

State of Florida

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DIVISION OF WATER &
WASTEWATER
CHARLES HILL
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Public Service Commission

August 2, 1993

Mr. Wayne L. Schiefelbein, Esq.
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, Florida 32308

Re: Docket No. 930673-SU - Application for Amendment to Certificate No. 268-S
in Lee County.

Dear Mr. Schiefelbein:

Staff is in receipt of your application for an amendment in the above- referenced docket. However, after reviewing your application we have determined that the following deficiency must be corrected:

- (1) Rule 25-30.036(d), Florida Administrative Code requires the applicant to provide evidence that the utility owns the land upon which the utility's treatment facilities are located. Therefore, please provide a copy of a recorded warranty deed, a quit claim deed with appropriate title insurance, or a long term lease, such as a 99-year lease, as sufficient proof of the continued use of the land upon which all the systems included in the filing are located.

A warranty deed with a legal description and a quit claim deed with an amended legal description were provided with the application. Please provide a written explanation of the difference between the two deeds and legal descriptions.

- (2) Rule 25-30.036(k), Florida Administrative Codes requires the applicant to provide the numbers and dates of any permits issued for the proposed systems by the Department of Environment Protection.

Since the utility will not be expanding its existing facilities to serve the proposed amended territory, please submit the utilities current Department of Environmental Protection operation permit.

DOCUMENT NUMBER-DATE
08413 AUG-4 93
FPC-REG/REG/REPORTING

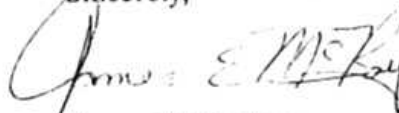
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- (3) Rule 25-30.035(9), Florida Administrative Codes requires the applicant to submit a legal description, using township, range, and section references, of the territory the utility was serving, or was authorized to serve by the county which had jurisdiction over the utility on the day Chapter 367, Florida Statutes, became applicable to the utility.

The territory currently submitted by the utility does not meet the requirements of the above rule due to an unacceptable point of beginning reference. Use of street references for the point of beginning as currently used in the utility legal description is not acceptable. Please submit an legal description using the requisite references.

Please file the original and fifteen copies of the requested documents with the Division of Records and Reporting on or before September 10, 1993. If I can be of any further assistance, please let me know.

Sincerely,



James E. McRoy
Engineer

/JEM

cc: Charles H. Hill
Division of Records and Reporting
Division of Legal Service (Crosby)