

State of Florida

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DIVISION OF WATER &
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Public Service Commission

August 30, 1995

FILE COPY

Mr. Robert L. Underwood
537 East Park Avenue
Post Office Box 3106
Tallahassee, FL 32315-3106

RE: Docket No. 941044-WS; Resolution of the Board of County Commissioners of Charlotte County Declaring Charlotte County Subject to the Provisions of Chapter 367, F.S. - Request for Exemption for Water and Wastewater Service by Knight Island Utilities, Inc.

Dear Mr. Underwood:

We are in receipt of your letter dated June 27, 1995. The application is deficient in the following respects.

1. As required by Rule 25-30.060(3)(g), F.A.C., provide a copy of the corporation's bylaws, which clearly show that the requirements for membership, and that the members' voting rights are one vote per unit of ownership. The bylaws appear to be satisfactory, but they need to be recorded with the Secretary of State's Office. Also, it is my understanding that the ownership of Knight Island Utilities, Inc., has been turned over to the residents. Please confirm this in writing including the effective date.

2. As required by Rule 25-30.060(3)(g), F.A.C., provide proof that Knight Island Utilities, Inc. owns the land upon which the facilities will be located or other proof of its right to continued use of the land, such as a 99-year lease. You indicated that the deed would be submitted within three weeks.

Please file an original and two copies of the requested information no later than September 29, 1995 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399.

- ACK _____
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- APP _____
- CAF _____
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DOCUMENT NUMBER - DATE
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FPSC-RECORDS/REPORTING

ROBERT A. DICKINSON
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August 22, 1995

Ms. Alice Crosby, Paralegal
Public Service Commission
Division of Legal Services
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

Florida's
LEGAL SERVICES

RE: Docket No.: 941044-WS - Request for Exemption for Provision of Wastewater Service by Lemon Bay Breezes Condominium Association, Inc.

Dear Ms. Crosby:

Thank you for taking the time to discuss this matter with me the other day. As I indicated, our office does represent Lemon Bay Breezes Condominium Association, Inc. Currently, the sewer facilities serving the condominium are owned and operated by the condominium developer. Our office has been retained by the Condominium Association to facilitate the transition of all of the common elements to the control of the Homeowner Association.

Frankly, because of the complication of this matter and all of the documentation that has preceded me, I anticipate at least a couple of weeks to review the corporate documentation in order to make a recommendation to the Condominium Association. Thereafter, I would assume that the actual transition to Association control for the sewer facilities may take a few additional weeks. Therefore, since ownership of the sewer facilities and the ground upon which they are located is essential for the obtaining of the exemption status, I would request an extension of time for us to complete the homeowner association's acquisition of the common facilities. I would hope that ninety (90) days would be sufficient.

Should you have any questions concerning our request, please do not hesitate to contact me.

Very truly yours,



Robert A. Dickinson

RAD/dlg