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

Public Service Commission

April 3, 2003

Mr. Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
600 S. North Lake Boulevard, Suite 160
Altamonte Springs, FL 32701

Re: Docket No. 030236-WS, Application for Authority to Transfer the Facilities of Pennbrooke Utilities, Inc. and Certificate Nos. 466-W and 400-S in Lake County Florida to Utilities, Inc. of Pennbrooke

Dear Mr. Friedman:

After reviewing the application in the above referenced docket, staff has identified the following deficiencies and additional information needed to complete our review of the application.

1. Rule 25-30.037(2)(q), F.A.C., requires the utility to provide evidence that it owns the land where the utility treatment facilities are located or a copy of the agreement which provides for the long term, continuous use of the land, such as a 99-year lease. According to the application, the closing will take place within thirty day of approval by the Commission and the Seller will convey title to the real property and provide a title insurance policy to Utilities Inc. of Pennbrooke. Please indicate when the utility can provide a **recorded** copy of the warranty deed as evidence that the utility owns the land for the water and wastewater treatment facilities, so that staff's recommendation and the resulting order can indicate a date by which the deed must be provided.

2. Rule 25-30.030(6), F.A.C., requires the applicant to provide an affidavit that the actual notice of the application was given to each customer in accordance with the Section 367.045(1)(a), Florida Statutes. Please provide this document as a late file exhibit, as indicated in the application.

Additional Information

1. Please provide water and wastewater tariffs showing the proposed customer's bill.
2. Exhibit 5 of the application, indicates that reclaimed (reuse) water will be provided to the golf course irrigation system at Pennbrooke Fairways. Currently the utility's tariff does not have a reuse rate. It is Commission policy, in cases where a utility proposes to provide reuse, to establish

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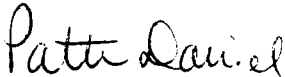
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a rate for reuse (the agreement in the application is for \$0 for a five year period) and to identify the proposed customers. Please provide a wastewater tariff sheet, and explain what the utility's plans are for charging reuse customers. It appears that only the Pennbrooke Golf Course will be receiving reuse water. Will reuse be made available at any other location? If so, please indicated the name of the subdivision or customer (Pennbrooke Golf Course, etc.) that will be receiving the reuse.

4. Order No. PSC-01-1246-PAA-WS, required you to submit quarterly reports on the progress of your conservation program. Please provide a brief summary on the progress and effectiveness of the conservation program.

Please file an original and five copies of the requested information no later than May 5, 2003 with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Fl 32399. If you have any questions please call Ms. Cheryl Johnson at (850) 413-6984, Ms. Alice Crosby (850) 413-6222 or Mr. Richard Redemann at (850) 413-6999.

Sincerely,


Patti Daniel, Supervisor
Bureau of Certification & Tariffs

CAJ: caj

cc: Utilities, Inc. of Pennbrooke (Rasmussen)
Office of General Counsel (Crosby)
Division of Economic Regulation (Johnson, Redemann)
Division of Commission Clerk and Administrative Services (Bayó)