

Iris Rollins

**From:** Betty Leland  
**Sent:** Tuesday, November 1, 2022 7:23 AM  
**To:** Commissioner Correspondence  
**Subject:** FW: am I interpreting this rule properly regarding Palm Valley utilities  
**Attachments:** 25-30.030 notice of application.doc; PALM VALLEY HANDOUT.pdf; PSC confirms no authority to release property from utility.pdf; county says site plan app received 10-31-22 BCF-UCF Apartments.pdf; Water-Sewer & no objection letter annotated change in service territory.pdf

Good Morning:

Please place this email in Docket #20220156.

Thanks.

Betty Leland, Executive Assistant to  
Commissioner Art Graham  
Florida Public Service Commission  
[bleland@psc.state.fl.us](mailto:bleland@psc.state.fl.us)  
(850) 413-6024

**From:** Diana Danin <jeladi1@gmail.com>  
**Sent:** Monday, October 31, 2022 10:27 PM  
**To:** Jennifer Crawford <jcrawfor@psc.state.fl.us>; Adam Teitzman <ATEITZMA@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>  
**Cc:** Niles Seaberg <cnsea1946@yahoo.com>; Gena Paugh <gpaugh@hometownamerica.net>; Diana Danin <jeladi1@gmail.com>; Hammock, Rebecca <rhammock@seminolecountyfl.gov>; Dallari, Bob <bdallari@seminolecountyfl.gov>; jzembower@seminolecountyfl.gov; Amy <alockhart@seminolecountyfl.gov>; Zimmerman, Paul <pzimmerman@seminolecountyfl.gov>; Applegate, A. Bryant <bapplegate@seminolecountyfl.gov>; Chipok, Paul <pchipok@seminolecountyfl.gov>; mdeterding@sfflaw.com  
**Subject:** am I interpreting this rule properly regarding Palm Valley utilities

Hi Ms. Crawford and Mr. Teitzman

I am going to need help. I am out of my depth here. I'm highlighting my questions in bold to help you zero in on them. I present this with all due respect.

**Also, please consider this email as my formal written objection as required under rule 25-30.031 to any forthcoming application by Palm Valley Utilities (WS832) to delete any portion of their utility footprint. I state my grounds for objection with particularity below.**

First, please read the attached Palm Valley Handout. I was just told by Seminole County that the developer that now owns the land outlined in red, just submitted a development plan, or at least started the application process with the county.

Rebecca Hammock, Seminole County's Development Services Director, stated in her attached email that "the utility issue has to be figured out at this stage."

Ms. Crawford and Mr. Teitzman: About 800 of the approximate 935 utility customers want to band together to object to the PSC allowing the utility to release this land from their service area. I am personally committed to the residents of Palm Valley to assist them in signing individual letters of objection to the PSC.

But I need to make sure that I am interpreting PSC Rule 25-30.030, 25-30.036, 25-30.029 correctly. **Is Palm Valley Utilities required to (1) apply to the PSC for permission to release this land from their service footprint and (2) required to "notice" all their customers by sending them each a letter?**

Here is the basis for my and the community's objections: Palm Valley Utilities applies to the PSC for rate increases which may be granted based on annual profitability. If they release this piece of land from their footprint, this property will never contribute to revenue for the utility company and that potential lost revenue could translate into lost profitability and then into a higher rate increase for all of its customers. So it is NOT in the interest of the customer base to allow the utility to release this land when its release could result in ongoing future financial harm to the customers.

**What exactly do we need to do, as a customer group, to prevent Palm Valley Utilities from providing a "no contest" letter or letter authorizing the release to Seminole County Water?**

I'd like it to be part of the record that Gena Paugh, a Regional Manager for the utility company provided a "no contest letter" to support a prior development plan request in 2017 (copy of letter is attached) and that letter was used again in 2020 to support a different development plan (owned by the same person - Dustin Lucas) for application for rezone and an apartment building. According to the email from Mr. Teitzman from the PSC (see attached), the utility never obtained approval from the PSC to write this letter, nor even made application to the PSC to release this space from their utility footprint.

