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

## Public Service Commission

July 12, 1996

Mr. Edward E. Hedstrom  
Attorney At Law  
P.O. Box 1354  
Palatka, Florida 32178

Re: Docket No. 960734-WS, Request for exemption from Florida Public Service Commission regulation for provision of water and wastewater service in Putnam County by Hiawatha Condominiums WWTF.

Dear Mr. Hedstrom:

The Commission officially received the above referenced petition on June 14, 1996, and assigned Docket No. 960734-WS. Staff has preliminarily reviewed the filing for deficiencies and found it to be essentially complete. However, since Hiawatha & Hart Point Treatment Facility, Inc., (Hiawatha) is registered with the state as a not-for-profit corporation, its exemption status falls under Rule 25-30.060(3)(g)(3), Florida Administrative Code, which requires the following additional information:

1. A copy of Hiawatha's by-laws as filed with the Secretary of State. Such by-laws must clearly demonstrate that Hiawatha provides service solely to members who own the corporation. You have indicated in your cover letter that Hiawatha's by-laws are still being drafted. Please be sure to provide staff with a copy of the by-laws as soon as they are adopted and recorded with the Secretary of State.
2. A description of Hiawatha's voting rights and the location of voting rights in Hiawatha's articles of incorporation and bylaws. Since Hiawatha's voting rights are not one vote per unit of ownership, please provide an additional statement explaining the basis used and why Hiawatha believes the voting rights provide members with equitable control of the corporation.
3. A statement describing when, and how, turnover of control from the developer to the non-developer members has (or will) occur.

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4. The 25-Year Lease Agreement provided with your application must be recorded in the same manner as a warranty deed. Please provide staff with a copy of the recorded lease when complete.
5. Finally, the corporation's name will appear on any orders resulting from your filing unless a fictitious name for the utility is registered with the state. Please advise staff whether Hiawatha intends for the system to be known by any other name than that of the corporation.

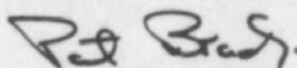
Since Items 2, 3 and 5 are statements, please file them as late-filed exhibits to your previously sworn application in this docket. Any transmittals should reference the docket number and title of the petition. Please file the original and four copies of the information requested above directly with the:

**Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

To complete the docket as expeditiously as possible, the information should be received by August 22, 1996.

If you have any questions, please feel free to contact me at (904) 413-6686.

Sincerely,



Patricia Brady  
Regulatory Analyst III  
Bureau of Policy Development  
and Industry Structure

PLB:plb

cc: Alice Crosby, Division of Legal Services  
Division of Records and Reporting (2 copies)