

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

September 30, 1996

Mr. James Ray Keen
Keen Sales & Rentals, Inc.
685 Dyson Road
Haines City, Florida 33844

RE: Docket No. 961007-WU, Application for certificate under grandfather rights to provide water service by Keen Sales & Rentals, Inc. in Polk County.

Dear Mr. Keen:

We appreciate your diligence in completing the application. Staff has reviewed the utility's application for a water certificate and determined that it is deficient pursuant to Section 367.171, Florida Statutes and Rule 25-30.035, Florida Administrative Code. The following deficiencies have been noted:

1. **Warranty Deed.** Rule 25-30.035(6), Florida Administrative Code, requires that the utility provide evidence that the utility owns the land upon which the utility treatment facilities are located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative. We cannot accept a quitclaim deed as proof of ownership unless it is accompanied by title insurance in the name of the utility. The warranty deed and title insurance you provided are not in the name of the utility. Therefore, please provide a warranty deed in the name of the utility, title insurance for the quitclaim deed in the name of the utility, or a 99-year lease of the land from you and Mrs. Keen to the utility.
2. **Territory Description.** Rule 25-30.035(9), Florida Administrative Code, requires a description, using township, range, and section references as specified in Rule 25-30.030(2), 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.
 - A. As we discussed with you at our meeting in Polk County, it appears that the Earlene Subdivision description is incorrect. Specifically, we believe the "East 1/4..." should be the "East 1/2..." The description you provided is shown below with the new information **bolded and underlined**. The information we believe is

ACK _____
 AFA _____
 APP _____
 CAF _____
 CMU _____
 CTR _____
 EAG _____
 LEG _____
 LIN _____
 OPC _____
 RCH _____
 SEC 1 _____
 WAS _____

DOCUMENT NUMBER DATE

10670 SEP 27 1996
TANGLASSEE-713 2399-0850
Internet E-mail: CONTACT@PSC.STATE.FL.US

incorrect is struck out. We have attached a copy of a map that we believe explains the correction. Additionally, you may combine the Earlene and Ray Keen Subdivision descriptions if you wish to simplify your territory description. Both descriptions are shown below along with a simplified description. Please verify your territory description, and either submit a corrected description or explain why you believe your original description is correct.

The Earlene Subdivision

Township 27, South, Range 27 East, Section 25, the West 1/2 of the East 1/4~~2~~ of the Northeast 1/4 of the Northwest 1/4

The Ray Keen Subdivision

Township 27, South, Range 27 East, Section 25, the East 1/2 of the Northeast 1/4 of the Northwest 1/4, less the West 1/2

These descriptions may be simplified as follows:

The Earlene and Ray Keen Subdivisions

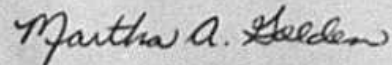
Township 27, South, Range 27 East, Section 25, the East 1/2 of the Northeast 1/4 of the Northwest 1/4

- B. Were you authorized to serve this territory by Polk County or Haines City? If yes, please provide a copy of the franchise agreement or order that approved this territory.
- C. Are you currently serving customers in the Ellison Park Subdivision?
1. If no:
 - a. When do you anticipate serving customers in this subdivision?
 - b. Do you or the utility own any land within this subdivision?
 - c. Does the utility currently have any lines within this subdivision?
 2. Did you receive authorization from the County or Haines City to serve this additional territory? If yes, please provide a copy of that authorization (franchise agreement, order, etc.).

Mr. James Ray Keen
September 30, 1996
Page 3

Please file the original and five copies of the requested information no later than December 6, 1996 with Ms. Blanca Bayo, Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If you have questions regarding the warranty deed, please call Alice Crosby at (904)413-6222. If you have questions regarding the territory description, please call Richard Redemann at (904)413-6999. Also, please feel free to call me at (904)413-7015 if you have any other questions.

