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STATE OF FLORIDA



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

Public Service Commission

March 5, 2024

Mr. William T. Smoot
4337 Pablo Oaks Court, Suite 101
Jacksonville, FL 32224
wts@wetengineering.net

**SECOND DEFICIENCY LETTER
VIA EMAIL**

Re: Docket No. 20240011-WU - Application for certificate to provide water service in St. Johns County, by RIVERDALE UTILITY HOLDING, INC.

Dear Mr. Smoot:

On March 1, 2024, Staff reviewed RIVERDALE UTILITY HOLDING, INC.'s (Utility) response to Staff's Deficiency Letter dated February 2, 2024. After reviewing this information we find the application still to be deficient. The specific deficiencies are identified as:

1. **Proof of Noticing.** Rule 25-30.034(1)(b), Florida Administrative Code (F.A.C.), requires the applicant to provide proof of noticing, pursuant to Rule 25-30.030, F.A.C. Rule 25-30.030(6), F.A.C., states that all applications requiring noticing shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk. Staff notes that the Utility cannot correct this deficiency until its draft notice has been approved by staff and has been issued in accordance with Rule 25-30.030(5), F.A.C. However, staff is working with the Utility toward approval of the draft notice. Upon staff approval of the Utility's draft notice and issuance of the same, please provide proof of noticing, pursuant to Rule 25-30.030, F.A.C.
2. **Legal description.** Rule 25-30.033(1)(j)1., F.A.C., requires that the applicant provide a legal description of the territory proposed to be served, in the format prescribed in Rule 25-30.029, F.A.C. Rule 25-30.029(2)(b), F.A.C., states that a complete and accurate description of the service area should be provided in either a sections format or a metes and bounds format, shall have a point of beginning referenced from either a section corner or a subsection corner, and not rely on references to government lots, recorded plats or lots, tracts, or other recorded instruments. Please amend the legal description to conform to the requirements of Rule 25-30.029, F.A.C.

William T. Smoot

Page 2

March 4, 2024

3. **Territory map.** Rule 25-30.033(1)(j)3., F.A.C., requires an official county tax assessment map or other map showing township, range, and section with a scale such as 1'' = 200' or 1'' = 400', with the proposed territory plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.033(1)(j)1., F.A.C. The map provided may not be of sufficient scale to verify the revised territory description, due to the requested service territory's distance from an appropriate section or subsection corner reference. The map provided showed the townships and ranges, but did not show sections. Also, the graphical scale of 1" = 750' did not measure one inch, but rather 7/8 inch. Please provide a set of territory maps of sufficient size and scale that, together, clearly show the perimeter of the entire territory being requested, consistent with the requirements of Rule 25-30.029(2), F.A.C., and that meet all of the requirements of Rule 25-30.033(1)(j)3., F.A.C.

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 **Thursday, April 4, 2024**. You may file your responses electronically at the Commission's website at www.floridapsc.com, by selecting the Clerk's Office and Electronic Filing Web Form or submit 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 Mrs. Melinda Watts by phone at (850) 413-6952 or email at mwatts@psc.state.fl.us for technical questions, or Ms. Jennifer Crawford by phone at (850) 413-6228 or email at jcrawfor@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

s/ Melinda Watts

Melinda Watts
Engineering Specialist

MW:pz

cc: Office of the Commission Clerk (Docket No. 20240011-WU)