

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION OF CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

SCANNED
REDACTED

Public Service Commission

July 18, 2003

Citizens First Bank
1129 Main Street
The Villages, Florida 32159

ORIGINAL

Re: Account Number
(Docket No. 960305-WS)

Little Sumter Utility Company

Dear Sir or Madam:

As the Florida Public Service Commission's designated agent in such matters, and as a signatory on the above-referenced escrow account, I hereby authorize you to release a total of \$180,936.78 from the account to Little Sumter Utility Company. I have enclosed a copy of the Company's Request to Release Funds from Escrow, dated June 11, 2003, and a copy of Commission staff's authorization for release of the indicated amount pursuant to Commission Order No. PSC-96-1132-FOF-WS.

Please do not hesitate to call if you have any questions concerning this matter.

Sincerely,

Blanca S. Bayó
Blanca S. Bayó

US
CAF
MP
OM
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OR
CL
PC
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EC
TH

BSB/kf

Enclosure

cc: Larry Harris, Office of the General Counsel
Sonica Bruce, Division of Economic Regulation
John F. Wise, Treasurer, Little Sumter Utility Company

DOCUMENT NUMBER - DATE

06442 JUL 18 03

FPSC-COMMISSION CLERK

REDACTED

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

RECEIVED
JUL 17 PM 4:07
COMMISSION
CLERK

DATE: July 16, 2003
TO: Division of the Commission Clerk and Administrative Services (Bayó)
FROM: Sonica Bruce, Division of Economic Regulation *SB*
 Larry Harris, Office of the General Counsel *LH*
RE: Request by Little Sumter Utility Company to Release Funds from Escrow Account

By Order No. PSC-96-1132-FOF-WS, issued in Docket 960305-WS on September 10, 1996, the Commission directed Little Sumter Utility Company to establish an escrow account that can only be used to fund conservation programs approved by the Southwest Florida Water Management District. The order required that a request to release funds from the escrow account be accompanied by an explanation of the specific use of the funds and documentation that the funds will be used to further a conservation program approved by the water management district.

On July 14, 2003, the utility filed the attached Request to Release Funds from Escrow. According to the Request, the utility expended \$180,936.78 on upgrades for its wastewater treatment facilities to provide the maximum amount of irrigation quality effluent as a source of irrigation to golf courses. Along with this request, the utility provided a copy of the invoice for the contractor's draw request dated May 29, 2003.

Accordingly, the utility's request to release funds from the escrow account should be authorized. Pursuant to the escrow account, the bank will disburse funds to the utility upon written instructions from the Commission through the Director of the Division of the Commission Clerk and Administrative Services. Therefore, we request that you provide written instructions to Citizens First Bank to release \$180,936.78 from the escrow account to Little Sumter Utility Company.

KK:scb
G:\123R5W\WORK\lilsumter4-03.wpd

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Request to Release Funds) Docket No. 960305-WS
from Escrow)
LITTLE SUMTER UTILITY COMPANY)
_____)

REQUEST TO RELEASE FUNDS FROM ESCROW

LITTLE SUMTER UTILITY COMPANY ("Little Sumter"), by and through its undersigned officer and pursuant to Order No. PSC-96-1132-FOF-WS, requests the Director of the Division of Records and Reporting to provide written instructions to the Citizens First Bank ("Bank") to release \$180,936.78 from the escrow account held in such Bank, and in support thereof states:

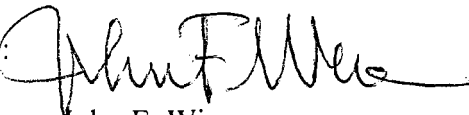
1. Order No. 96-1132-FOF-WS established an escrow account to be used to pay for conservation programs targeted to make customers reduce their consumption.
2. LSU filed a "Request to Release Funds from Escrow" on December 31, 2002 in the amount of \$1,539,000 (see attached). This amount of \$1,539,000 was to be disbursed to LSU when funds became available in the conservation escrow account and subsequent to LSU expending funds for the project. The project was for wastewater effluent modification to increase the amount of reclaimed water for golf course irrigation.
3. The Florida Public Service Commission has previously authorized the release of \$297,023.66 from the conservation escrow bank account (see attached).
4. LSU is requesting release of an additional \$180,936.78 related to the project.
5. Application and Certificate of Payment dated April 25, 2003 requested payment of \$180,936.78 to Encore/Farner Barley, LLC (attached).

