



CYPRESS LAKES

FILE COPY

September 9, 1996

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Handwritten initials/signature

RE: Cypress Lakes Associates, Ltd.

To Whom It May Concern:

I represent Cypress Lakes Associates, Ltd. (Cypress Lakes), a Florida limited partnership which provides potable water and sewer service through a privately owned potable water and wastewater utility located entirely within Polk County, Florida. On May 14, 1996, the Board of County Commissioners of Polk County (Board) adopted a Resolution (photocopy attached) which transfers regulatory jurisdiction to the Florida Public Service Commission (PSC). However, in accordance with the Polk County Agenda Request, Cypress Lakes was one of six utilities on which there was "pending regulatory franchise action". The Board held a public hearing to finalize the regulatory action regarding Cypress Lakes on August 6, 1996. Therefore, pursuant to Section 367.171, Florida Statutes, we are hereby submitting the registration of the utility with the PSC.

The information required for registration is as follows:

1. The full name of the utility is Cypress Lakes Associates, Ltd., a Florida limited partnership.
2. Its mailing address is: 10000 North U.S. Highway #98, Lakeland, Florida 33809.

A description of the service area is attached.

A tariff listing all rates and charges approved by the Board of County Commissioners will be provided to the PSC under separate cover. We will also submit the appropriate fee at that time.

Please don't hesitate to contact me if you have any questions or further information is required.

Sincerely,

Fred Babb

General Manager

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FLORIDA PUBLIC
SERVICE COMMISSION
SEP 16 AM 9:09
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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09838 SEP 16 96

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA
COUNTY MANAGER
ITEM XII.A

Kel Riera:csca, Dist. 1 Nancy House Caldwell, Dist. 2 Karlene Young, Dist. 3
Jerry Carter, Dist. 4 Nell Combs, Dist. 5
Richard L. Hedrick, County Manager

AGENDA REQUEST

May 14, 1996

APPROVED

Polk County Board of
County Commissioners

TO: Board of County Commissioners
Richard L. Hedrick, County Manager

THROUGH: Darrell W. Gunn, Public Works Director

FROM: Donald A. Crawford, Utilities Director

SUBJECT: CONSENT AGENDA -- MAY 14, 1996
ADOPTION OF RESOLUTION TO CONFER JURISDICTION ON
THE PUBLIC SERVICE COMMISSION OVER MATTERS
RELATING TO PRIVATE WATER AND WASTEWATER
UTILITIES AND SET PUBLIC HEARING DATE OF
SEPTEMBER 3, 1996 AT 1:30 P.M. TO REPEAL POLK
COUNTY ORDINANCE 82-11, THE POLK COUNTY WATER AND
SEWER SYSTEM REGULATORY ORDINANCE.

Date: 5/14/96
Initial: DAG

STATEMENT OF ISSUE

Board of County Commissioners' adoption of a Resolution to confer jurisdiction on the Public Service Commission over matters relating to private water and wastewater utilities and set Public Hearing date of September 3, 1995 at 1:30 P.M. to repeal Polk County Ordinance 82-11, the Polk County Water and Sewer System Regulatory Ordinance.

ANALYSIS

On May 7, 1996, the Board voted to transfer jurisdiction of private water and wastewater utilities to the Florida Public Service Commission (PSC). The attached resolution provides for this transfer of jurisdiction. The County Attorney's office has been advised by PSC legal staff that the transfer of jurisdiction does not effect any pending regulatory franchise actions.

This Resolution transfers regulatory actions relating to private water and wastewater utilities in Polk County to the PSC effective immediately upon its passage, however the County will maintain jurisdiction of six (6) pending franchise actions until their resolution. These specific actions along with target completion dates, are identified below:

DOCUMENT NUMBER-DATE

09838 SEP 16 88

FPSC-RECORDS/REPORTING

BoCC Consent Agenda -- May 14, 1996
 RE: ADOPTION OF RESOLUTION TO CONFER JURISDICTION ON
 THE PUBLIC SERVICE COMMISSION OVER MATTERS
 RELATING TO PRIVATE WATER AND WASTEWATER UTILITIES
 AND SET PUBLIC HEARING DATE OF SEPTEMBER 3, 1996 AT
 1:30 P.M. TO REPEAL POLK COUNTY ORDINANCE 82-11,
 THE POLK COUNTY WATER AND SEWER SYSTEM REGULATORY
 ORDINANCE.

