

State of Florida

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DIVISION OF WATER &
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DIRECTOR
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Public Service Commission

August 13, 1996

Ms. Shari Dlouhy, President
Windstream Utilities Company
P.O. Box 4201
Ocala, FL 34478-4201

Re: Docket No. **960866-WU**; Application for amendment of Certificate No. 427-W to add territory in Parcels A, B, C, E and E by Windstream Utilities Company in Marion County.

Dear Ms. Dlouhy:

After reviewing the application in the above referenced docket, the staff has identified the following deficiencies as well as additional information is needed to process the application.

1. As required by Section 367.045(1)(a), Florida Statutes (F.S.), and Rule 25-30.030, Florida Administrative Code (F.A.C.), the utility must provide notice of the application and provide affidavits that the notice was given. The notice must be given to the governmental entities and all utilities in the county, all cities located in the county, and to each of the customers in the proposed territory. The notice must be published in a newspaper. The application stated that the affidavits of noticing would be a late filed exhibit. Please file the affidavits when the noticing is complete.

2. As required by Rule 25-30.036(3)(b) Florida Administrative Code (F.A.C.), provide a statement showing the financial and technical ability of the utility to provide service and the need for service in the area requested. The application stated that this would be submitted later. In addition, according to the 1995 annual report filed by the utility, the utility had operating revenues of \$137,434 and a net operating loss of \$20,317. Since the utility has a net operating loss, please elaborate on the financial ability of the utility to add these additional customers.

3. As required by Rule 25-30.036(3) (c), Florida Administrative Code (F.A.C.), provide a statement that to the best of the applicant's knowledge the provision of service

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will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest. The utility provided a statement regarding the Marion County Land Development Code. The statement must reference the local comprehensive plan. How does the Marion County Land Development Code relate to the comprehensive plan?

4. As required by Rule 25-30.036(3) (e), Florida Administrative Code (F.A.C.), (e) provide a description of the territory proposed to be served, using township, range and section references as specified in Rule 25-30.030(2). Parcel E refers to the Sanchez Grant. This grant is not located on our map. Please redescribe Parcel E.

5. As required by Rule 25-30.036(3) (f), Florida Administrative Code (F.A.C.), provide one copy of a detailed system map showing the proposed lines, treatment facilities, and the territory proposed to be served. The map shall be of sufficient scale and detail to enable correlation with the description of the territory. The application stated that this would be submitted later.

6. As required by Rule 25-30.036(3) (i), Florida Administrative Code (F.A.C.), provide one copy of the official county tax assessment map or other map showing township, range, and section, with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. I was able to verify parcels A and B. However parcel C does not appear to agree with the territory description. Please plot the description on the map and identify all angles and descriptions on the map. Also, no map was provided for Parcels E and F.

7. As required by Rule 25-30.036(3) (j), Florida Administrative Code (F.A.C.), the utility must provide a statement describing the capacity of the existing lines, the capacity of the treatment facilities, and the design capacity of the proposed extension. The application stated that this would be submitted later.

8. As required by Rule 25-30.036(3) (k), Florida Administrative Code (F.A.C.), provide the numbers and dates of any permits issued for the proposed systems by the Department of Environmental Protection (DEP). A copy of the water management permits were issued, but no mention of any permits from the DEP.

9. As required by Rule 25-30.036(3) (l), Florida Administrative Code (F.A.C.), provide a detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure. The application stated that this would be submitted later.

10. As required by Rule 25-30.036(3) (r), Florida Administrative Code (F.A.C.), (r) provide an affidavit that the utility has tariffs and annual reports on file with the Commission. The application stated that this would be submitted later.

11. As required by Rule 25-30.036(3) (n), Florida Administrative Code (F.A.C.), provide a statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges. The application stated that this would be submitted later.

12. As required by Rule 25-30.036(3) (p), Florida Administrative Code (F.A.C.), the utility must provide the applicants original Certificate No. 427-W for possible amendment. Please submit.

In addition, the utility has more than one approved rate and charge in Marion County. Please specify which rate and charge the applicant plans to charge the customers in these developments. Please specify which water treatment plant will be providing the water.

Although the utility states that it plans to serve 44 single family homes in the proposed territory, the territory description appears to include more territory than just the 44 single family homes. Also, the description appears to reflect three separate areas. Why does the utility want to serve this additional territory and who presently resides on the land at this time?

As stated above the description appears to reflect three separate areas. Does the utility plan to serve the areas from the same water treatment plant? If not additional warranty deeds will be required to reflect water service being provided from each water treatment plant.

Please file an original and twelve copies of the requested information no later than September 9, 1996 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399.

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If you have any questions please call.

Sincerely,

A handwritten signature in cursive script that reads "Richard Redemann".

Richard Redemann, P.E.

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cc: Division of Water and Wastewater (Hill)
Division of Legal Services (Crosby)
Division of Records and Reporting (Bayo)
Division of Records and Reporting (Security File)