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DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

May 20, 2004

RECEIVED-FPSC
04 MAY 25 AM 9:36
COMMISSION
CLERK

Mr. Dewaine Christmas
Sunshine Utilities of Central Florida, Inc.
10230 East Highway 25
Bellevue, Florida 34420

Re: Doc. No. 040388-WU: Application for amendment of Certificate 363-W in Marion County by Sunshine Utilities of Central Florida, Inc.

Dear Mr. Christmas:

The above referenced application has been received and reviewed by my staff. This letter addresses the deficiencies found by staff in the application filed on April 30, 2004. All items must be addressed in order to process the application.

Deficiencies

1. Need. Pursuant to Rule 25-30.036(3)(b), Florida Administrative Code (F.A.C.), the applicant is to submit statements showing the financial and technical ability of the utility to provide service, and the need for service in the area requested. In reference to need, the utility's explanation that an extension of territory is needed for development in the proposed area, is inadequate. Please provide any written information requesting service from the developer, or other evidence to indicate the need for service.
2. Evidence of Land Ownership. Pursuant to Rule 25-030.037(3)(d), F.A.C., evidence that the utility owns or leases the land is required. The warranty deed provided in the application is in the name of James H. Hodges d/b/a Sunshine Utilities. This is not the current name of the utility. Please submit a recorded warranty deed in the name of Sunshine Utilities of Central Florida, Inc.
3. Proposed Territory Description. Pursuant to Rule 25-030.037(3)(e), F.A.C., a description as specified in subsection 25-30.030(2), F.A.C. is necessary. The proposed territory description submitted in the utility's application is inadequate because it relied partly on the use of references to recorded plates. Please submit a description that includes either sections or metes and bounds references as prescribed in the above referenced subsection.

CMP _____
 COM _____
 CTR _____
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 GCL _____
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 SEC 1
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FPSC-COMMISSION CLERK

4. Permits. Pursuant to Rule 25-030.037(3)(k), F.A.C., numbers and dates of any permits issued for the proposed systems by the Department of Environmental Protection are required. In the application, no such information was given. Please explain.
5. Financing. Pursuant to Rule 25-030.037(3)(l), F.A.C., a detailed statement regarding the proposed method of financing the construction is required. No statement was submitted with the application. Please provide information related to the cost of construction either by the utility or through a developer's agreement.
6. Certificate. Pursuant to Rule 25-030.037(3)(p), F.A.C., the utility's certificate has not been received. Please provide the utility's current certificate.
7. Notice of Application. Rule 25-30.030, F.A.C., sets forth the requirements for providing notice of the application. To date, the noticing requirements have not been met. Please provide the appropriate information. If the utility desires, staff is willing to review the notice prior to its publication.

Other Information Needed

1. Source of water supply. It appears that the proposed amended area will be supplied water through an interconnection with an existing system owned by the utility. Please provide the name of that system, along with the number of connections that is currently being served. by the water supply source.
2. Sample Tariff Sheets. In anticipation of a change in the description of the proposed territory, the tariff sheets reflecting the proposed territory (Original Sheet Nos. 3.14 and 3.15) will need to be corrected. Please resubmit.
3. Filing Fee. It appears that the capacity of the proposed amended area is less than 100 ERCs. Pursuant to Rule 25-30.020, F.A.C., the filing fee shall be \$100. The utility submitted \$200, with its application. Please provide an explanation as to why overpayment of \$100 was submitted.

Mr. Dewaine Christmas

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The original and four copies of the response to the information requested in this letter should be filed with the Commission on or before **June 21, 2004**. When filing the response, please be sure to refer to the docket number and to direct the response to:

Division of Commission Clerk and Administrative Service
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Should you have any questions concerning the information in this letter, please contact Stanley Rieger, of my staff, at (850) 413-6997.

Sincerely,



Patti Daniel

Supervisor of Certification

PD:sdr

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