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January 6, 1997

VIA HAND DELIVERY

RECEIVED

JAN 06 1997

Ms. Martha A. Golden
Economic Analyst
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Florida Public Service Commission
Division of Water and Wastewater

RE: Docket No. 961249-WU; Application for grandfather certificate to provide water service in Polk County by Sunrise Water Company, Inc. ("Sunrise")

Dear Ms. Golden:

This letter is in response to your letter of November 5, 1996 with respect to Sunrise's grandfather certificate application.

Warranty Deed and Territory Description. You are correct in observing that a discrepancy exists between the description provided in the Warranty Deed and the service territory description. The Warranty Deed is accurate, the service territory description is not. To clarify, the correct legal description for the plant location is:

ACK _____ The South 45 feet of the North 155 feet of the East 100 feet of the West 760 feet
AFA _____ of the SW 1/4 of the NW 1/4 of Section 21, Township 28 South, Range 25 East,
APP _____ Polk County, Florida. Also known as Lot 139 of Sun Acres Unit #2, an
CAF _____ unrecorded subdivision, LESS AND EXCEPT the South 10 feet thereof.
CMU _____ However, the service territory description of section 13 is inaccurate. In fact, the service
CTR _____ territory is entirely within section 21. We have researched the reason for the discrepancy and
EAG _____ traced the error to the original Resolution Granting Water and Sewer Franchise to Sun Acres
LEG _____ Water Company that was granted August 9, 1977. That document, from which the 1990
LIN _____ Franchise Agreement with our client, Sunrise Water Company, was derived was the basis for
OPC _____ all references to the service territory. Sunrise had no reason to question the validity of the
RCH _____ service territory authorized by Polk County, Florida. At this time, we suggest an accurate
SEC _____ description of the service territory is:
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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That area entirely within Section 21, Township 28 South, Range 25 East, Polk County, Florida, known as Sun Acres Subdivision.

Tariff. You have indicated that the tariff "...does not contain the service availability policy section." Enclosed with this letter is a revised Index of Rates and Charges Schedules, plus an Original Sheet No. 22.0, which represents Sunrise's Service Availability Policy.

Rates and Charges. Your letter states, "Please specify on what date and under what authority the current miscellaneous service charges, meter installation fee, and guaranteed revenue charges shown in the utility's proposed tariff were established." The 1990 Franchise Agreement between Polk County and Sunrise provides for the following:

Section 7. The Utility shall be allowed to charge rates and fees according to resolution from time to time adopted by the Polk County Board of County Commissioners sitting as the Polk County Utilities Commission which rates and fees shall be fair, reasonable, compensatory and not unduly discriminatory and shall be set in accordance with all applicable ordinances, rules and regulations of the Board of County Commissioners and the Polk County Utilities Commission.

It is upon this authority that Sunrise instituted the charges referenced above. If you believe such authority is insufficient, please advise.

Detailed System Map. We are attempting to determine if a more legible map exists.

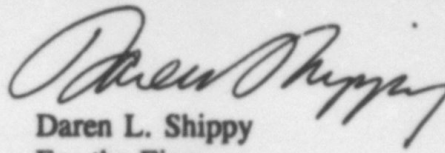
Tax Assessment Map. Your letter requests "...an official county tax assessment map containing the required information." Enclosed with this letter is an original county tax assessment map as requested.

After your review of this letter, with enclosures, please give me a call to let me know what, if anything else, you require with respect to Sunrise's grandfather application. I look forward to hearing from you.

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Sincerely,

ROSE, SUNDSTROM & BENTLEY



Daren L. Shippy
For the Firm

DLS:jmt

cc: Jon Pomerleau

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NAME OF COMPANY SUNRISE WATER COMPANY, INC.
WATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

	<u>Sheet Number</u>
Customer Deposits	13.0
Meter Test Deposit	14.0
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Residential Service, RS	12.0
Service Availability Fees and Charges	16.0
Service Availability Policy.....	22.0

MACAULEY WHITING, JR.
ISSUING OFFICER
PRESIDENT
TITLE

NAME OF COMPANY SUNRISE WATER COMPANY, INC.

WATER TARIFF

SERVICE AVAILABILITY POLICY

The developer is responsible for the construction of all on-site facilities according to the Service Company standards required to serve her property and shall convey them to Service Company at no cost. The developer shall pay all Service Availability Charges and other costs associated with service to her property, and may be required to pay all or a portion of the cost of off-site facilities required to serve the property.

MACAULEY WHITING, JR.
ISSUING OFFICER

PRESIDENT
TITLE