. Reference the attached audit recapitulation.

Please advise how best Lee County Utilities can rectify these inadvertent incorrect previous billed and paid amounts.

As you know, Mr. Robert Young and Mr. Joel Sinkule will be visiting your offices to work out the details of such restitution.

Please extend to them the full courtesies you have given our local management.

Thank you in advance for your cooperation in this now pressing corporate matter.

Respectfully Submitted,

Rosemary Pond  
Office Manager

8-19-02

Rick Diaz  
Utility Director  
Lee County  
P.O. Box 398  
Fort Myers, FL 33902

copies to: Carolyn B. Andrews  
under separate cover.

11/26/01  
SUBJECT: Reddy Ice Restitution Claim

Dear Mr. Diaz:

Reddy Ice Co., of Fort Myers, Florida, at the direction of Carolyn B. Andrews, is submitting this restitution claim for your investigation and anticipated approval.

In briefest format (A&B), the magnitude of the claim is as follows. Specific detail and required documents are attached for your reference:

A) Re: SEWER CHARGE OVERPAYMENTS:  
Period: October 1999 through August 2000

Units overpaid: 10,480,000 gallons of sewer related charges @ \$3.52/1000 gallons.  
Versus 2,179,000 gallons of now correctly documented used sewer  
gallons

**Total restitution amount value is \$36,889.60 of OVERPAID dollars.**

B) Re: WATER CHARGE OVERPAYMENTS  
Period: October 1999 through December 2000

Units overpaid: 17,171,000 gallons of water related charges @ \$4.07/1000 gallons.  
Versus \$2.15/1000 gallons  
@ \$1.92 OVERCHARGE = \$32,972.00 dollars.

**Total restitution amount value is \$32,972.00 of OVERPAID dollars.**

**TOTAL RESTITUTION CLAIM: \$69,861.60**

An appointment to finalize this matter would be appreciated. Please call me at your convenience at 954-933-0929, Fax: 954-933-0791.

Respectfully Submitted,

Joel M. Sinkule  
Utility Billing Project Manager

8-19-02

RATES CHARGES AND CREDITS REVIEW

Water Overcharges Due To Inappropriate Rate Schedule

		<u>Overcharges</u>
A.	October 1999 to august 2000 = \$24,308.97 12,659,000 gallons x \$1.92/000 gal.	\$24,308.97
B.	August 2000 to November 2000 = \$8,663.04 4,512,000 gallons x \$1.92/000 gal.	<u>8,663.04</u>
Total Water Overcharges		\$32,972.00

**CREDIT REQUESTED: \$32,972.00**

Sewer Overcharges Due To Inappropriate Rate Schedule

A.	October 1999 to August 2000* 12,659,000 gallons x \$3.52/000 gal. =	<u>Total Paid</u> \$44,559.68
----	--	----------------------------------

Reddy Ice Consumption

Current separately metered ice production water total for		
December 2000 to July 2001	=	7,622,000 gallons
8 months average gallons	=	952,750 gal./mo. production factor
Based on this metered current factor:		
952,750 gallons x 11 months*	=	10,480,250 total gallons
Previous October 1999 to August 2000 water (that sewer was billed from)		
For 11 months	=	12,659,000
	Less	<u>10,480,250 current use</u>
	=	2,179,000 gallons vs. 12,659,000

Sewer bill water should be \$7,670.08 (2,179,000 x \$3.25)

Actual billing was \$44,559.68 vs. \$7,670.08

Total Sewer Overcharges     \$36,889.68

**CREDIT REQUESTED: \$36,889.68**

Historical Data:

The first 10 month average water & sewer bill	=	\$9,680.90/mo.	\$96,889.00
The next 4 month average water & sewer bill	=	\$4,595.83/mo.	\$18,383.00

Current program:

Next 9 months water (no sewer) average	=	\$2,171.91	\$19,574.24
Based on above, customer was overcharged approx. \$8,875.00 ÷ 14 mos.	=		\$6,062.54/mo.