6. LSU has paid \$180,936.78 to Encore/Farner Barley, LLC (see attached check copy).
7. There is a sufficient amount of money in the conservation escrow bank account to make the payment of \$180,936.78. The bank statement as of June 30, 2003 indicates a balance of \$183,339.15 (attached).
8. I hereby certify that the improvements in the amount of \$180,936.78 have been completed and that the Contractor (Encore/Farner Barley LLC) has been paid in full.
9. Pursuant to the Escrow Agreement, the Bank shall disburse funds to LSU upon written instructions of the FPSC, Director of Division of Records and Reporting.
10. LSU will request additional releases for this Project as amounts are expended and as funds become available in the escrow account.

WHEREFORE, LSU requests the Director of Records and Reporting provides written instructions to the Bank to pay \$180,936.78 from the escrow account to Little Sumter.

Respectfully submitted on this
11th day of June, 2003, by:

Little Sumter Utility Company
1100 Main Street
The Villages, FL 32159
(352) 753-6270

By: 
John F. Wise
Treasurer

APPLICATION AND CERTIFICATE OF PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 3 PAGES

TO: Little Sumter Utility Company
1100 Main Street
The Villages, FL 32159

PROJECT: LSU WWTP Expansion - Phase 3A & 3 B

APPLICATION NO: Nine (9)

Distribution to:

<input checked="" type="checkbox"/>	OWNER
<input type="checkbox"/>	CONTRACTOR

PERIOD TO: 05/25/03

FROM: Encore/Farner, Barley, LLC
P.O. Box 771599
Winter Garden, FL 34777-1599

VENDOR # 564130
INVOICE # 9
AMOUNT 180,936.78
A/P DATE 5-25-03 / 6-06-03

CONTRACT DATE: 09/18/02

CONTRACTOR'S APPLICATION FOR PAYMENT

CONTRACT # SC9030702.1052.0400

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

CHANGE ORDER SUMMARY			Additions	Deductions
Change Orders approved in previous months by Owner				
TOTAL				
Approved this month				
Number	Date Approved			
1	10/20/2002	933,000.00	-	
TOTALS			933,000.00	-
Net change by Change Orders			933,000.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$	606,000.00
2. Net change by change Orders	\$	933,000.00
3. CONTRACT SUM TO DATE (Line 1+or- 2)	\$	1,539,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	531,067.15
5. TOTAL RETAINAGE: 10%	\$	53,106.72
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$	477,960.44
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	297,023.66
8. CURRENT PAYMENT DUE	\$	180,936.78
9. BALANCE TO FINISH (Line 3 less Line 6)	\$	1,061,039.57

Previous drawn
curse draw
request

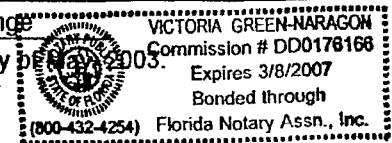
CONTRACTOR: Encore/Farner, Barley, LLC

By: Ritchie Singletary Date: 05/29/03

State of: Florida County of: Orange

Subscribed and sworn to before me this 29th day of May, 2003.

Notary Public: Victoria Green-Naragon



CERTIFICATE FOR PAYMENT

In accordance with the Contract documents, based on on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 180,936.78

(Attach explanation if amount certified differs from the amount applied for.)

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are with the understanding that the Contractor shall be responsible for the payment of the amount certified to the Owner.

