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

Public Service Commission

November 19, 2024

Sean Twomey
Ni Florida, Inc.
200 Weathersfield Avenue
Altamonte Springs, FL 32714
sean.twomey@nexuswg.com

VIA EMAIL

Re: Docket No. 20240144-SU - Application for amendment of Certificate No. 104-S to extend service to Oak Stone Development in DeSoto County and petition for approval of special developer agreement and service availability charges, by Ni Florida, Inc.

Dear Mr. Twomey:

Staff has reviewed Ni Florida, Inc.'s (Ni or Utility) application to amend wastewater Certificate No. 104-S to extend service to the Oak Stone Development and petition for approval of service availability charges. After reviewing this information, we find the application to be deficient. The specific deficiencies are identified as follows:

- 1. Proof of Noticing.** Rule 25-30.030(6), Florida Administrative Code, (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. After staff has reviewed and approved the notice of application, and the notices have been distributed in accordance with Rule 25-30.030(5), F.A.C., please provide affidavits of noticing.
- 2. Applicant Information.** Rule 25-30.036(2)(c), F.A.C., requires that the applicant provide the Utility's name and other contact information. The address, telephone number, Federal Employer Identification Number, and the authorized representative provided in the application is not consistent with the information recorded by the Florida Division of Corporations or the Florida Public Service Commission. Please provide the correct information.
- 3. Customer Type.** Rule 25-30.036(2)(d), F.A.C., requires that the applicant demonstrate the need for service in the proposed area by stating the number of customers being served and proposed to be served, by customer class and meter size, including a description of the types of customers anticipated to be served. The statement in Exhibit A of the application states that a majority of customers are residential. However, this statement does not clarify if there are commercial customers included or the number of customers

proposed to be served. Please provide a statement clarifying these facts. If possible, also include the size of water meters anticipated to be used in the service territory.

4. **Requests of Service.** Rule 25-30.036(2)(d), F.A.C., requires that the applicant demonstrate the need for service in the proposed area by providing a copy of all requests for service from property owners or developers in areas not currently served. The Utility identifies this information as Exhibit B of its application; however Exhibit B is not attached to the application. Please provide the documentation to meet this requirement.
5. **Legal Description.** Rule 25-30.036(2)(f), F.A.C., requires that a legal description of the territory proposed to be served, in the format prescribed in Rule 25-30.029, F.A.C. The Utility identifies this information as Exhibit F; however, Exhibit F does not meet the requirements of the Rule. Please provide a legal description of the proposed territory to be served that conforms to the requirements of Rule 25-30.036(2)(f).
6. **System Map.** Rule 25-30.036(2)(g), F.A.C., requires that the Utility provide a detailed system map showing the proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.036(2)(f). The maps provided in Exhibit G are illegible, lack markings to show the location of proposed lines and treatment facilities, and cannot be verified without a provided legal description. Please provide a revised system map of sufficient scale and detail that meets the requirements of Rule 25-30.036(2)(g) and is consistent with the legal description. If possible, label the revised map with the size and location of proposed lines, indications of where lines connect between individual map pages and to which page, and a map legend that identifies these markings.
7. **Territory Map.** Rule 25-30.036(2)(h), F.A.C., requires that the Utility provide 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 25-30.036(2)(f). The Utility identifies this information as Exhibit H; however, Exhibit H is not attached to the application. Please provide a territory map that meets the requirements of Rule 25-30.036(2)(h) of sufficient scale and detail that it may be verifiably consistent with the legal description.
8. **Installation Policy.** Rule 25-30.565(4)(u), F.A.C., states that a statement of the existing and proposed on-site and off-site main installation charges or policy must be provided in the Utility's application. Please submit a copy of the existing and proposed on-site and off-site main installation charges or policy.

Sean Twomey
Page 3
November 19, 2024

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 **Friday, December 13, 2024**, 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 Mr. Segundo Sanchez by phone at (850) 413-6226 or email at SSanchez@psc.state.fl.us for technical questions, or Mr. Daniel Dose by phone at (850) 413-6846 or email at ddose@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

s/Segundo Sanchez

Segundo Sanchez
Engineering Specialist
Division of Engineering

SS:da

cc: Office of Commission Clerk (Docket No. 20240144-SU)