

**GATLIN, WOODS & CARLSON**  
*Attorneys at Law*  
a partnership including a professional association

The Mahan Station  
1709-D Mahan Drive  
Tallahassee, Florida 32308

**ORIGINAL  
FILE COPY**

TELEPHONE (904) 877-7191  
TELECOPIER (904) 877-9031

B. KENNETH GATLIN, P.A.  
THOMAS F. WOODS  
JOHN D. CARLSON  
WAYNE L. SCHIEFELBEIN

July 30, 1996

**HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission

ACK \_\_\_\_\_  
AFA 2 2540 Shumard Oak Blvd.  
APP \_\_\_\_\_ Tallahassee, Florida 32399-0850

CAF \_\_\_\_\_  
CMU \_\_\_\_\_ RE: Docket No. 950387-SU  
CTR \_\_\_\_\_ Application of Florida Cities Water Company, North Ft. Myers  
Division, for an Increase in Wastewater Rates

EAG \_\_\_\_\_  
LEG 1 Dear Ms. Bayo:

LIN 3 Enclosed for filing are an original and fifteen copies of a Notice of Issuance of FDEP Letter  
OPC \_\_\_\_\_ of Authorization or, in the Alternative, Motion to Accept FDEP Letter of Authorization into the  
RCH \_\_\_\_\_ Record, in reference to the above docket.

SEC 1  
WAS Willis Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter  
and returning same to my attention.

OTH \_\_\_\_\_

Very truly yours,

*B. Kenneth Gatlin*

B. Kenneth Gatlin

BKG/met

RECEIVED & FILED

FLORIDA DEPARTMENT OF RECORDS

DOCUMENT NUMBER-DATE  
**07963 JUL 30 1996**  
FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Application of Florida Cities Water )  
Company, North Ft. Myers Division, for )  
an increase in wastewater rates in Lee )  
County, Florida )

Docket No. 950387-SU  
Filed: July 30, 1996

**NOTICE OF ISSUANCE OF FDEP LETTER OF AUTHORIZATION OR,  
IN THE ALTERNATIVE, MOTION TO ACCEPT FDEP LETTER OF  
AUTHORIZATION INTO THE RECORD**

Florida Cities Water Company (FCWC), files this its notice for the Commission to acknowledge issuance of Florida Department of Environmental Protection (FDEP) letter of authorization to operate or in the alternative, reopen record and receive as an exhibit the FDEP Letter of Authorization, and states:

1. At the time of hearing in this proceeding, the uncontroverted testimony was that the FDEP would authorize the operation of the expanded Waterway Estates (North Ft. Myers) Wastewater Treatment Plant at a capacity of 1.25 mgd.

2. The July 19, 1996 FDEP letter acknowledged completion of the 1.25 mgd plant and authorized the placement of the expanded plant into service. A copy of the letter of authorization is attached hereto.

WHEREFORE, Florida Cities Water Company moves that:

1. The Commission take notice of this issuance of the FDEP letter of authorization issued on July 19, 1996 acknowledging the completion of the 1.25 mgd plant and authorizing the placement of the expanded plant into service; or

2. Reopen the record in this docket and receive as an exhibit the attached FDEP letter dated July 19, 1996 acknowledging completion of the 1.25 mgd plant and authorizing placement of the expanded plant into service, and

3. Such other relief as the Commission may deem appropriate.

Dated this 30th day of July, 1996.

Respectfully submitted,



B. Kenneth Gatlin  
Fla. Bar #0027966  
Gatlin, Woods & Carlson  
1709-D Mahan Drive  
Tallahassee, Florida 32308  
(904) 877-7191

Attorneys for  
FLORIDA CITIES WATER COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery to Mr. Ralph Jaeger, Esquire, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and by U.S. regular to Harold McLean, Esquire, Office of Public Counsel, 111 W. Madison Street, Room 812, Claude Pepper Building, Tallahassee, Florida 32399-1400, and also by regular U.S. Mail on this 30th day of July, 1996 to:

Harry Bowne  
4274 Harbour Lane  
N. Ft. Myers, FL 33903

Nancy L. McCullough  
683 Camellia Drive  
N. Ft. Myers, FL 33903

Eugene W. Brown  
2069 W. Lakeview Boulevard  
N. Ft. Myers, FL 33903

C. Belle Morrow  
691 Camellia Drive  
N. Ft. Myers, FL 33903

Fay A. Schweim  
4640 Vinsetta Avenue  
N. Ft. Myers, FL 33903

Eugene F. Pettenelli  
4300 Glasgow Court  
N. Ft. Myers, FL 33903

Jerilyn L. Victor  
1740 Dockway Drive  
N. Ft. Myers, FL 33903

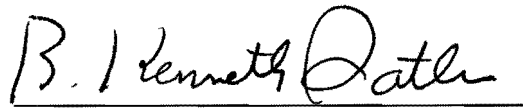
Beverly and Robert Hemenway  
4325 S. Atlantic Circle  
N. Ft. Myers, FL 33903

Dawn E. Coward  
951 Tropical Palm Avenue  
N. Ft. Myers, FL 33903

Kevin A. Morrow  
905 Poinsettia Drive  
N. Ft. Myers, FL 33903

Doris T. Hadley  
1740 Dockway Drive  
N. Ft. Myers, FL 33903

Cheryl Walla  
1750 Dockway Drive  
N. Ft. Myers, FL 33903



B. Kenneth Gatlin

*Cope*



# Department of Environmental Protection

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3881

Virginia B. Wetherell  
Secretary

July 19, 1996

RECEIVED

Mr. Michael Acosta, Vice President  
Florida Cities Water Company  
4837 Swift Road, Suite 100  
Sarasota, Florida 34231

JUL 29 1996

GENERAL OFFICE

Re: Lee County - DW  
Waterway Estates WRF  
DC36-237227

Dear Mr. Acosta:

The notification of completion of construction for wastewater facilities, DEP Form 62-620.910(12), dated March 8, 1996, as submitted by Black and Veatch, Inc. for the project authorized by the above referenced permit number has been reviewed. Accordingly, the modified 1.25 mgd advanced wastewater treatment plant may be placed into operation.

Please be advised that according to Rule 62-620.410, Florida Administrative Code (F.A.C.), within 6 months after placing this facility into operation a notification of availability of record drawings and final operation and maintenance manuals, DEP Form 62-620.910(13), shall be submitted to the Department.

If you have any questions concerning this matter please call Selvi Kongara at (941) 332-6975.

Sincerely,

Harley W. Young, Ph.D., P.E.  
Water Facilities  
Section Manager

HWY/SK

cc: Thomas A. Cummings, P.E.