

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF WATER &  
WASTEWATER  
CHARLES HILL  
DIRECTOR  
(904) 413-6900

ORIGINAL  
FILE COPY

# Public Service Commission

May 23, 1996

Mr. Carl Peterson, Esq.  
Burnt Store Colony R.O. Association  
15550 Burnt Store Road  
Punta Gorda, Florida 33955

Re: Docket No. 960057-WS; Application for water and  
wastewater certificate under grandfather rights in  
Charlotte County by Burnt Store Colony R.O.  
Association, Inc.

Dear Mr. Peterson:

On January 12, 1996, Burnt Store Colony R.O. Association,  
Inc. (Burnt Store) filed an application with this Commission for  
water and wastewater certificates in Charlotte County under  
grandfather rights. Staff has previously advised you of the  
substantial deficiencies of Burnt Store's certificate application  
and required a response by March 15, 1996. Please refer to the  
enclosed letter dated February 1, 1996. At this time, and  
despite several contacts, no response has been received.  
Therefore, Burnt Store has yet to fulfill requirements of Chapter  
25-30.035, Florida Administrative Code, (F.A.C.) and is in  
violation of Section 367.031 Florida Statutes, (F.S.).

Further delay by your client will require Staff to seek the  
Commission's authority to initiate show cause proceedings. A  
copy of Section 367.161, F.S., is enclosed for your information.

Please file an original and two copies of the requested  
information by June 28, 1996, to Director, Division of Records  
and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida  
32399-0850. To ensure proper and timely processing, please be

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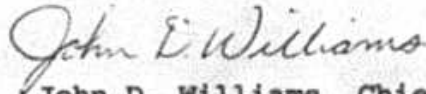
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Carl Peterson  
May 23, 1996  
Page two

sure to reference the docket number, indicated at the top of this letter on all future correspondence. If you have any questions, please contact J. Travis Coker at (904) 413-6997.

Sincerely,



John D. Williams, Chief  
Bureau of Policy Development  
and Industry Structure

JDW/TC/jn

cc: Division of Legal Services (Agarwal)  
Division of Records and Reporting  
Cal Lustig, President of Burnt Store Colony RO Assn.

(1) If any utility, by any authorized officer, agent, or employee, knowingly refuses to comply with, or willfully violates, any provision of this chapter or any lawful rule or order of the commission, such utility shall incur a penalty for each such offense of not more than \$5,000, to be fixed, imposed, and collected by the commission. However, any penalty assessed by the commission for a violation of s. 367.111(2) shall be reduced by any penalty assessed by any other state agency for the same violation. Each day that such refusal or violation continues constitutes a separate offense. Each penalty shall be a lien upon the real and personal property of the utility, enforceable by the commission as statutory liens under chapter 85. The proceeds from the enforcement of any such lien shall be deposited into the General Revenue Fund.

(2) The commission has the power to impose upon any entity that is subject to its jurisdiction under this chapter and that is found to have refused to comply with, or to have willfully violated, any lawful rule or order of the commission or any provision of this chapter a penalty for each offense of not more than \$5,000, which penalty shall be fixed, imposed, and collected by the commission; or the commission may, for any such violation, amend, suspend, or revoke any certificate of authorization issued by it. Each day that such refusal or violation continues constitutes a separate offense. Each penalty shall be a lien upon the real and personal property of the entity, enforceable by the commission as a statutory lien under chapter 85. The collected penalties shall be deposited into the General Revenue Fund unallocated.

**History.ää**

s. 1, ch. 71á278; s. 3, ch. 76á168; s. 1, ch. 77á457; ss. 21, 25, 26, ch. 80á99; ss. 2, 3, ch. 81á318; ss. 6, 8, ch. 84á149; ss. 21, 26, 27, ch. 89á353; s. 4, ch. 91á429.

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DIVISION OF WATER &  
WASTEWATER  
CHARLES HILL  
DIRECTOR  
(904) 413-6900

## Public Service Commission

February 1, 1996

Burnt Store Colony R.O. Association  
15550 Burnt Store Road  
Punta Gorda, Florida 33955

RE: Docket No. 960057-WS; Application for water and wastewater certificate under grandfather rights in Charlotte County by Burnt Store Colony R.O. Association, Inc.

Dear Sir or Madam:

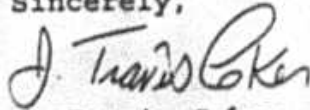
Burnt Store Colony R.O. Association, Inc. (Burnt Store) application for water and wastewater certificate under grandfather rights requires additional information fulfilling requirements of Chapter 25-30.035, F.A.C.

- 1) The system map detailing the design of the physical properties, which make up the water and wastewater systems, does not meet Commission standards. Please provide a system map that encompasses the entire system and adequately details the physical attributes of the water and wastewater system.
- 2) The map detailing the requested service territory does not meet Commission standards. Please provide a territory map that clearly defines the territory requested and identically tracks the legal description.
- 3) The application must be accompanied by a tariff. Please complete the enclosed tariff.
- 4) The application requires a complete copy of the company's prospectus as filed with the Department of Professional and Business Regulation.
- 5) The application must include proof of ownership. You must file a copy of proof of ownership of the utility facilities and land upon which the facilities are located. Examples of acceptable proof of ownership is a copy of a warranty deed, a 99 year lease or a written easement.

Burnt Store Colony R.C. Association  
February 1, 1996  
Page two

Please file an original and two copies of the requested information by March 15, 1996, to Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Also please be sure to reference the docket number, indicated at the top of this letter on all future correspondence to ensure proper and timely processing. If you have any additional questions, do not hesitate to contact me at (904) 413-6997.

Sincerely,



J. Travis Coker  
Regulatory Analyst

JTC/jn

cc: Division of Legal Services (Agarwal)  
Division of Records and Reporting