8-17-02

February 18, 2002

Mr. Rick Diaz, P.E.  
Utilities Director  
Lee County Utilities  
P.O. Box 398  
Fort Myers, Florida 33902

Subject: Receipt of Certified letter mail #Z311921863 and the LCU Credit to Account #1028846-2, Meter #0060180647 for Reddy Ice Corporation, Fort Myers, Florida.

A. In reference to your Certified letter dated January 17, 2002:

Due the integrity of the parties involved, your personal scrutiny and intercession is needed here to further investigate these original issues as stated in our 11/26/01 claim.

We are disappointed that the response letter failed to fully address the sewer portion of our claim and clouded the water rating issue.

Debating the issues by mail will accomplish nothing except escalate legal issues to the point that the initial intent of the parties will become totally obscure. Namely that:

1. Reddy Ice has always been in the business of employing local people to manufacture ice by freezing city domestic water, and harvesting such into bags for delivery. Our sixty plants consistently provide such service throughout the United States. Our manufacturing of ice was not, intended to be a process kept secret from the utilities. Hundreds of broadly, identified truck load deliveries of ice throughout the community would, of course, make such secrecy impossible.
2. You would agree that no public service utility would or should endeavor to charge for services never delivered to a tax paying business entity, whether the error is discovered prior to or following the filing of paperwork.

In the public's eyes and utility ruling bodies, once the true facts come to light, such honorable parties adjust the paperwork to accommodate the truth and the wronged parties involved should get restitution.

8-19-02

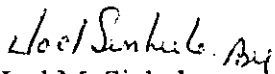
Beyond this statement of purpose, it is our intention to restate our position regarding these matters before any and all legally recognized non-prejudice authorities, until these issues are resolved with equity and integrity. We will employ whomever necessary to recover these overpayments.

B. In reference to your credit of \$2,484.00 to our water Account #1028846-2, Meter #0060180647, received as a credit to our current water billing:

1. It must be understood that Reddy Ice's acceptance of this credit in no way nullifies or negates our still pending claim for water overpayments restitution of \$32,972.00 filed with you on Reddy Ice letterhead dated 11/26/01, addressed to your attention. They are accepting this temporarily as a credit to the water portion of our above-mentioned Water Claim, leaving a Water Overpayment Claim pending balance of \$30,488.00. Should this not meet with your approval, please advise this office immediately.

Thanking you in advance for your timely intercession in this matter and a 10-day response, if possible, so as to finalize our position in these matters.

Respectfully submitted,

  
Joel M. Sinkule  
Project Manager

cc: Reddy Ice

EXHIBIT A-

8-19-02

*Self  
Written at  
Patricia  
BIP.ERO  
737  
479-4131*

LEE COUNTY SEWER SYSTEM  
MONTHLY SERVICE CHARGES  
FY93-94

TABLE A

CLASSIFICATION

Single unit  
(R001)

MONTHLY SERVICE  
CHARGE

\$ 12.15 per unit/account

TABLE B

CLASSIFICATION

Multi-Unit (M002, M003, M004, M005)

RV (M006)

Combination Residential/RV (M007)

Loop Line Multi-unit (Lxxx)

MONTHLY SERVICE  
CHARGE

\$ 7.35 per unit

*7.35 per unit*  
~~\$ 5.10 per unit~~

\$ 9.20 per unit

TABLE C

CLASSIFICATION (Metered & Unmetered)

Commercial (Cxxx)

Non-Irrigation (2010 thru 2999)

METER  
SIZE

ERU-Ratio

MONTHLY SERVICE  
CHARGE

5/8"

1

\$ 12.15

3/4

1.50

16.75

1

2.50

25.95

1 1/2

5

49.00

2

8

76.65

3

16

150.30

4

25

233.20

6

50

463.45

8

80

739.70

10

145

\$ 1,338.35

EX.A-2

8-19-02

USER CHARGE

TABLE D

CLASSIFICATION (Metered)  
 Single-unit (R001)  
 Multi-unit (M002, M003, M004, M005)  
 RV (M006)  
 Combination Residential/RV (M007)  
 Loop Line Multi-unit (Lxxx)

Per Thousand Gallons  
(or portion thereof)

<u>AREA</u>	<u>USAGE</u>	<u>CHARGE</u>
SFMS	Per unit 1 - 12,000 Maximum	\$ 3.52 per 1,000
ELCS		
FMBS		

Usage in this table applies to all units served by a meter providing LCU water service.

