

M E M O R A N D U M

July 17, 1998

TO: DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF LEGAL SERVICES (REYES) *BLR*
RE: DOCKET NO. 970657-WS - APPLICATION FOR CERTIFICATES TO
OPERATE A WATER AND WASTEWATER UTILITY IN CHARLOTTE AND
DESOTO COUNTIES BY LAKE SUZY UTILITIES, INC.

Please place the attached letter dated July 16, 1998, and its
attachments in the docket file.

BLR/lw

Attachment

cc: Division of Water and Wastewater (Walker, Redemann)

I:\MMO-REC2.BLR

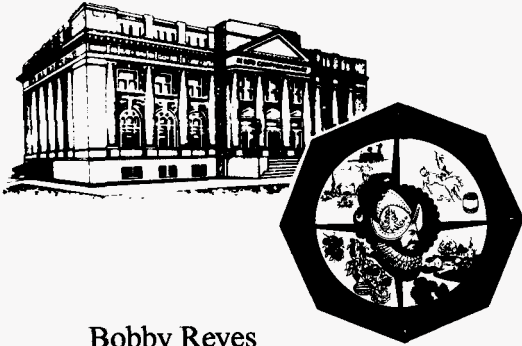
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OTH _____

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BOARD OF COUNTY COMMISSIONERS
DESOTO COUNTY



Administration Building
Suite 201
201 East Oak Street
Arcadia, Florida 34266
(941) 993-4800
SunCom 740-4800
Fax (941) 993-4809

BOB KONCAR
ADMINISTRATOR

GARY ALAN VORBECK
ATTORNEY

Bobby Reyes
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Fl. 32399-0850

July 16, 1998

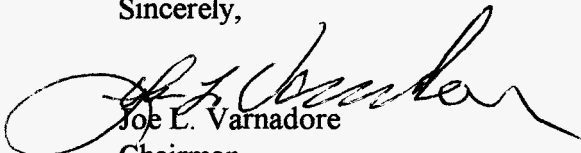
Dear Ms. Reyes;

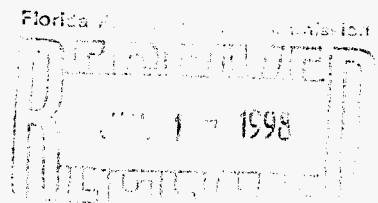
The Board of County Commissioners of DeSoto County took the final action during a Board Meeting held July 16th concerning the application by Lake Suzy Utilities, Inc.:

1. Voted to object to the granting of the application submitted by Lake Suzy Utilities, Inc. for expansion into the two areas of DeSoto County identified in the application submitted in September. The Board is taking this position, because it was unaware when they withdrew their objection in January to this application, that it included two areas in DeSoto County. The Board has no objection to Lake Suzy Utilities, Inc. serving a portion of Charlotte County but does object to them being allowed to expand their service area in DeSoto County.
2. Voted to adopt a resolution creating a DeSoto County Water and Sewer District which will serve this entire area (see the attached resolution and map).

We will be in attendance at the Tuesday meeting of the Public Service Commission to make a formal presentation of the Board's actions. Please contact Bob Koncar at 993-4810 if you have questions.

