

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER
CHARLES H. HILL
DIRECTOR
(850) 413-6900

Public Service Commission

June 18, 1999

Mr. J. Ray Keen
Keen Sales, Rentals and Utilities, Inc.
685 Dyson Road
Haines City, Florida 33844

RE: Docket No. 970201-WU, Application for transfer of facilities of Lake Region Paradise Island and amendment of Certificate No. 582-W in Polk County by Keen Sales, Rentals and Utilities, Inc.

Dear Mr. Keen:

This is to acknowledge receipt of the Legal Notices your utility submitted on June 11, 1999, as a correction to the notice deficiencies I included in my letter of May 24, 1999. A copy of the notice sent to officials and utilities in Polk County, the mailing list, and the associated affidavit have been received and satisfy that noticing requirement. However, deficiencies remain for the other two required Legal notices.

Deficiencies

- Notice to Customers. Pursuant to Rule 25-30.030(6), F.A.C., no sooner than 21 days before the application is filed and no later than 7 days after the application is filed, the utility shall also provide a copy of the Notice, by regular mail or personal service, to each customer, of the system to be certificated, transferred, acquired, or deleted. Please note that this section concerns **legal notices**. The notice delivered the customers is to be the same notice mailed to the governmental officials. The customers must be sent the correct notice, using the date the notices are actually sent to the customers as the date of "Notice is hereby given on (date)..." A copy of the corrected notice issued and a new affidavit must be submitted.
- Publication Notice. Pursuant to Rule 25-30.030(7), F.A.C., the Notice shall be published once in a newspaper of general circulation in the territory proposed to be served, added, deleted, or transferred. The notice to the governmental officials was correct, including the correct date of notice. The published notice provided by you on June 15, 1999, states that the date of the notice was February 20, 1998. As I stated in my letter to you on April 27, 1999, the actual date the notice is published is the date that must be used for "Notice is

AFA _____
 APP _____
 CAF _____
 CMU _____
 CTR _____
 EAG _____
 LEG _____
 MAS _____
 CPC _____
 RRR _____
 SEC _____
 WAW _____
 OTH _____

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PSC Website: www.scri.net/psc

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DOCUMENT NUMBER - DATE

07543 JUN 22 99

FPSC-REGISTRATION/REPORTING

Mr. J. Ray Keen
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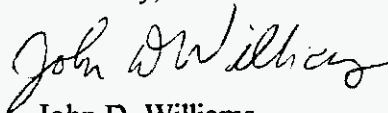
hereby given on (date)..." Therefore, the notice must be republished using the correct date. Please provide an affidavit showing the published legal notice with the correct noticing date.

Please provide the original and five copies of this information **no later than July 16, 1999**, with:

**Ms. Blanca Bayo, Director
Division of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850**

Please call Ms. Stephanie Clapp at (850) 413-6997 if you have any questions regarding this matter.

Sincerely,



**John D. Williams
Chief, Policy Development
and Industry Structure**

JDW/sc

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

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Public Service Commission

May 24, 1999

Mr. J. Ray Keen
Keen Sales, Rentals and Utilities, Inc.
685 Dyson Road
Haines City, Florida 33844

RE: Docket No. 970201-WU, Application for transfer of facilities of Lake Region Paradise Island and amendment of Certificate No. 582-W in Polk County by Keen Sales, Rentals and Utilities, Inc.

Dear Mr. Keen:

This is to acknowledge receipt of the Legal Notice your utility submitted in May as a correction to the notice deficiency I included in my letter of April 27, 1999. The Legal Notice was correct in format and content.

Pursuant to Rule 25-30.030(8), Florida Administrative Code, a copy of the notice(s) and list of the entities receiving notice pursuant to this rule shall accompany the affidavit required by Sections 367.045(1)(e) and (2)(f), Florida Statutes. The notice and the list of officials and utilities in Polk County were received without the required affidavit. Please provide the required affidavit with either specific reference to the notice and list submitted in May 1999 or attach the notice and list to the affidavit. Also, please note that to date we have not received the required affidavit and attachment regarding this corrected notice being mailed or hand delivered to the customers nor have we received the required affidavit and attachment regarding the publication of the corrected notice. Remember that the actual date the notice was issued to the customers and published in the newspaper is the date to appear in the notice. This information must be submitted to complete the noticing requirements of the application process.

Please provide the original and five copies of this information **no later than June 25, 1999**, with:

**Ms. Blanca Bayó, Director
Division of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850**

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Mr. J. Ray Keen

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May 24, 1999

Knowing that Keen Sales, Rentals and Utilities, Inc., is a small utility and relatively new to the state regulatory process, my staff have been very lenient with you concerning your meeting the requirements of utility transfers in a timely manner. However, I must remind you that pursuant to 367.071(1), Florida Statutes, no utility shall sell, purchase or modify its certificate of authorization without the **prior** approval of the Commission. In addition, I must remind you that pursuant to Section 367.161(1), Florida Statutes, if a utility willfully violates or knowingly refuses to comply with this chapter, penalties may be imposed. Therefore, I would suggest that to avoid a possible staff recommendation of show cause in this and future dockets, that you and your staff become more mindful of the requirements of utilities under the PSC jurisdiction and become more attentive to details in meeting the requirements of your utilities' dockets.

Please call Ms. Stephanie Clapp at (850) 413-6997 if you have any questions regarding this matter.

Sincerely,

John D. Williams
Chief, Policy Development
and Industry Structure

JDW/sc

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