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STATE OF FLORIDA



DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

November 13, 2023

F. Marshall Deterding, Esq.
Sundstrom & Mindlin, LLP
2548 Blaiirstone Pines Drive
Tallahassee, FL 32301
mdeterding@sfflaw.com

VIA EMAIL

Re: Docket No. 20230114-WS - Application for certificates to provide water and wastewater service in Volusia County, by Applegate Utility, LLC.

Dear Mr. Deterding:

Staff has reviewed Applegate Utility, LLC's (Applegate or Utility) application for certificates to provide water and wastewater service in Volusia County. After reviewing this information we find the application to be deficient. The specific deficiencies are identified as:

- Filing Fee.** Rule 25-30.020(2)(a), Florida Administrative Code (F.A.C.), states that all applications for an original certificate filed pursuant to Section 367.045, Florida Statutes (F.S.), shall pay a filing fee based on a utility's existing or proposed capacity. Pursuant to Rule 25-30.020(1), F.A.C., the utility must pay a separate filing fee for water service and wastewater service. Rules 25-30.020(2)(a)1 and 25-30.020(2)(a)2, F.A.C., require a filing fee of \$1,500 for water service and \$750 for wastewater service, for a total filing fee of \$2,250. The Utility paid a filing fee of \$1,500. Please remit the remaining filing fee balance of \$750.
- Financial Statements.** Rule 25-30.034(1)(i)(1), F.A.C., Requires that the applicant provide a detailed financial statement (balance sheet and income statement), audited if available, of the financial condition of the applicant, which shows all assets and liabilities of every kind and character. Although the applicant provided a balance sheet, there was no income statement in the application filing. Please provide the income statement for the entity the Utility is relying on for financial support.
- DEP Compliance.** Rule 25-30.034(1)(j)(3), F.A.C., states the applicant shall provide a copy of the utility's most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report. Please provide the Utility's most recent DEP compliance inspection report and secondary standards drinking water report.

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Your application will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **December 13, 2023**, to the following address:

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

Should you have any questions concerning the information in this letter, please feel free to contact Emily Knoblauch by phone at (850) 413-6632 or email eknoblau@psc.state.fl.us for technical questions, or Timothy Sparks by phone at (850) 413-6216 or email tsparks@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

s/Emily Knoblauch

Emily Knoblauch
Engineering Specialist
Division of Engineering

EK:pz

cc: Office of Commission Clerk (Docket No. 20230114-WS)