The senior citizen residents that occupy 797 homes in this community will be directly affected if this property is able to be developed into a student housing apartment building, literally in their back yards. My second objection is the fact that approximately 40 homes abut this property, and those senior residents will lose property value. They don't own the land, only the manufactured homes that sit on Palm Valley leased parcels. They pay rent to Palm Valley, the same Palm Valley that owns the utility company.

Back in 2020, Palm Valley sent out an email to all the residents speaking of their outrage over the proposed apartment building development plan. I have copies of those emails which I can pull from file and send to you if you need them. Palm Valley management asked everyone in this community to reach out to our County Commissioners and object. While Palm Valley management spewed forth this encouragement from one side of their mouths, they were simultaneously and with malice aforethought, facilitating the release to the developer from their own water company. All Palm Valley had to do to thwart the rezone and apartment building

development plan on behalf of their senior citizen tenants was to withhold their support to release this land from the utility footprint. Then only single family units could be built on this land.

The reason the developer needs the release is because Palm Valley Utilities services single family homes ONLY. And they have water pressure to meet any fire demand for single family homes. The development plan for a four or five story apartment building will fail to meet fire code while the land remains inside the Palm Valley Utility footprint.

And that is our only way to legally block this development from proceeding. Palm Valley Utilities and/or the PSC, based on our community/customer base objection, MUST deny release of that property to Seminole County Water Sewer Utility.

**Tell me what I need to do to make that block happen, please and I will form a community task force and volunteer to oversee the process.**

Also, **will the PSC even be able to consider any request by this utility company when they have failed for more than 3 years to notify the PSC of their change in name and change in majority ownership.** Am I correct that they aren't even registered with the PSC under their proper name yet?(although I notice that you added the Hometown Palm Valley LLC name to docket 20220156). What "company name" do you think should be applying for a change in utility footprint? Perhaps it should be their "not-yet-PSC-approved" business name known as Hometown Palm Valley LLC or perhaps their "name-that-is-no-longer-a-utility-owner" business name known as CWS Communities LP (Diana says sarcastically). Perhaps they should have to pay their \$18,000 + dollars in penalties for failure to notify the PSC that they moved all the utility assets and business into a new name three + years ago, before being allowed to request any further approvals.

That alone should preclude them from being granted any approvals of any kind by the PSC. I hope you concur.

Finally, if Palm Valley Utilities dares to make application to the PSC to release this piece of land from its utility footprint or in any way attempts to aid in the approval of this development plan by BSC-UCF Apartments LLC, then I will start to lead this community in the process outlined in PSC rule 25-30.091 **Petition to Revoke Water Certificate of Authorization for failure to provide quality water service** in ways such as over-billing new residents for two months, failure to timely file name changes, failure to state the correct amount of utility accounts which results in understating revenue on their annual reports and getting rate increases they aren't entitled to, writing non-PSC approved letters of release to developers, failure to properly bill their model homes, office, and community center for utility services, among other failures. I only need 65% of 940 utility customers to sign the petition and that should be easy to get.

**My question is this: When I win this case, who takes over our utility company? Who pays for the transfer of our service from one utility to another utility? Does the PSC transfer the entire operation to Seminole County Water? Sadly, that would result in the developer getting to build his**

**apartment building. So I need to know how this works before I go down that path. I'm sure the PSC has information they can provide me.**

Thank you for your consideration in this matter.

Diana Danin  
938 East Palm Valley DR  
Oviedo, FL 32765  
407-733-2662  
[jeladi1@gmail.com](mailto:jeladi1@gmail.com)

### 25-30.030 Notice of Application.

(1) When a utility applies for a certificate of authorization, an extension or deletion of its service area, or a sale, assignment or transfer of its certificate of authorization, facilities or any portion thereof or majority organizational control, it shall provide notice of its application in the manner and to the entities described in this section.

(2) Before providing notice in accordance with this section, a utility shall obtain from the Commission a list of the names and addresses of the municipalities, the county or counties, the regional planning council, the Office of Public Counsel, the Commission's Office of Commission Clerk, the appropriate regional office of the Department of Environmental Protection, the appropriate water management district, and privately-owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located. In addition, if any portion of the proposed territory is within one mile of a county boundary, the utility shall obtain from the Commission a list of the names and addresses of the privately-owned utilities located in the bordering counties and holding a certificate granted by the Commission. The utility's request for the list shall include a complete legal description of the territory to be requested in the application that includes:

(a) A reference to township(s), range(s), land section(s) and county; and

(b) A complete and accurate description of the territory served or proposed to be served in one of the following formats. The description may reference interstates, state roads, and major bodies of water. The description shall not rely on references to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments.