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<u>FRANCHISE</u>	<u>ACTION</u>	<u>TARGET COMPLETION DATE</u>
Skyview Receivership	Emergency & Permanent Rate Application & other matters involving receivership	June 4, 1996
Garden Grove	Request by Enmer Development to be removed from franchise area	June 4, 1996
Grenelefs	Rate Application	July 2, 1996
Village Water	Rate Application	July 16, 1996
Cypress Lakes	Franchise Agreement & Rate Application	August 6, 1996
Crooked Lake Park	Rate Application	August 20, 1996

Finally, as a housekeeping measure, the Board needs to set a Public Hearing date to repeal Polk County Ordinance No. 82-11, the Polk County Water and Sewer System Regulatory Ordinance (suggested hearing date is September 3, 1996 at 1:30 P.M.). This date has been scheduled for after the last target completion date of the above listed pending franchise actions.

RECOMMENDATION

It is the recommendation of Administration, the County Attorney's office and the Deputy Clerk and Auditor to the Board that the Board adopt the Resolution to confer jurisdiction on the Public Service Commission over matters relating to private water and wastewater utilities and set Public Hearing date of September 3, 1996 at 1:30 P.M. to repeal Polk County Ordinance 82-11, the Polk County Water and Sewer System Regulatory Ordinance.

BoCC Consent Agenda -- May 14, 1996
RE: ADOPTION OF RESOLUTION TO CONFER JURISDICTION ON
THE PUBLIC SERVICE COMMISSION OVER MATTERS
RELATING TO PRIVATE WATER AND WASTEWATER UTILITIES
AND SET PUBLIC HEARING DATE OF SEPTEMBER 3, 1996 AT
1:30 P.M. TO REPEAL POLK COUNTY ORDINANCE 82-11,
THE POLK COUNTY WATER AND SEWER SYSTEM REGULATORY
ORDINANCE.

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FISCAL IMPACT

N/A

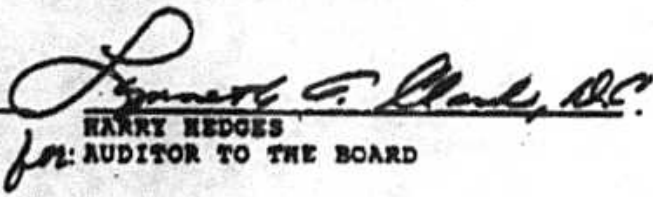
DAC/mjm (1/8/16)

REVIEWED BY:


RICHARD L. HEDRICK
COUNTY MANAGER


DARRELL W. GUNN
PUBLIC WORKS DIRECTOR


MARK CARPANINI
COUNTY ATTORNEY


HARRY HEDGES
for: AUDITOR TO THE BOARD

RESOLUTION

WHEREAS, Section 367.171, Florida Statutes, provides that a county may confer jurisdiction on the Florida Public Service Commission over private water and wastewater utilities as set forth in Chapter 367, Florida Statutes; and

WHEREAS, the Polk County Board of County Commissioners desires to so confer jurisdiction;

NOW, THEREFORE, the Polk County Board of County Commissioners resolves pursuant to Section 367.171, Florida Statutes, to confer jurisdiction on the Public Service Commission over those matters set forth in Chapter 367, Florida Statutes, relating to private water and wastewater utilities as defined therein.

DATED this 14 day of May, 1996.

STATE OF FLORIDA)
)
COUNTY OF POLK)

I, E. D. "Bud" Dixon, Clerk of the Board of County Commissioners of Polk County, Florida, hereby certify that the foregoing is a true and correct copy of a Resolution conferring jurisdiction on the Public Service Commission over those matters set forth in Chapter 367, Florida Statutes, relating to private water and wastewater utilities which was adopted by the Board on the 14th day of May 1996.

WITNESS my hand and official seal on this 20th day of May, 1996.

E. D. "BUD" DIXON
Clerk and Auditor

(SEAL)

By Marie E. Kessler
Marie E. Kessler
Deputy Clerk

Service Area

Legal Description of

Cypress Lakes Associates, Ltd.