Payee: 564130 ENCORE/FARNER BARLEY LLC
LITTLE SUMTER UTILITY COMPANY
 1100 Main Street
 The Villages, FL 32159
 352-753-8270

Check No. - 3923
 Check Date - 06/06/03

00021 07103328

Check Date: Stub 1 of 1

INVOICE NO.	INVOICE DATE	DESCRIPTION	GROSS	DISCOUNT	AMOUNT PAID
2	052503	LSU WWTP EXPANSION PH 3	341,542.17		341,542.17
9	052503	LSU WWTP EXPAN PH 3A & 3B	180,936.78		180,936.78
			522,478.95		522,478.95

LITTLE SUMTER UTILITY COMPANY
 1100 Main Street
 The Villages, FL 32159

03-1400/631
 Citizens First Bank
 1129 Main Street
 The Villages, FL 32159

DATE 00003923 AMOUNT

00000052247895

PAY

564130 06/06/03 \$***522,478.95

FIVE HUNDRED TWENTY TWO THOUSAND FOUR HUNDRED SEVENTY EIGHT AND 95/100 *****
 TO ENCORE/FARNER BARLEY LLC

THE
 ORDER
 OF

* FILE COPY *

NON-NEGOTIABLE

&063114001& 0010002913/

CITIZENS FIRST BANK

903 Avenida Central
The Villages, FL 32159
(352) 753-9515

~~REDACTED~~
~~REDACTED~~

LITTLE SUMTER UTILITY COMPANY
ESCROW ACCOUNT
HOLD-DELIVER TO VILLAGES ACCOUNTING

STATEMENT DATE

06/30/03

ACCOUNT NO

*** CHECKING *** BUSINESS MMA

CYCLE-031
BEGINNING RATE 0.50000

ACCOUNT NUMBER

PREVIOUS STATEMENT BALANCE AS OF 05/31/03	127,042.50
PLUS 3 DEPOSITS AND OTHER CREDITS	56,296.65
LESS 0 CHECKS AND OTHER DEBITS00
CURRENT STATEMENT BALANCE AS OF 06/30/03	183,339.15
NUMBER OF DAYS IN THIS STATEMENT PERIOD 30	

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
06/06	DEPOSIT		30,563.89
06/20	DEPOSIT		25,666.22
06/30	INTEREST PAYMENT		66.54

*** BALANCE BY DATE ***

05/31	127,042.50	06/06	157,606.39	06/20	183,272.61	06/30	183,339.15
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PAYER FEDERAL ID NUMBER 59-3018034
INTEREST PAID YEAR TO DATE 907.12

TO REPORT LOST OR STOLEN ATM AND DEBIT CARDS AFTER
NORMAL BANKING HOURS, PLEASE CALL 800-264-5578

NOTE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

~~REDACTED~~

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for rate) Docket No. 960305-WS
increase in Sumter County by)
LITTLE SUMTER UTILITY COMPANY.)
)

REQUEST TO RELEASE FUNDS FROM ESCROW

LITTLE SUMTER UTILITY COMPANY ("Little Sumter"), by and through its undersigned attorneys and pursuant to Order No. PSC-96-1132-FOF-WS, requests the Director of the Division of Records and Reporting to provide written instructions to the First Bank of the Villages ("Bank") to release \$1,539,000.00 from the escrow account held in such Bank, and in support thereof states:

1. Order No. 96-1132-FOF-WS established an escrow account to be used to pay for conservation programs targeted to meet the water conservation measures of Little Sumter's Water Use Permit.

2. Little Sumter has expended, or will expend, \$1,539,000.00 to upgrade its wastewater treatment facilities in order to provide the maximum amount of irrigation quality effluent as a source of irrigation to golf courses.

3. A copy of the Proposal is attached as Exhibit "A".

4. Pursuant to the Escrow Agreement, the Bank shall disburse funds to Little Sumter upon written instructions of the FPSC, Director of Division of Records and Reporting.

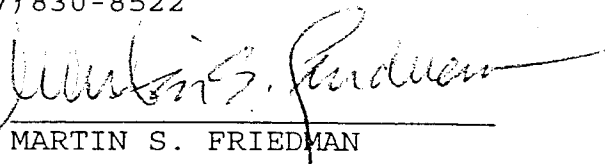
WHEREFORE, Little Sumter Utility Company requests the Director of Records and Reporting provide written instructions to the Bank to allow Little Sumter Utility Company to withdraw \$1,539,000.00

from the escrow account.

Respectfully submitted on this
30th day of December, 2002, by:

ROSE, SUNDSTROM & BENTLEY, LLP
600 South North Lake Boulevard
Suite 160
Altamonte Springs, FL 32701
(407) 830-6331
(407) 830-8522

By:


MARTIN S. FRIEDMAN