1. Sections: If the territory includes complete sections, the description shall only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.

2. Metes and bounds: A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. The description shall include all bearings and distances necessary to provide a continuous description.

(3) The notice shall be appropriately styled:

(a) Notice of Application for an Initial Certificate of Authorization for Water, Wastewater, or Water and Wastewater Certificate;

(b) Notice of Application for an Extension of Service Area;

(c) Notice of Application for Deletion of Service Area;

(d) Notice of Application for a Transfer of Water, Wastewater, or Water and Wastewater Certificate(s); or

(e) Notice of Application for a Transfer of Majority Organizational Control.

(4) The notice shall include the following:

(a) The date the notice is given;

(b) The name and address of the applicant;

(c) A description, using township, range and section references, of the territory proposed to be either served, added, deleted, or transferred; and

(d) A statement that any objections to the application must be filed with the Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days after the last date that the notice was mailed or published, whichever is later.

(5) Within 7 days of filing its application, the utility shall provide a copy of the notice by regular mail to:

(a) The governing body of the county in which the utility system or the territory proposed to be served is located;

(b) The governing body of any municipality contained on the list obtained pursuant to subsection (2) above;

(c) The regional planning council designated by the Clean Water Act, 33 U.S.C. 1288(2);

(d) All water or wastewater utilities contained on the list(s) obtained pursuant to subsection (2) above;

(e) The office of Public Counsel;

(f) The Commission's Office of Commission Clerk;

(g) The appropriate regional office of the Department of Environmental Protection; and

(h) The appropriate Water Management District.

(6) No sooner than 21 days before the application is filed and no later than 7 days after the application is filed, the utility shall also provide a copy of the Notice, by regular mail or personal service, to each customer, of the system to be certificated, transferred, acquired, or deleted.

(7) The Notice shall be published once in a newspaper of general circulation in the territory proposed to be served, added,

deleted, or transferred. The publication shall be within 7 days of filing the application.

(8) A copy of the notice(s) and list of the entities receiving notice pursuant to this rule shall accompany the affidavit required by Sections 367.045(1)(e) and (2)(f), F.S. The affidavit shall be filed no later than 15 days after filing the application.

(9) This rule does not apply to applications for grandfather certificates filed under Section 367.171, F.S., or to applications for transfers to governmental authorities filed under Section 367.071, F.S., or to name changes.

*Rulemaking Authority 350.127(2), 367.121(1) FS. Law Implemented 367.031, 367.045, 367.071 FS. History—New 4-5-81, Formerly 25-10.061, 25-10.0061, Amended 11-10-86, 1-27-91, 11-30-93.*



Diana Danin &lt;jeladi1@gmail.com&gt;

**FW: bsc-ucf apartments**

1 message

**Hammock, Rebecca** <rhammock@seminolecountyfl.gov> Mon, Oct 31, 2022 at 2:59 PM  
To: Diana Danin <jeladi1@gmail.com>, "Zimmerman, Paul" <pzimmerman@seminolecountyfl.gov>  
Cc: "Young, Kendra" <kyoung@seminolecountyfl.gov>, "Dallari, Bob" <BDallari@seminolecountyfl.gov>, "Moskowitz, Mary" <mmoskowitz@seminolecountyfl.gov>, "Sillaway, Annie" <asillaway@seminolecountyfl.gov>

Good afternoon,

It appears we have now received a site plan application for this property. The utility issue will have to be figured out at this stage and as Paul stated, below, the Applicant will need to get approval from Palm Valley Utilities before Seminole County could provide services.

"We have discussed serving this property with their engineers. We have services approximately 800 feet away to the south that can serve them, but they need to seek the appropriate approvals first."

