



Maltese Developments, Inc

Rio Villa Lakes LLC
Hunter Creek Estates LLC
Waterfront Homes of Charlotte LLC
MSM Utilities LLC

November 28, 2005

VIA OVERNIGHT MAIL

Blanca S. Bayo, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 050820-WS Application for amendment of Certificates 611-W and 527-S

Dear Director Bayo:

This communication is in response to the deficiencies and request for additional information itemized in the communication dated November 15, 2005.

Deficiencies

1. DCA Statement.

Response: The application, as amended, is consistent with the local comprehensive plan in that the proposed areas to be added are located in the Urban Service Area as designated by Charlotte County. A key element in properly managing growth in this area is linked to the availability of public improvements, including potable water and sewer services. According to the Future Land Use Plan, "New development should be directed into existing and future service areas, especially the locations with central sewer and water services."

The Local Comprehensive Plan for this area is low density residential which allows for up to five units per acre. With the exception of six existing residential properties located along Hunter Creek Drive, the areas to be added to the service territory are areas of future development. The maximum density for the proposed territory including the existing service area is 1549. Attached please find a Charlotte County GIS map of the subject properties. The parcel numbers below and on the map also correspond with the revised legal description with the exception of Parcel #1 which is the existing service territory.

Area on Map	Acreage	Maximum Population Density	Comments
Parcel #1	90 acres	450 units	Planned development in existing territory
Parcel #2	55 acres	275 units	Planned development
Parcel #3	75 acres	375 units	Planned development
Parcel #4	83 acres	415 units	Planned development
Parcel #5		6 units	Existing six residential homes
Parcel #6	37 acres	28 units	Planned development approved by the County

DOCUMENT NUMBER-DATE

11378 DEC -2 05

Additional Information

1. Need for service.

Response: Attached please find letters from the various property owners expressing interest in and need for water and sewer services.

2. Existing residences.

Response: Within the proposed area there are six existing residences. One resident has expressed interest in and need for water and sewer services.

3. Service availability charges.

Response: In order to provide service to the extended area requested, MSM Utilities will have to relocate and expand its utility plants and extend its distribution and collection systems. MSM Utilities will be providing the related cost information to PSC Staff in Docket No. 050587-WS (Staff Assisted Rate Case) along with all information relevant to setting service availability charges that would be applicable to new customers. MSM Utilities' regulatory consultant, Mr. Frank Seidman, has made verbal contact with Mr. Rendell of the PSC Staff in this regard and it appears that this should provide sufficient basis for the Commission to address and set service availability charges within the SARC docket.

Respectfully,



Ben J. Maltese
Managing Partner
MSM Utilities

Enclosures

March 18, 2005

Mr. Ben Maltese
MSM Utilities, LLC
9696 Bonita Beach Road
Suite 210
Bonita Springs, FL 34135

RE: Your Letter of Inquiry Regarding Interest In Utility Service By River's Edge Utility.

Dear Mr. Maltese:

We have considered your inquiry regarding interest in receiving service from River's Edge Utility, and agree to cooperate in including our area within your Public Service Commission certificated territory. We agree that the precise arrangements would need to be established in a service agreement approved by the PSC once the territory is expanded.

Below you will find the legal description and attached is a survey for the property we would like your utility to serve.

Sincerely,



Printed name: DAVID & AUREA GUTIERREZ

Title: _____

Business Name _____

Parcel ID / Account Number: 0070980-000000-7

Legal Description: ZZZ 124023 P12 073.6 12-40-23 P-12 73.60 AC M/L S1/2 OF SE1/4 LESS THE E/LY 53.15FT FURTHER LESS: COMM AT SE COR SEC 12 TH W 87.49 FT TO W ROW US 17 TH CONT W 459.89 FT FOR POB TH N 233.40 FT W 373.26 FT S 233.40 FT E 373.26 FT TO POB RP06211256891 179/561 181/60 714/336 E1529/528 1626/336 RE1748/684 2243/189 2501/911 2618/971 & 979

March 18, 2005

Mr. Ben Maltese
MSM Utilities, LLC
9696 Bonita Beach Road
Suite 210
Bonita Springs, FL 34135

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Attached you will find the legal description and survey for the property we would like your utility to serve.

Sincerely,



Printed name: JEROLD J. BECHARD

Title: AUTHORIZED MEMBER

Business Name DUNCAN RD. LLC

SECTIONS 1 & 12, TOWNSHIP 40S
RANGE 23 E
CHARLOTTE CTY, FL
83.44 ACRES



Maltese Developments, Inc

MSM Land Investments LLC
Rio Villa Lakes LLC
Hunter Creek Estates LLC
Waterfront Homes of Charlotte LLC
MSM Utilities LLC

March 21, 2005

Ben J. Maltese
Managing Partner
MSM Utilities
9696 Bonita Beach Road
Bonita Springs, FL 34135

Dear Mr. Maltese;

Hunter Creek Estates has considered your inquiry regarding our interest in receiving water and sewer services from MSM Utilities. We agree to have Hunter Creek Estates in the expanded territory application to the Public Service Commission. The legal description and survey of the Hunter Creek Estates development is available for your use.

Thank you.

Respectfully,

Ben J. Maltese
Managing Partner
Hunter Creek Estates

Parcel #2



Maltese Developments, Inc

MSM Land Investments LLC
Rio Villa Lakes LLC
Hunter Creek Estates LLC
Waterfront Homes of Charlotte LLC
MSM Utilities LLC

November 10, 2005

Ben J. Maltese
Managing Partner
MSM Utilities
9696 Bonita Beach Road
Bonita Springs, FL 34135

Dear Mr. Maltese;

Duncan/US 17 LLC currently has the Lions, Tigers and Bears site (55 acres) under contract to purchase with the closing scheduled to take place December 15, 2005. Duncan/US 17 LLC has considered your inquiry regarding our interest in receiving water and sewer services from MSM Utilities. As the future owners of the site, we believe the availability of water and sewer is important to our development plans. Therefore, we agree to have the site included in the expanded territory application to the Public Service Commission. The legal description and survey of the 55 acres site is available for your use.

Thank you.

Respectfully,

Ben J. Maltese
Managing Partner
Duncan/US 17 LLC

AMENDED

EXHIBIT K

TERRITORY DESCRIPTION:

LEGAL DESCRIPTION OF PROPOSED TERRITORY TO BE ADDED:

2)THE NORTH ¼ OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, LYING EAST OF THE SEABOARD COASTLINE RAILROAD AND NORTH OF TURBAK ROAD

TOGETHER WITH:

3)A PORTION OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS :

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE WEST ALONG THE SOUTHLINE OF SAID SECTION 12, A DISTANCE OF 2577.55 FEET; THENCE NORTH, A DISTANCE OF 385.34 FEET; THENCE WEST, A DISTANCE OF 531.75 FEET; THENCE NORTH, A DISTANCE OF 897.20 FEET; THENCE WEST, A DISTANCE OF 511.21 FEET; THENCE NORTH, A DISTANCE OF 438.40 FEET; THENCE NORTH, A DISTANCE 178.65 FEET; THENCE EAST, A DISTANCE OF 606.14 FEET; THENCE SOUTH, A DISTANCE OF 600 FEET MORE OR LESS; THENCE EAST, A DISTANCE OF 2860 FEET MORE OR LESS TO THE EAST LINE OF SAID SECTION 12, THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 12 TO THE POINT OF BEGINNING.

TOGETHER WITH:

4) THE SOUTH ¼ OF SECTION 1, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, LYING EAST OF SEABOARD COASTLINE RAILROAD

5) THE SOUTH ¼ OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, LYING EAST OF HUNTERS CREEK.

6) THE NORTH ¼ IF SECTION 14, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, LYING EAST OF HUNTERS CREEK.