Sincerely,


Joe L. Varnadore
Chairman



T. FELTON GARNER
DISTRICT 1

JOE L. VARNADORE
DISTRICT 2

W.R. "BOB" AVANT
DISTRICT 3

BARBARA E. SMITH
DISTRICT 4

LEGAL DIVISION
ROBERT R. "BOB" ALLEN
DISTRICT 5

Resolution Number ~~1998~~-32

**DeSoto County
Board of County Commissioners**

- Whereas,** the Board of County Commissioners of DeSoto County, (hereinafter called the "Board") has determined that the County's economic prosperity depends upon increased economic development; and
- Whereas,** the Board has determined that the greatest opportunity for economic development is in the Southwestern portion of DeSoto County (as determined in the Water and Sewer Study completed by Camp, Dresser and McKee Consultant Engineers, dated February 1997); and
- Whereas,** the Board has discussed, met and reviewed the issues pertaining to the provision of water and sewer services in the area described in "Attachment A" for several years. The Board has created an Economic Development Council to pursue the economic development of the area and has expended substantial County funds to promote economic development in the area; and
- Whereas,** the Board has significant concerns about the financial ability of Lake Suzy Utilities, Inc., to expand in a manner that will keep pace with the economic development of the area; and
- Whereas,** Lake Suzy Utilities, Inc., obtains all of its water from DeSoto County and depends exclusively upon DeSoto County to obtain water for its customers; and
- Whereas,** the Board finds that the most efficient and effective method for promoting and encouraging economic development in the Southwest portion of DeSoto County is for the County to create a Water and Sewer District in the area described in "Attachment A"; and
- Whereas,** The Board is preparing an application for a State grant to construct a water and sewer facility in this portion of the County (described in "Attachment A"), and
- Whereas,** The Board is in the process of securing additional water capacity (through its membership in the Peace River Manasota Water Authority in order to serve this area of the County.

“Now Therefore Be It Resolved by the Board of County Commissioners of DeSoto County, Florida:”

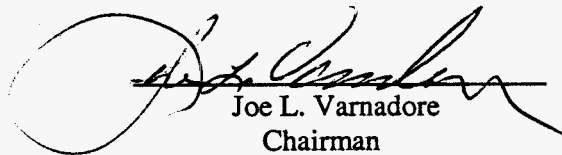
1. Pursuant to Section 153.08 and 153.53 (1) Florida Statutes, the DeSoto County Board of County Commissioners hereby establishes the DeSoto County Water and Sewer District Number One (hereinafter referred to as the “District”). The physical boundaries of the District are set forth in “Attachment A”, attached to this Resolution and by reference made a part hereof.
2. The Board deems it necessary to create the District (for the provision of Water and Sewer Service) in order to provide for the health, safety and welfare of the residents and property located therein, as well as future residences and commercial interests.
3. The Board further finds that in addition to health, safety and welfare concerns, the County deems it in the best interest of the County residents to provide water and sewer service to this area in order to promote economic development of the area and enhance the County’s tax base to the benefit of all County residents.
4. Pursuant to Chapter 153, Florida Statutes, the Board resolves to exercise its powers granted by Chapter 153, Florida Statutes, Part I, by moving forward to establish a water and sewer facility to serve the District. Pursuant to Chapter 153, Florida Statutes, the Board has caused to be made a Study (Camp, Dresser and McKee - Study dated February 1997) of the future need for water and sewer services in DeSoto County and authorizes and directs any additional cost estimates, investigations, maps and plans to be completed as may be necessary in order to obtain all of the necessary information contemplated in Chapter 153.

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA
THIS 16TH DAY OF JULY , 1998.

