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

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# Public Service Commission

June 12, 2008

Mr. Mike Smallridge  
Utility Consulting  
1645 W. Main Street  
Inverness, Florida 34450

**Re: 080269-WU Application for authority to transfer water Certificate No. 450-W, held by Pine Harbour Water Utilities from Jim C. Branham to Pine Harbour Water Utilities, LLC, in Lake County.**

Dear Mr. Smallridge:

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. Without this information staff can not proceed in processing the application. Please provide the requested information.

Deficiencies

1. Noticing. Pursuant to Rule 25-30.030, Florida Administrative Code (F.A.C.), the application is to contain three notices and three affidavits of noticing. The mailing list for government officials and utilities was submitted without an affidavit of noticing and the customers notice was submitted without an affidavit. Please provide the two remaining affidavits.
2. Evidence of Land Ownership. Pursuant to Rule 23-30.037(2)(q), F.A.C., the application is to contain proof that the buyer owns the land upon which the utility treatment facilities are located. The evidence submitted to support ownership of the land lists Pine Harbour Water Utilities as the owner of the land, but there is no showing or evidence that Pine Harbour Water Utilities, LLC owns the land. Please provide evidence that the land upon which the utility treatment facilities are located is in the name of Pine Harbour Water Utilities, LLC. Evidence can be in the form of a deed or a copy of an agreement which provides for the continued use of the land such as a 99-year lease. The Commission allows the filing of an unexecuted warranty deed with the understanding that an executed and recorded warranty deed will be filed within 30 days of the Commission Order approving the transfer.

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Additional Information

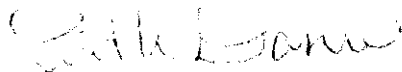
3. Financial Ability. Rule 23-30.037(2)(j), F.A.C., required a showing of the buyer's financial ability to provide service and a statement that the buyer will fulfill the commitments, obligations and representations of the seller with regard to utility matters. Please provide evidence that Pine Harbour Water Utilities, LLC has the financial ability to provide water service to the area. This maybe in the form of a financial statement for Pine Harbour Water Utilities, LLC, or a financial statement for one or more of its members. In addition, provide a list of all entities and affiliates, upon which the applicant is relying to provide funding to the utility.
4. Miscellaneous Service Charges. The proposed tariff includes miscellaneous service charges which have never been approved for this utility. If you are requesting miscellaneous service charges, please provide cost justification for the requested charges as required by Section 367.081, Florida Statutes and pursuant to Rule 25-30.460, F.A.C.

The original and four copies of the response to the information requested in this letter should be filed with the Commission on or before July 15, 2008. When filing the response, please be sure to refer to the docket number and to direct the response to:

**Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

Should you have any questions concerning the financial information requested in this letter, please contact Cheryl Johnson at 850-413-6984.

Sincerely,



Patti Daniel  
Public Utilities Supervisor  
Bureau of Certification, Economics and Tariffs

PD/CAJ:kb  
Enclosure

cc:   
Sandra Wesson