TABLE E

CLASSIFICATION (Unmetered)  
 Single-unit (R001)  
 Multi-unit (M002, M003, M004, M005)  
 RV (M006)  
 Combination Residential/RV (M007)  
 Loop Line Multi-unit (Lxxx)

<u>AREA</u>	<u>USAGE</u>	<u>CHARGE</u>
SFMS	Flat Rate	\$15.84 per unit
ELCS	Flat Rate	15.84 per unit
FMBS	Flat Rate	15.84 per unit

TABLE F

CLASSIFICATION (Metered & Unmetered)  
 Commercial (Cxxx)  
 Non-Irrigation (2010 thru 2999)

Per Thousand gallons  
(or portion thereof)

<u>AREA</u>	<u>USAGE</u>	<u>CHARGE</u>
SFMS	1 gallon and over	\$3.52 per thousand
ELCS	1 gallon and over	3.52 "
FMBS	1 gallon and over	3.52 "

Unmetered usage charges are calculated using average consumptions (WG\_CONSUMP field) as estimated by LCU.

CLASSIFICATION (Unmetered)

Commercial (Cxxx)

METER  
SIZE

MONTHLY  
SERVICE CHARGE  
FLAT RATE

5/8"	16.00
3/4	23.90
1	39.80
1 1/2	79.60
2	127.35
3	254.65
4	397.90
6	795.80
8	1,273.25
10	2,307.75

WATER BILLING RATE CHANGES  
FY93-94

EX. A-3  
8-17-02

MONTHLY SERVICE CHARGES

TABLE A

<u>CLASSIFICATION</u>	<u>MONTHLY SERVICE CHARGE</u>
Single-family (R001)	\$ 8.10 per unit/account

TABLE B

<u>CLASSIFICATION</u>	<u>MONTHLY SERVICE CHARGE</u>
Multi-Unit (M002, M003, M004, M005)	\$ 4.75 per unit
RV (M006)	3.30 per unit
Combination Residential/RV (M007)	5.95 per unit
Loop Line Multi-unit (Lxxx)	4.75 per unit

TABLE C

<u>CLASSIFICATION</u>		<u>MONTHLY SERVICE CHARGE</u>
Meter Size	ERU-Ratio	
5/8"	1	\$ 8.10
3/4"	1.50	11.00
1"	2.50	16.90
1 1/2"	5	31.65
2"	8	49.30
3"	16	96.40
4"	25	149.35
6"	50	296.50
8"	80	473.10
10"	145	855.70

EX.A-4  
8-19-02

WATER BILLING RATE CHANGES  
FY93-94

USER CHARGE

TABLE D

CLASSIFICATION

Single unit (per account)  
Combination Residential/RV (M007)

Per thousand gallons  
(or portion thereof)

<u>USAGE</u>	<u>CHARGE</u>
1 - 6,000	\$2.18
6,001 - 12,000	2.68
12,001 - 18,000	3.18
18,001 and over	4.18

Usage in this table applies to each unit or per account as applicable.

TABLE E

CLASSIFICATION

Multi-unit (per unit)  
(M002, M003, M004, M005)  
Loop Line Multi-unit (Lxxx)

Per thousand gallons  
(or portion thereof)

<u>USAGE</u>	<u>CHARGE</u>
1 - 4,800	\$2.18
4,801 - 9,600	2.68
9,601 - 14,400	3.18
14,401 and over	4.18

Usage in this table applies to each unit.

TABLE F

CLASSIFICATION

RV (M006)

Per thousand gallons  
(or portion thereof)

<u>USAGE</u>	<u>CHARGE</u>
1 - 3,300	\$2.18
3,301 - 6,600	2.68
6,601 - 9,900	3.18
9,901 and over	4.18

Usage in this table applies to each unit.