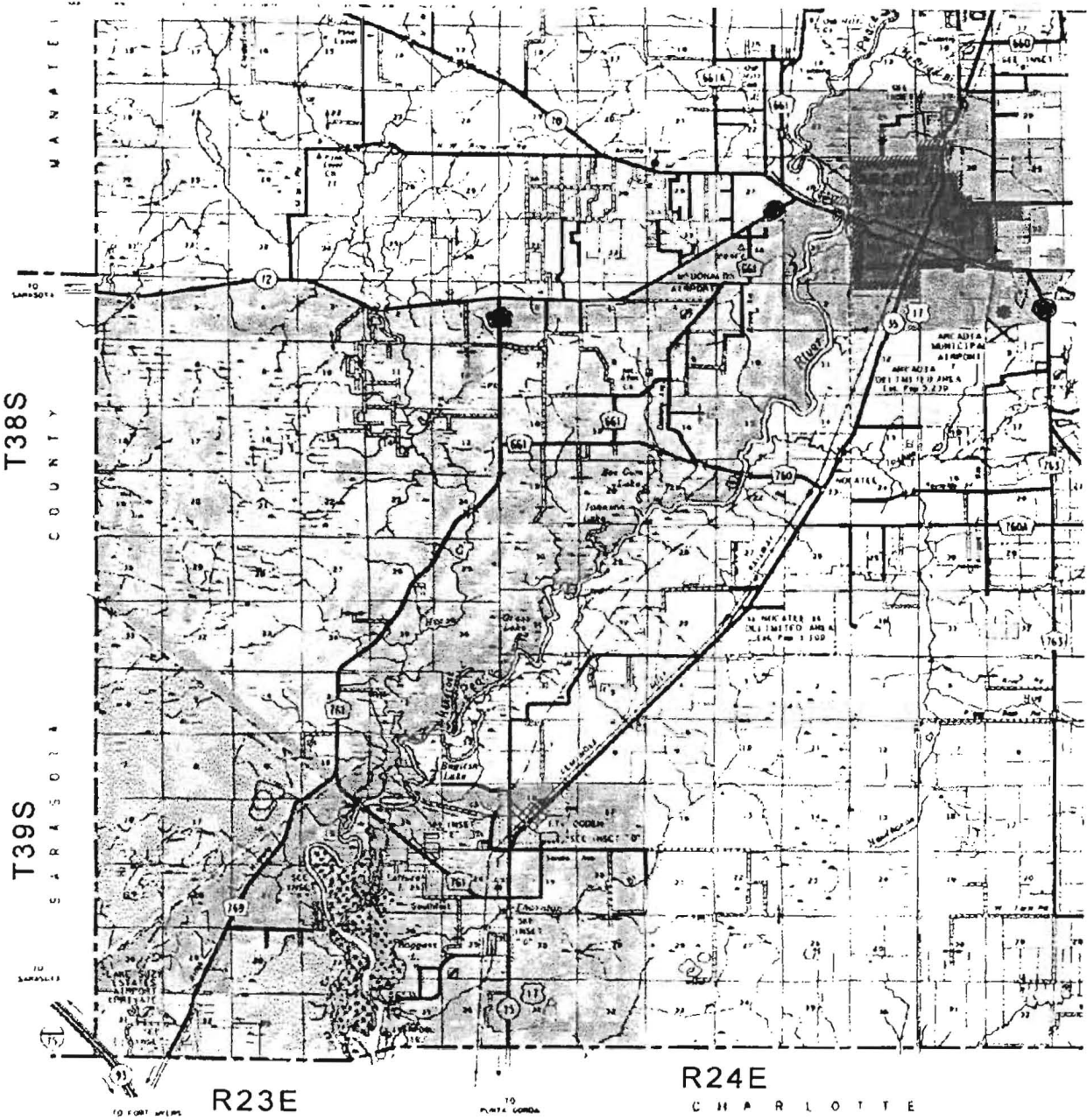
ATTEST



Bob Koncar
County Administrator



Joe L. Varnadore
Chairman



LEGAL DESCRIPTION: Proposed DeSoto County Utilities Service Area

Legal Description:

For Proposed DeSoto County Utilities Service Area

All that property lying in Township 37 South, Range 24 East; Township 38 South, Range 23 and 24 East; Township 39 South, Range 23, and 24 East: being more particular described as follows:

All that property lying in DeSoto County South of S.R. 72, East of Sarasota, DeSoto County line, North of Charlotte - DeSoto County line, West of Peace River, South of S.R. 70.

Less property owned by South West Florida Water Management District and property serviced by Lake Suzy Utility, franchised in DeSoto County.

All that portions of the following land sections lying outside of the City limits of Arcadia, Fl.:

Together with Sections 23, 24, 26, 35 Township 37 South, Range 24 East; Section 19, 29, 30, 32 Township 37 South, Range 25 East; Sections 1, 2 Township 38 South, Range 24 East; and Sections 5,6 Township 38 South Range 25 East; less city limits of City of Arcadia.