Parcel No. 1

That part of Sections 27, 28, 33 and 34, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows: Begin at the Southeast corner of said Section 34, thence North $00^{\circ}48'40''$ West along the East line of said Section 34 a distance of 2270.71 feet to the West right-of-way line of State Road #700 and #35 (U.S. #98) as is located this date (6-21-85); thence North $47^{\circ}20'00''$ West along said West right-of-way line 1294.34 feet to the Point of Curvature of a curve concave to the Northeasterly having a radius of 5809.58 feet and a central angle of $22^{\circ}20'00''$; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North $25^{\circ}00'00''$ West still along said Westerly right-of-way line 610.00 feet; thence South $65^{\circ}00'00''$ West 600.00 feet; thence South $25^{\circ}00'00''$ East 410 feet; thence South $65^{\circ}00'00''$ West 525.00 feet; thence North $37^{\circ}30'00''$ West 710.00 feet; thence North $84^{\circ}30'00''$ West 790.00 feet; thence North $45^{\circ}00'00''$ West 816.46 feet to the centerline of Rock Ridge Road; thence South $26^{\circ}18'39''$ West along said centerline 49.37 feet; thence South $52^{\circ}01'40''$ West still along said centerline 957.92 feet; thence South $37^{\circ}51'58''$ West still along said centerline 754.96 feet; thence South $34^{\circ}36'25''$ West still along said centerline 969.18 feet to the intersection with the North line of the South 30.00 feet of the Northwest 1/4 of the Northeast 1/4 of aforesaid Section 33; thence South $89^{\circ}32'15''$ East along said North line 253.93 feet to a point on the West line of the East 60.00 feet of the West 1/2 of the Northeast 1/4 of said Section 33; thence South $00^{\circ}34'50''$ East along the said West line of the East 60.00 feet a distance of 1358.98 feet to the South line of the West 1/2 of said Northeast 1/4; thence South $89^{\circ}29'41''$ East along said South line 60.01 feet to the Southeast corner of the West 1/2 of said Northeast 1/4; thence South $00^{\circ}34'07''$ East along the West line of the East 1/2 of the Southeast 1/4 of said Section 33 a distance of 2564.11 feet to the Southwest corner of the East 1/2 of said Southeast 1/4; thence North $89^{\circ}39'13''$ East along the South line of said East 1/2 a distance of 1326.44 feet to the Southeast corner of said Section 33; thence North $89^{\circ}22'37''$ East along the South line of said Section 36 a distance of 5323.57 feet to the Point of Beginning; LESS AND EXCEPT 30.00 feet for right-of-way for Rock Ridge Road. Said tract containing 710.23 acres more or less.

Service Area
Legal Description of
Cypress Lakes Associates, Ltd.

Parcel No. 2

That part of Sections 27 and 34, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows: Commence at the Southeast corner of said Section 34; thence North $00^{\circ}48'40''$ West along the East line of said Section 34 a distance of 2270.71 feet to the West right-of-way line of State Road #700 and #35 (U.S. #98) as is located on the date of 6/21/85; thence North $47^{\circ}20'00''$ West along said West right-of-way line 1294.34 feet to the Point of Curvature of a curve concave to the Northeasterly having a radius of 5809.58 feet and central angle of $22^{\circ}20'00''$; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North $25^{\circ}00'00''$ West still along said Westerly right-of-way line 610.00 feet to the Point of Beginning; thence South $65^{\circ}00'00''$ West 600 feet; thence South $25^{\circ}00'00''$ East 410.00 feet; thence South $65^{\circ}00'00''$ West 525.00 feet; thence North $37^{\circ}30'00''$ West 710.00 feet; thence North $84^{\circ}30'00''$ West 790.00 feet; thence North $45^{\circ}00'00''$ West 816.46 feet to the centerline of Rock Ridge Road; thence North $26^{\circ}18'39''$ East along said centerline 1212.81 feet; thence North $62^{\circ}32'09''$ East still along said centerline 1293.14 feet to said Westerly right-of-way line of State Road #700 and #35 (U.S. #98); thence South $25^{\circ}00'00''$ East along said Westerly right-of-way line 2265.06 feet to the said Point of Beginning. Said parcel containing 95.75 acres, more or less;

LESS AND EXCEPT maintained right-of-way for Rock Ridge Road and that part of Section 27, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows: Commence at the Southeast corner of Section 34, Township 26 South, Range 23 East and run North $00^{\circ}48'40''$ West along the East line of said Section 34 a distance of 2270.71 feet to the West right-of-way line of State Road #700 and #35 (U.S. #98) as is located on the date of 6/21/85; thence North $47^{\circ}20'00''$ West along said West right-of-way line, 1294.34 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 5809.58 feet and central angle of $22^{\circ}20'00''$; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North $25^{\circ}00'00''$ West still along said Westerly right-of-way line 2525.06 feet to the Point of Beginning; thence continue North $25^{\circ}00'00''$ West along said Westerly right-of-way 350.00 feet to the centerline of Rock Ridge Road; thence South $62^{\circ}32'09''$ West along said centerline 330.00 feet; thence South $25^{\circ}00'00''$ East 350.00 feet; thence North $62^{\circ}32'09''$ East 330.00 feet to the said Point of Beginning. Said parcel containing 2.50 acres.