**EX. A-5**  
**8-17-02**

**TABLE G**

CLASSIFICATION

Commercial (Cxxx)

Per thousand gallons  
(or portion thereof)

	<u>USAGE</u>	<u>CHARGE</u>
Per ERU	1 - 6,000	\$2.18
	6,001 - 12,000	2.68
	12,001 - 18,000	3.18
	18,001 and over	4.18

Usage in this table applies to each ERU

**TABLE H**

CLASSIFICATION

Irrigation only (Ixxx)

Per thousand gallons  
(or portion thereof)

	<u>USAGE</u>	<u>CHARGE</u>
	1 - 6,000	\$2.68
	6,001 - 12,000	3.18
	12,001 and over	4.18

Usage in this table applies to commercial irrigation accounts (Ixxx) using treated water solely for irrigation.

**TABLE I**

CLASSIFICATION

Non-irrigation (Zxxx)

USAGE

CHARGE  
Per thousand gallons  
\$ 2.18

ALL

Consumption in this table applies to a commercial (Zxxx) account which absolutely has no irrigation.

WATER BILLING RATE CHANGES  
FY93-94

EX. A-6

8-19-02

ADMINISTRATIVE FEE

TABLE J

CLASSIFICATION

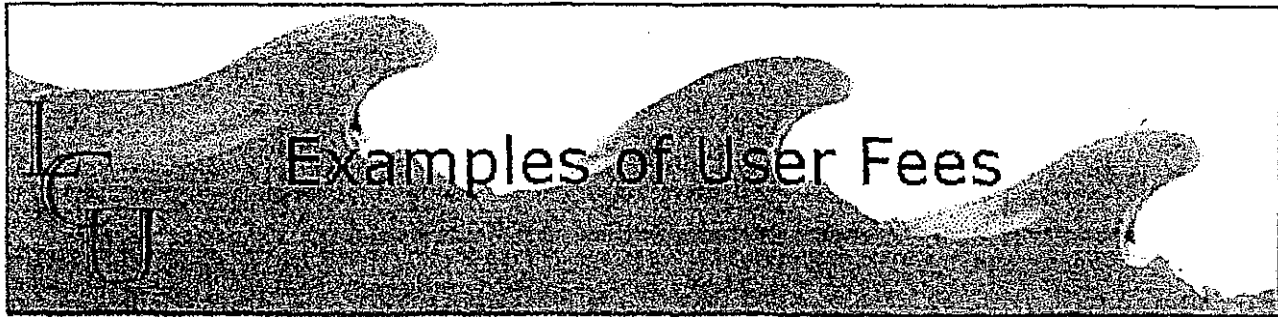
Multi-unit (M002, M003, M004, M005)  
RV (M006)  
Combination Residential/RV (M007)  
Loop Line Multi-unit

ACCOUNT FEE	CHARGE
Per account/bill	\$2.15

[RTINC94]WATER



8-19-02



[Back](#)

[Residential](#)

[Commercial](#)

[Irrigation](#)

739-  
479-4668

## Residential Examples

W/Site  
PATRICIA  
DIPICCO

Single Family Water Only 6,000 gallons		Single Fa Water & Sewer 6
		Monthly Water Ch
		Water Admin. Ch
		6,000 )
Monthly Water Base Charge	5.95	Monthly Sewer Ch
Water Administrative Charge	2.15	Sewer Admin. Ch
6,000 x 2.18	13.08	6,000 )
Total Water Only 6,000	\$21.18	Total Water & Sewer

Single Family Water Only 9,000 gallons		Sing Water & Se
		Monthly
		Water Ad

8-19-02

<b>Monthly Water Base Charge</b>	5.95	
<b>Water Administrative Charge</b>	2.15	<b>Monthly</b>
6,000 x 2.18	13.08	<b>Sewer Ad</b>
3,000 x 2.68	8.04	
<b>Total Water Only 9,000</b>	<b>\$29.22</b>	<b>Total Water &amp;</b>