Sincerely,



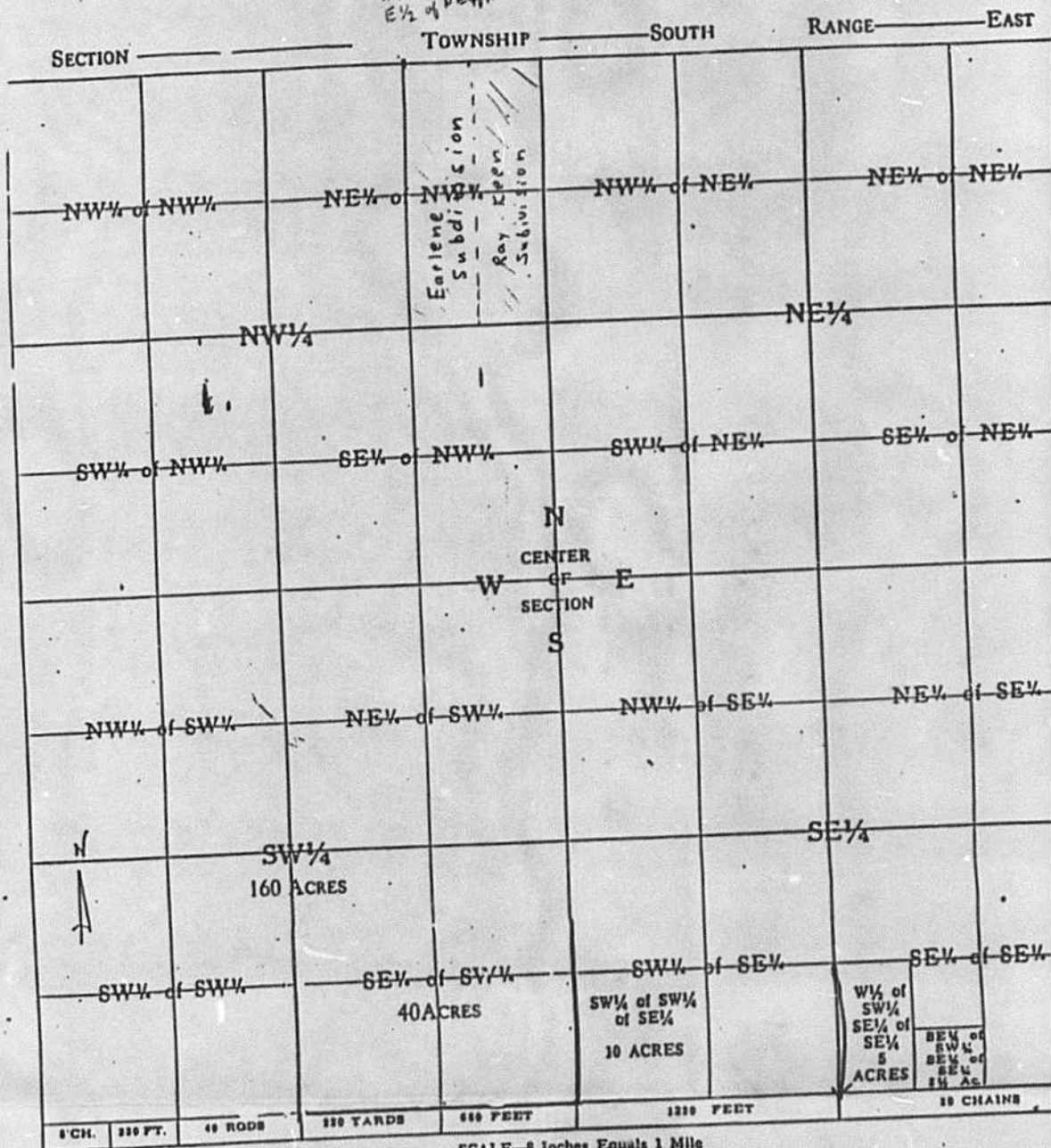
Martha A. Golden
Economic Analyst

/MAG
Attachment

cc: Division of Water and Wastewater (Hill, Williams, Messer, Redemann)
Division of Legal Services (Jaber, Crosby)
Division of Records and Reporting

SECTION CHART

NW Corner of
E 1/2 of NE 1/4 NW 1/4



SCALE—8 inches Equals 1 Mile

1 inch Equals 10 Chains, 660 Feet, 40 Rods or 220 Yards.

One Link — 7.92 Inches.
 One Rod — 16 1/2 Feet, 1/4 Chain or 25 Links.
 All Measurements in Government Surveys are indicated by Links and Chains.
 One Chain — 66 Feet, 4 Rods or 100 Links.
 One Mile — 5,280 Feet, 320 Rods or 80 Chains.

One Square Rod Contains 272 1/4 Square Feet.
 One Acre is about 208 1/2 Feet Square.
 One Acre Contains 43,560 Square Feet or 160 Square Rods.
 1/2 Acre (Homestead within City Limits) Contains 21,780 Sq. Ft.
 Ten Square Chains — One Acre.

A Section of Land is One Square Mile and Contains 640 Acres.
 1/4 Section Contains 160 Acres.
 A Township Area is 36 Square Miles and Contains 23,040 Acres.

Sectional Map of a Tow
With Adjoining Section

36	31	32	33	34	35	3
1	6	5	4	3	2	
12	7	8	9	10	11	1
13	18	17	16	15	14	1
24	19	20	21	22	23	2
25	30	29	28	27	26	2

ENTS	FEET
	66
	132
	198
	264
	330
	396
	462
	528
	594
	660
	726
	792
	858
	924
	990
	1056
	1122
	1188
	1254
	1320