Thanks,  
Rebecca



**Rebecca Hammock, AICP**

Department Director

Development Services | Business Office

O: (407) 665-7396

1101 E. 1<sup>st</sup> Street, Sanford, FL 32771

[rhammock@seminolecountyfl.gov](mailto:rhammock@seminolecountyfl.gov)

[www.seminolecountyfl.gov](http://www.seminolecountyfl.gov)

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**From:** Moskowitz, Mary <mmoskowitz@seminolecountyfl.gov>  
**Sent:** Friday, October 28, 2022 4:22 PM  
**To:** Hammock, Rebecca <rhammock@seminolecountyfl.gov>; Giles, Joy <JGiles@seminolecountyfl.gov>; Sillaway, Annie <asillaway@seminolecountyfl.gov>; Robinson, Doug <d robinson03@seminolecountyfl.gov>  
**Subject:** RE: bsc-ucf apartments

Hi Rebecca,

It looks like they just submitted the site plan application. Please let us know how you would like to proceed.

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**From:** Moskowitz, Mary <mmoskowitz@seminolecountyfl.gov>  
**Sent:** Tuesday, October 25, 2022 12:58 PM  
**To:** Hammock, Rebecca <rhammock@seminolecountyfl.gov>; Giles, Joy <JGiles@seminolecountyfl.gov>; Sillaway, Annie <asillaway@seminolecountyfl.gov>; Robinson, Doug <d robinson03@seminolecountyfl.gov>  
**Subject:** RE: bsc-ucf apartments

No new site plan applications.

The most recent application is the rezone in 2019

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**From:** Hammock, Rebecca <rhammock@seminolecountyfl.gov>  
**Sent:** Tuesday, October 25, 2022 12:52 PM  
**To:** Giles, Joy <JGiles@seminolecountyfl.gov>; Sillaway, Annie <asillaway@seminolecountyfl.gov>; Robinson, Doug <d robinson03@seminolecountyfl.gov>



**Cc:** Moskowitz, Mary <mmoskowitz@seminolecountyfl.gov>  
**Subject:** FW: bsc-ucf apartments

Hi All,

Do you know if we have a current applicant in for apartments on this parcel. The zoning was approved a couple of years ago but I haven't seen any site plan applications, have you?

Thanks,

Rebecca

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**From:** Diana Danin <jeladi1@gmail.com>  
**Sent:** Tuesday, October 25, 2022 12:41 PM  
**To:** Hammock, Rebecca <rhammock@seminolecountyfl.gov>; Dallari, Bob <BDallari@seminolecountyfl.gov>  
**Subject:** bsc-ucf apartments

**NOTICE:** This email was sent from someone outside of the Seminole County BCC Organization. Always use caution when opening attachments or clicking links from unknown senders or when receiving unexpected emails. If you believe this message is suspicious or malicious in nature, please use the Phish Alert Button to report it to the Information Services Security Team or contact 311Support at [CSDSupport@seminolecountyfl.gov](mailto:CSDSupport@seminolecountyfl.gov) for assistance.

Hi Rebecca

Can you please tell me if there are any development plans in the works for this property owned by BSC-UCF Apartments

parcel ID 34=21=31=503-0000-013a

Also, I sent you an email letting you know that the regulated utility company, Palm Valley Utilities, must first give notice to all their customers and apply for approval to the Public Service Commission before being allowed to release any land from their utility footprint.

This did not happen when the development plan was presented by Lucas and his entourage and approved by the Commissioners. This cannot be allowed to happen again.

If a development plan is presented to Seminole County, the developer cannot be released from the current utility without the proper notice to all the residents of Palm Valley, who will call for a hearing with the PSC in an attempt to thwart this five story development.

How do I ensure that this parcel will be marked to make sure that notice happens. Or do I have to contact you every month to see if there is something in the works?