<b>Multi-Family 2 units</b>		<b>Multi-F.</b>
Water Only 10,000 gallons		Water & Sev
		<b>Water Base</b>
		<b>Water Adr</b>
<b>Water Base Charge 2 x 4.75</b>	9.50	
<b>Water Administrative Charge</b>	2.15	<b>Sewer Base</b>
9,600 x 2.18	20.93	<b>Sewer Adr</b>
400 x 2.68	1.07	1
<b>Total Water Only 10,000</b>	<b>\$33.65</b>	<b>Total Water &amp; S</b>

## Irrigation Examples

<b>Irrigation 1"</b>		<b>Irri</b>
Water Only 9,000 gallons		<b>Water &amp; Sev</b>

8-19-02

		Monthly
Monthly Water Base Charge	16.90	
6,000 x 2.68	16.08	
3,000 x 3.18	9.54	
Total Water Only 9,000	\$42.52	Total Water

### Commercial Examples

Commercial 5/8" Water Only 6,000 gallons 5/8" = 1 ERU's		Comm Water & Sewer 5/8"
		Monthly
Monthly Water Base Charge	8.10	Monthly
6,000 x 2.18	13.08	
Total Water Only 6,000	\$21.18	Total Water & Sewer

Commercial 1" Water Only 6,000 gallons 1" = 2.5 ERU's or 6,000 x 2.5		Comm Water & Sewer 1" = 2.5 ERU's
		Monthly Water Base Charge
Monthly Water Base Charge	16.90	Monthly

8-19-02

6,000 x 2.18	13.08	
Total Water Only 6,000	\$29.98	Total Water & S

<b>Commercial 5/8"</b> Water Only 9,000 gallons 5/8" = 1 ERU's		Comm Water & Ser 5/8"
		<b>Monthly Water B</b>
<b>Monthly Water Base Charge</b>	8.10	
6,000 x 2.18	13.08	<b>Monthly</b>
3,000 x 2.68	8.04	
Total Water Only 9,000	\$29.22	Total Water & S

<b>Commercial 1"</b> Water Only 9,000 gallons 1" = 2.5 ERU's or 6,000 x 2.5		Com Water & Ser 1" = 2.5 ER
		<b>Monthly Water B</b>
<b>Monthly Water Base Charge</b>	16.90	<b>Monthly</b>
9,000 x 2.18	19.62	
Total Water Only 9,000	\$36.52	Total Water & S

8-19-02

Return Receipt  
Requested

7001 0320 0003 749J 2557



03/11/2002 11:11 AM



Return Receipt  
Requested

Rob James  
Commissioner, District 1  
P.O. Box 398  
Ft. Myers, FL 33902

10-8-02

Writer's Direct Dial Number: (239) 479-8181

Bob Janes  
District One

October 8, 2002

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Rosemary Pond, Office Manager  
Reddy Ice Corp  
13320 Metro Parkway  
Fort Myers, FL 33912

**SUBJECT: WATER/SEWER BILLING; REDDY ICE  
AUGUST 19, 2002 CORRESPONDENCE TO  
DONALD STILWELL, LEE COUNTY MANAGER**

Dear Ms. Pond:

Lee County Utilities (LCU) has previously reviewed and provided your company with the appropriate adjustments to your water and sewer billings based upon the facts and circumstances of your particular situation.

We regret the fact that your company initially opened its water and sewer accounts with us in the account originator/holder name of Clear Channel Real Estate, your landlord.

If your accounts had been originally opened in the Reddy Ice name, our employees would have noticed the nature of your business and would have asked the appropriate questions at that time. This would have enabled us to make the suitable arrangements for your account, which were made, but over a course of time during which your company was not eligible for the Water System "Z rate" (non-irrigation).

We respectfully stand in our position in this matter, and hope that you will understand and appreciate our situation as well as your own.

Cordially,  
**LEE COUNTY UTILITIES**

  
Rick Diaz, P.E.  
Utilities Director

cc: Board of County Commissioners  
James G. Yaeger, County Attorney  
Donald Stilwell, County Manager  
James Lavender, Director, Public Works Administration  
David M. Owen, Chief Assistant County Attorney  
Carolyn Andrews, Utilities Manager  
Joel Sinkule, Project Manager, Energy Diagnostic Services, Inc.

S:\UTILS\RICKDIAZ\LETTERS\REDDYICE.DOC