

State of Florida

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DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

April 17, 1996

Mr. O.F. Bennett
Citrus Cove Homeowners Association, Inc.
13432 Suburban Terrace
Winter Garden, Florida 34787

RE: Docket No. 960393-WU; Request for exemption from Florida Public Service Commission regulation for provision of water service in Lake County by Citrus Cove Homeowners Association, Inc.

Dear Mr. Bennett:

The purpose of this letter is to inform you of the deficiencies in the above-referenced application, Docket No. 960393-WU. It is imperative that the following deficiencies be corrected as soon as possible in order to avoid any further delay in the processing of your application.

- Incorporation - The Secretary of State indicates that your Home Owners Association was dissolved on August 25, 1995 due to the Association's failure to file the required annual report with the Secretary of State. To qualify for a non-profit exemption pursuant to Rule 25-30.060(g), Florida Administrative Code, the Association must be registered with the Secretary of State. Please provide documentation that registration has been completed.
- Articles of Incorporation and Bylaws - Please provide a copy of the articles of incorporation as filed with the Secretary of State and the bylaws which clearly demonstrate that the corporation provides service solely to members who own the corporation.
- Voting Rights - Please describe the membership's voting rights and identify the location in the articles of incorporation and the bylaws where the voting rights are discussed.
- Control of Association - Please indicate whether the corporation was formed by a developer pursuant to Chapter 617, Florida Statutes. If it was formed by a developer, please provide documentation showing that control has passed or, if not, the circumstances under which control of the corporation will pass to the nondeveloper members. Pursuant to Rule 25-30.060(3)(g)(3)(c), the

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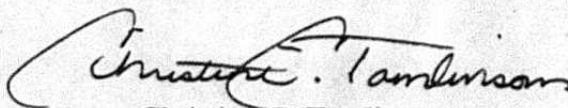
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time must not exceed seven years from the date of incorporation. In order to comply with this Rule, if the Association is currently controlled by the developer and not by the non-developer members, the Articles and By-Laws need to specify under what circumstances the transfer of control is to happen and must be limited by a time period not to exceed 7 years. If control has already passed to the non-developer members, please indicate the date that turnover occurred.

If you have any questions regarding this matter, please contact Alice Crosby of our Legal Division at (904) 413-6222.

Please file an original and four copies of the requested information by **May 13, 1996**, to **Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0873**. Also please be sure to reference the Docket Number, indicated at the top of this letter, on all future correspondence in order to ensure proper and timely processing. If you have any questions, please do not hesitate to contact me at (904) 413-6994.

Sincerely,



Christine C. Tomlinson
Regulatory Analyst

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cc: Division of Legal Services (Crosby)
Division of Records and Reporting