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June 25, 2007

VIA DHL EXPRESS

Jaelyn A. Brillling, Secretary
Public Service Commission
Three Empire State Plaza
Albany, New York 12223

Re: Case Nos. 05-M-0073 & Case 05-S-0074
Petition of M-GBC, LLC. to Operate and Maintain Existing Steam Plant et al.

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Dear Ms. Brillling:

We represent the Respondents in the above captioned proceeding. Enclosed herewith, please find an original and five copies of an Affidavit of one of the Respondents sworn on June 7, 2007.

Respectfully submitted,



David A. Antwork

DAA/cao
cc: Attached Service List
Administrative Law Judge Michelle L. Phillips (via DHL)
Administrative Law Judge Jeffrey Stockholm (via DHL)

Service List via Regular Mail:

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STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case No. 05-M-0073	Petition Of M-GBC, LLC For (1) A Certificate Of Public Convenience And Necessity To Own, Operate And Maintain Existing Steam Plant, Electric Substation and Sprinkler Water Services Pursuant To The Public Service Law, (2) A Declaration Ruling That It Will Be Subject Only To Lightened Regulation, (3) Approval Of Tarriff For Steam Service, And (4) An Expedited Hearing
Case No. 05-S-0074	New Tariff Schedule, PSC No. 1, for Steam Service in Calverton Industrial Park filed by M-GBC, LLC

**STATEMENT OF TED LAUDIS PURSUANT TO
PUBLIC SERVICE COMMISSION ORDER ISSUED NOVEMBER 4, 2005**

1. I am the president of Mivila Foods, Inc., 4062-601 Grumman Blvd Building #6, Calverton, New York 11933, a building owner within the Calverton Industrial Park and a Respondent in the above captioned proceeding.
2. I make this statement in response to petitioner, Jan Burman's, statement dated May 11, 2007.
3. I am constrained to address several inaccuracies contained within Mr. Burman's affidavit. At the outset, the association is by no means holding M-GBC "hostage" in regards to the parties' sprinkler systems. (See Jan Burman affidavit dated May 11, 2007 at ¶ 16). In fact, I would readily consent to Mr. Burman discontinuing the centralized non-potable water service for the fire suppression sprinklers if connected to the Town of Riverhead service. However, he must also be willing to dedicate the pumps which he has, once again, conspicuously left out of his affidavit.

4. In the alternative, Mr. Burman could dedicate the pumping station to the business owners whose buildings require the pumps for their fire suppression systems to operate.

5. As this Commission may be aware, the property which Industrial Park is located was formerly used by Grumman Aircraft Engineering Co. as an aircraft manufacturing facility.

6. As such, Grumman installed throughout their buildings a self standing fire suppression system. This system is comprised of several water wells and a building which contains three large industrial pumps from which water is pumped to each buildings' respective fire suppression systems.

7. These industrial pumps are necessary to build sufficient water pressure to power the fire suppression systems contained in several of the extremely large and cavernous buildings.

8. For example, the building I purchased and which my company Mivila Foods operates out of is over 328,000 sq. feet.

9. I have been told by the Riverhead Fire Commissioner that if my building's fire suppression system, as well as several other buildings owned by association members, was connected solely to the Riverhead Water District's water system, without the pumps, the fire suppression system would no longer operate due to a lack of water pressure.

10. As such, without the pumping station situated within the Industrial Park, my buildings fire suppression system will not operate if connected to the Riverhead Water District's water system.

11. Moreover, Mr. Burman's use of my attorney's testimony during the March 14, 2005 pre-hearing conference is also misleading.

12. Mr. Burman argues that my attorney, Andrew Campanelli, represented that individual fire suppression systems would be installed or that the existing fire suppression system would be connected to the Riverhead Water District. (See Jan Burman affidavit dated May 11, 2007 at ¶ 4).

13. At no time did my attorney represent that individual fire suppression systems would be installed at their own expense.¹ It is quite telling that Mr. Burman did not cite to any testimony to support this statement.

14. Moreover, in regards to the non-potable sprinkler water service being connected to the Riverhead Water District, my attorney simply stated that the water *system* is ready to be taken over by the water district. (See Jan Burman affidavit dated May 11, 2007 at ¶ 5) [emphasis added].

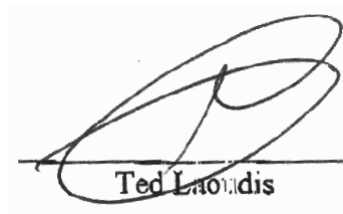
15. It was certainly my attorney's position, as it is mine, that the non-potable sprinkler water service *system* to be assumed by the Riverhead Water District would include the pumping station.

16. Obviously, my attorney would not agree to have the Riverhead Water District assume control over the association's non-potable sprinkler water service if the pumping station, which is necessary for the systems to work, was not included.

¹ As stated previously, the association members believe that each of their respective purchase agreements with Burman provides that M-GBC is obligated to operate the centralized fire suppression facility. However, this question, among others, is currently pending before the Suffolk County Supreme Court in an action entitled, *C.A.P.S. Realty Holdings LLC., et. al v. M-GBC, LLC, Calverton/Camelot, LLC and Jan Burman*, Index No. 7216-2006.

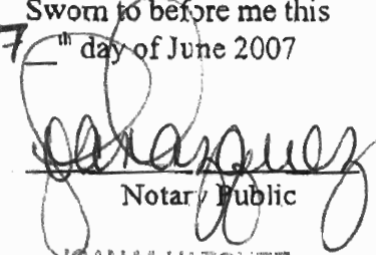
17. As stated in my previous affidavit, one can assume that Mr. Burman has failed to dedicate the pumping station facility, or even discuss its existence in his affidavit, because he will seek to sell this building for a profit. However, by transferring the wells to the Town of Riverhead, which the pumping station requires, Mr. Burman can claim to have no ability to provide fire suppression to the Respondents, as well as any future individuals to whom he sells property and buildings to within the Industrial Park.

18. In light of the foregoing, it is respectfully requested that this Commission refuse to allow M-GBC and Burman to divest its obligations to provide pressurized water service unless he intends to dedicate the pumps to the Town of Riverhead, or to the business owners within the Industrial Park, as well.



Ted Laondis

Sworn to before me this
7th day of June 2007



Notary Public

JOAN M. VAZQUEZ
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES FEB. 21, 2011