Please advise

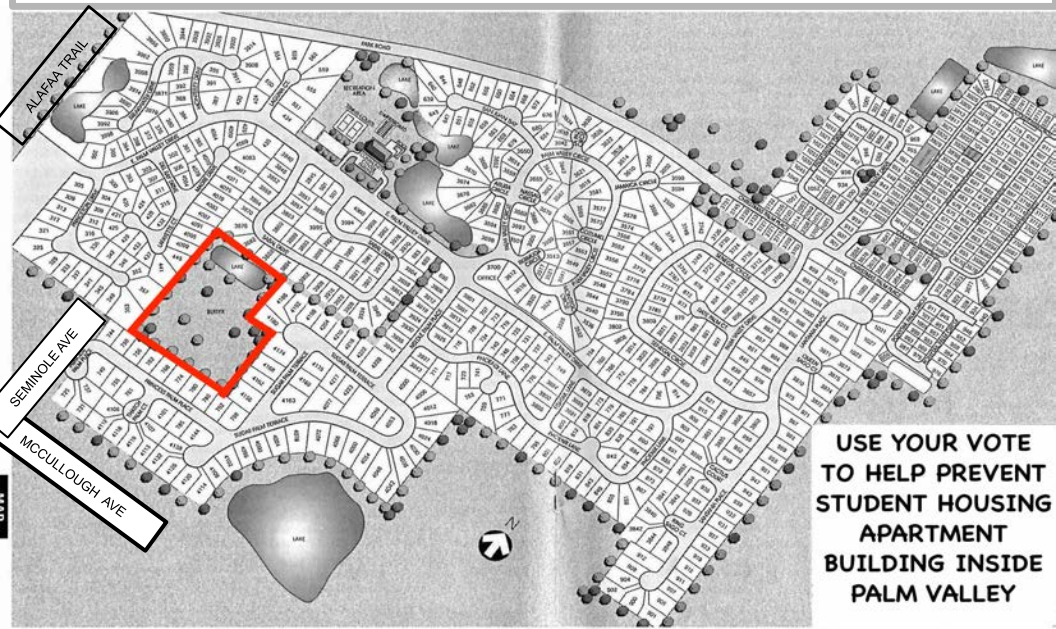
Thanks

Diana Danin

407-733-2662

\*\*\*\*Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. Seminole County policy does not differentiate between personal and business emails. E-mail sent on the County system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law.\*\*\*\*

# IMPORTANT NOTICE TO ALL PALM VALLEY RESIDENTS



**USE YOUR VOTE  
TO HELP PREVENT  
STUDENT HOUSING  
APARTMENT  
BUILDING INSIDE  
PALM VALLEY**

## **Map of Palm Valley Community**

(A larger version of map can be found in our Resident Directory or picked up at the park office)

1. The red highlighted area on map is 2.6 acres of land owned by a developer. Located within the footprint of Palm Valley, it is surrounded by many homes owned by our neighbors, inside our community.
2. In 2020, developer asked Seminole County Zoning Commission to change the zoning so they could get approval for a five story apartment building. The Zoning Commission thankfully turned them down!
3. The developer didn't take no for an answer. Instead they brought their proposal before the Seminole County Commissioners asking them to **OVERRIDE** their own Zoning Commission, approve the rezone and approve a development plan for a five story apartment building. Three Commissioners granted this approval.
4. There were five Commissioners: Bob Dallari, voted no. Lee Constantine, abstained. Brenda Carey is no longer a Commissioner, but was one of the three that voted yes.

Jay Zembower and Amy Lockhart were the other two that voted yes. They approved rezoning and the development plan for a residential apartment building on this piece of land located within our community.

**ZEMBOWER AND LOCKHART ARE UP FOR RE-ELECTION  
and WE MUST VOTE AGAINST THEM.**

**VOTE FOR  
KATRINA SHADIX AND PATTI SMITH  
FOR COUNTY COMMISSIONER**

Please read other side

## **Why is it imperative that we VOTE AGAINST ZEMBOWER AND LOCKHART?**

The prior developer purchased this 2.6 acres in 2016 for \$120,000. Then they used their connections with the Commissioners to push through both rezoning and approval for an apartment building development. After they obtained those approvals in 2020, the developer turned around and sold this same lot for \$1,425,000 to a new developer, BSC-UCF Apartment LLC, in 2022. This new developer intends to erect STUDENT HOUSING on this land and this is our chance to use our vote to try to stop that.

Before any construction can begin, the new developer will have to bring their plan before the County Development Board and then before the Commissioners for certain approvals such as set-back waivers, number of apartments, height of fence, sound barriers, water utility waivers, number of parking spaces, etc.

Zembower and Lockhart are two Commissioners who have already PROVEN, BY THEIR PAST VOTES, that they will favor the developer before exercising their power to protect the complexion of our community and the home values of our senior resident neighbors.

