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TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

March 20, 2003

Mr. Steve Menton, Esquire
Rutledge, Ecenia, Purnell & Hoffman, P.A.
215 South Monroe Street, Suite 420
Tallahassee, FL 32301

Re: Docket No. 021137-WU - Application for Amendment of Certificate No. 106-W to add territory in Lake County by Florida Water Services Corporation.

Dear Mr. Menton:

After reviewing the application in the above-referenced docket, the staff has identified the following deficiencies. Please correct and/or provide additional information as requested.

1. As required by Rule 25-30.036(3)(d), Florida Administrative Code (F.A.C.), the utility must provide evidence that it owns the land upon which the utility treatment facilities that will serve the proposed territory are located, or a copy of an agreement, such as a 99-year lease, which provides for the continued use of the land. The Commission may consider a written easement or other cost-effective alternative. The system is referred to as Silver Lakes/Western Shores. There are two separate water treatment plants. The utility filed evidence in the form of a warranty deed (Exhibit G-1) for only one treatment facility. Please file evidence that it owns the land for the other treatment facility and indicate which deed is for the Silver Lakes and the Western Shores water systems.

2. As required by Rule 25-30.036(3)(e), F.A.C., the utility must provide a description of the territory proposed to be served, using township, range and section references as specified in Rule 25-30.030(2), F.A.C.. Although a description was provided, the Point of Commencement (POC) is unacceptable, since it refers to a recorded plat and lot. Enclosed please find "Instructions For Preparation of Territory Description and Map". Please revise the POC and resubmit the territory description.

3. As required by Rule 25-30.036(3)(f), F.A.C. the utility must 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 system map did not show the proposed water lines. Please resubmit.

AUS _____
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COM _____
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SEC 1
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4. As required by Rule 25-30.036(3)(i), F.A.C., the utility must 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. As discussed in paragraph 2, the POC must be revised. Please submit a revised territory map.

5. As required by Rule 25-30.036(3)(j), 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 existing water system was described in terms of a maximum day; however, the proposed system was described in terms of an average day and the proposed water lines were not described. Please provide both the maximum day and average day capacities for the existing water plants and the proposed development. Please describe the proposed water lines for the single family homes and indicate if fire flow protection will be provided and is it required.

6. As required by Rule 25-30.036(3)(k), F.A.C., the utility must provide the numbers and dates of any permits issued for the proposed systems by the Department of Environmental Protection (DEP). Does the utility have a dry line or other construction permit from the DEP for the proposed area? If so, please provide the numbers and dates for these permits, and a copy of the permit.

7. As required by Rule 25-30.036(3)(o), F.A.C., the utility must provide an original and two copies of sample tariff sheets reflecting the additional service area. The tariff sheets were provided, but as discussed in paragraph 2, the POC must be revised. Please resubmit the tariff sheets.

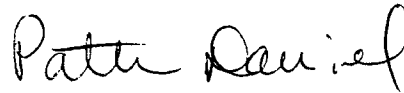
According to the application, the utility has received a request from a developer for water service to serve 30 single-family homes. Rule 25-30.550(1), F.A.C., requires the utility to file a copy of each developer's agreement with the Commission within 30 days of execution. Please provide a copy of the developer's agreement, if one is available. If not, please indicate when the developer agreement will be finalized.

Please file an original and five copies of the requested information no later than April 21, 2003 with the Director, Division of Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399. Only one copy of the map is required.

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If you have any questions please call Mr. Richard Redemann at (850) 413-6999 or Ms. Katherine Echternacht at (850) 413-6218.

Sincerely,

A handwritten signature in cursive script that reads "Patti Daniel".

Patti Daniel, Supervisor
Bureau of Certification

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cc: Division of Economic Regulation (Redemann)
Office of the General Counsel (Echternacht)
Division of Commission Clerk and Administrative Services

FLORIDA PUBLIC SERVICE COMMISSION

INSTRUCTIONS FOR PREPARATION OF TERRITORY DESCRIPTION AND MAP

An accurate description of the territory served or proposed to be served is essential. The noticing requirement in Rule 25-30, Florida Administrative Code, and the territory description requirement for each of the certification applications require the territory to be described using township, range and land sections. Failure to use the required format will cause your application to be delayed and may result in your having to renotice. The following information is provided to assist you in preparing a correct legal description and plotting that territory on the service territory map.

TERRITORY DESCRIPTION

The territory description must contain the following:

- 1) A reference to a township(s), range(s), land section(s) and county.
- 2) A complete and accurate description of the territory served or proposed to be served. There are two acceptable formats which may be used.
 - a) Sections - If the territory includes complete sections, the description may only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
 - b) Metes and Bounds - A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. Also, the description shall include all bearings and distances necessary to provide a continuous description.
- 3) References to interstates, state roads, and major bodies of water are acceptable.
- 4) References to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments are not acceptable.

Acceptable territory description formats are shown in the attached Examples 1 and 2.

Territory maps are required in the Florida Administrative Code rules related to applications for original certificates, amendments, grandfather certificates, and in transfers to a governmental agency where only a portion of the territory is transferred. The map is used by staff to verify the location of the existing or proposed territory. The territory maps should not be confused with the system depiction map which is used to locate existing or proposed service lines and facilities.

TERRITORY MAP

The territory map shall contain the following:

- 1) Territory shall be plotted on a Department of Transportation Map, County tax assessor map or any other map with a scale of 1"= 200 ft. or 1" = 400 ft.
- 2) Township, range, section, and county.
- 3) An accurate depiction of the existing or proposed territory. The map should clearly distinguish the existing versus the proposed territory.

An example of a acceptable territory map is attached as Example 3.

**FORMAT TO BE FOLLOWED IN PREPARING TERRITORY DESCRIPTIONS.
EXAMPLE 1 IS PREFERRED OVER METES AND BOUNDS IN EXAMPLE 2.**

EXAMPLE 1

Township 26 South, Range 29 East, Osceola County, Florida

Section 18

The South 1/2 of the Southeast 1/4 and the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 18

also

The East 1/2 of the Southeast 1/4 of the South West 1/4 and the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 18

Section 19

The North 1/2 of the Northeast 1/4 and the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 19

also

The East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 19

EXAMPLE 2

A portion of Section 18 and 19, Township 26 South, Range 29 East, Osceola County Florida; being more particularly described as follows: Commencing at the SE corner of Section 18, this point also being the Point of Beginning; thence run due south along the east line of Section 19 a distance of 1980 feet to a point; thence run due west a distance of 2706 feet to a point; thence run due north a distance of 3960 feet to a point; thence run due east a distance of 2706 feet to a point of east line of Section 18; thence run due south along the east line of Section 18 a distance of 1980 feet to the Point of Beginning.

EXAMPLE 3

TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA

