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DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

October 12, 2006

Mr. Arthur Rogow
8116 Hibiscus Circle
Tamarac, Florida 33321

RECEIVED-FPSC
06 OCT 13 PM 3:40
COMMISSION
CLERK

Re: Docket No. 060636-SU Application for transfer of majority organizational control of Colony Park Utilities, Inc., holder of Certificate No. 137-S in Brevard County from Eileen Rogow to Michael Abramowitz.

Dear Mr. Rogow:

After reviewing the application in the above referenced docket, staff has identified the following deficiencies and additional information is needed to complete our review of the application. Per your request, I have enclosed a copy of the application that was submitted to the Florida Public Service Commission.

Deficiencies

- As required by Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030(5), Florida Administrative Code (F.A.C.), the utility must give notice of the transfer to the governing bodies of the municipality, county, or counties, to the regional planning council designated by the Clean Water Act, to the Office of Public Counsel, to the Commission's Director of the Division of Commission Clerk and Administrative Services, to the appropriate regional office of the Department of Environmental Protection, to the appropriate water management district, and to privately owned water and wastewater utilities that hold certificates granted by the Public Service Commission. The application indicated that the required affidavit with copies of the notice and list of entities noticed would be provided as a late filed exhibit. In addition, Rule 25-30.030(6), F.A.C., requires notice by regular mail or personal delivery to each customer, and the application indicated that this would also be filed as a late-filed exhibit. Finally, Rule 25-30.030(7), F.A.C., requires the notice to be published in a newspaper of general circulation, and the application indicated that this would also be filed as a late filed exhibit. Please provide a copy of the notices, the list of the entities receiving notice, and the appropriate affidavit(s) as required by Rule 25-30.030(8), F.A.C.
- Please provide a summary of the buyer's experience in water or wastewater utility operations, and a showing of the buyer's financial ability to provide service. Evidence of financial ability can be demonstrated by submitting a copy of the buyer's financial statement (balance sheet, along with a copy of the applicant's 2005 tax return).
- As required by Rule 25-30.037(3)(i), F.A.C., please provide evidence that the utility owns the land upon which the utility treatment facilities are located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease.

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DOCUMENT NUMBER - DATE

09532 OCT 13 08

Internet E-mail: contact@psc.state.fl.us

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Additional Information

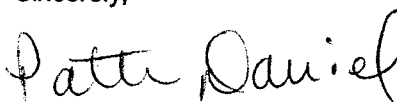
1. Please provide the names and addresses of all of the buyer's corporate officers, directors, partners and any other person that will own an interest in the utility. One of the documents in the application listed a Mr. Garrett Grabarnick, which implied that this individual may be a partner. If Mr. Grabarnick is a partner or corporate officer please provide his address.
2. The applicant wrote "NA" (not applicable) when he was asked to provide the names and locations of other water and wastewater utilities owned by the buyer. However, Exhibit 1 refers to a utility call Park Utilities, Inc. – was that supposed to be Colony Park Utilities, Inc.? Please explain the inconsistency in the application. If this is a typing error, please correct.
3. The Notice for transfer does not list the correct Certificate No. 137-S, and it does not reference sections in the territory description. Please correct the notice to describe the territory description using sections.
4. Exhibit 1 refers to a name change, but there is nothing else in the application requesting a name change, please clarify.

Your response to this letter should be filed with the Commission on or before **October 30, 2006**. Please be sure to refer to the docket number and direct the response to:

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

If you have any questions concerning the information in this letter, please contact Cheryl Johnson at 850-413-6984 or Ralph Jaeger at 850-413-6234.

Sincerely,



Patti Daniel
Supervisor of Certification

PD: caj

cc: Division of Economic Regulation (Johnson)
Office of the General Counsel (Jaeger)
Division of Commission Clerk and Administrative Services (Bayó).