Please, this is not a “political party” issue. This is a community issue, specifically about OUR community. So, regardless of your political affiliation, I am asking everyone to:

VOTE OUT Zembower and Lockhart

**Vote FOR Katrina Shadix and Patti Smith**

**CAST YOUR VOTE TO PROTECT PALM VALLEY!**

Written by your neighbor, Diana Danin. Call with questions: 407-733-2662



Diana Danin <jeladi1@gmail.com>

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# RE: Water Sewer no objection letter for area served by Regulated Utility Company Company code ws-830 CWS Communities LP

1 message

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**Adam Teitzman** <ATEITZMA@psc.state.fl.us>  
To: Diana Danin <jeladi1@gmail.com>

Fri, Oct 28, 2022 at 10:50 AM

Ms. Danin,

I have spoken with Commission staff familiar with this matter and I can confirm that the PSC has no record of contact from the utility regarding a change to the utility's footprint in 2017.

**Adam J. Teitzman**

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

[Adam.Teitzman@psc.state.fl.us](mailto:Adam.Teitzman@psc.state.fl.us)

850.413.6826

**From:** Diana Danin <jeladi1@gmail.com>

**Sent:** Thursday, October 27, 2022 6:09 PM

**To:** Adam Teitzman <ATEITZMA@psc.state.fl.us>

**Subject:** Fwd: Water Sewer no objection letter for area served by Regulated Utility Company Company code ws-830 CWS Communities LP

Hi Mr. Teitzman

I read every one of the emails you sent me in response to my last FOIA request.

However, my inquiry was to determine if CWS Communities LP, the utility, ever communicated with the PSC regarding deleting a piece of property from their utility footprint when they wrote that letter to the county back in 2017.

Is there a way for someone at the PSC to simply respond to that question. It should be rather direct: either they applied to the PSC for a change in service territory to delete that property from their utility footprint or they did not - as required in PSC rules

25-30.029, 25-30.030 and 25-30.036

This is very important because this utility's letter releasing the developer from their utility footprint was used to support a change in zoning. So please help me ascertain if the utility followed the requirements prior to giving that letter to the developer and the County Development and Rezoning boards.

Please see attached Palm Valley Handout for further explanation.

I hope you or someone at the PSC will be able to respond. And if Gena Paugh had no authority to write that letter, I hope the PSC will censure the utility for sending that letter and provide me with a copy of the censure.

Thanks again

Diana Danin

----- Forwarded message -----

From: **Diana Danin** <jeladi1@gmail.com>

Date: Sun, Oct 16, 2022 at 8:08 PM

Subject: Water Sewer no objection letter for area served by Regulated Utility Company Company code ws-830 CWS Communities LP

To: Adam Teitzman <ateitzma@psc.state.fl.us>, <Commissioner.Graham@psc.state.fl.us>, Angie Calhoun <acalhoun@psc.state.fl.us>, Jennifer Crawford <jcrawfor@psc.state.fl.us>, Gena Paugh <gpaugh@hometownamerica.net>

Cc: Zimmerman, Paul <pzimmerman@seminolecountyfl.gov>, Dallari, Bob <bdallari@seminolecountyfl.gov>, Hammock, Rebecca <rhammock@seminolecountyfl.gov>, Chipok, Paul <pchipok@seminolecountyfl.gov>, Diana Danin <jeladi1@gmail.com>

Dear Mr. Teitzman

Please find attached a letter signed by Gena Paugh, a Regional manager of Hometown America and the regulated utility you currently know under the name of CWS Communities LP (utility was transferred in Jan 2019 to Hometown Palm Valley LLC without notification by the utility to the PSC).



Please also look at the attached map of Palm Valley community, the largest area served by this regulated utility. There are about 130 other homes just outside of Palm Valley, known as Fox Run, that also receive water and wastewater service from this utility.

The land that I highlighted by outlining its perimeter in red is a 2.6 acre piece of property that was owned by several different developers over the last years. In 2020, Dustin Lucas presented it to the County Commissioners for development of a five story apartment building. You will note that this land is surrounded by senior citizens manufactured homes. The zoning commission for Seminole County declined the request to change the zoning, but the County Commissioners Zembower and Lockhart and one other no longer serving, overrode their own zoning board and approved the rezone to five stories.

Simultaneously, a "no object" letter was required to complete the development package presented to the development board. Rather than require a new letter, since the old letter was addressed to C & L Land, the Commissioners Zembower and Lockhart, allowed the development plan to get approval utilizing this old letter.

In that letter, Gena Paugh, of the "utility company" and Hometown America states that they will "modify our certificate with the Public Service Commission to delete their parcel from our territory, allowing C & L Land to apply with Seminole County for service."

I've been reading Chapter 25-30 Water and Wastewater Utility Rules and it appears that any desire to change a regulated utility's service area MUST be first applied for to the PSC and second, noticed to the entire customer base. No one was given notice when the letter was written in 2017 and no one was given notice when the letter was re-used in 2020. The 800 senior residents of Palm Valley were denied the opportunity to formally object to the territory change request.

The land I describe has once again changed hands and I suspect a new development request will be forthcoming. This time perhaps the County Commission will follow their own development rules and require the No objection letter and in turn, Hometown will actually apply for a change in service area BEFORE everyone starts approving development plans.

Because if another developer asks to go on County water, I will attempt to gather objections from as many of the 800 residents of Palm Valley as I can. The developer would be in charge of costs associated with bringing water/wastewater and fire service to their apartment building - not the utility and not the utility customers. After that, the utility could only benefit from having an additional 50 customers and perhaps that increase in revenue will forestall any rate increases in the near future to the 800 senior residents of Palm Valley.

## **FOIA Request:**

**Ultimately, I would like to know if Gena Paugh ever actually made sure that the application to modify their**

**utility certificate ever actually made it into the hands of the PSC - and I request, under the FOIA, copies of any correspondence from Hometown to the PSC be sent to me. I would also like the PSC to respond to this question:**

**If the "no Opposition" letter was written in 2017, and no development took place. And then another developer submitted a new development plan in 2020, could they simply utilize the no objection letter provided to the prior developer. Or would they have to notice the customers AGAIN per 25-30.030 before granting a "no objection letter" to the new developer.**

This is important because there is yet another developer and I want to make sure that all Palm Valley Residents are noticed and provided with an opportunity to object and that the application for change / deletion of part of the utilities territory is sufficiently applied for with the PSC before any development plans are approved.

My guess is that this utility failed to apply or notify the PSC in a timely manner of their intent to modify their service area.

I hope you will add this to the utility's customer complaint file to support my request for an audit.

Very truly yours,

Diana L. Danin

938 East Palm Valley Drive

Oviedo, FL 32765

407-733-2662



HOMETOWN AMERICA  
C O M M U N I T I E S®

July 14, 2017

Julian R. Coto, P.E., Principal for the firm of Excel Engineering

Regarding: Response to Request for Extension of Water and Sewer Service to C & L Land Group, LLC

Mr. Coto,

First we'd like to say congratulations to C & L Land for their opportunity to open a business nearby. We welcome them as our new neighbor and look forward to another thriving business in Oviedo!

We have researched this possibility with our utility consultant and our operators. Our facility does not have the capacity to meet fire flow for the additional serviced area. This would require cost to your customer for storage tank installation and high pressure pumps in addition to extending the lines for service. We feel this would be a burden to C & L Land Group, LLC and it would be in their best interest to hook up through Seminole County. Therefore, we decline the request of extension and will modify our certificate with the Public Service Commission to delete their parcel from our territory, allowing C & L Land to apply with Seminole County for service. If for some reason they would not be able to connect at that time with Seminole County, please let us know so that we may further discuss our options.

Sincerely,

Gena F Paugh, Regional Manager, Hometown America

Email Cc:

Jolene Burns, Palm Valley Community Manager  
Stephen Braun, COO and President, Hometown America  
Ken Kravenas, Vice President, Hometown America  
Dustin Lucas, Manager, C & L Land Group, LLC

**Dustin Lucas is also the owner of JEL Land Development LLC the development company that got the commissioners to override zoning board and grand approval for rezone and the apartment building project. They never built it and after receiving rezoning from Commissioners, they sold it to new developer.**