

FILE COPY

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
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DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

February 17, 1997

Mr. William B. Willingham, Esquire
Rutledge, Ecenia, Underwood
Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, FL 32302-0551

Re: Docket No. 970085-WU; Application for Amendment of Certificate No. 390-W by
County-Wide Utility Company, Inc.

Dear Mr. Willingham:

After reviewing the application in the above referenced docket, the staff has identified the following questions and deficiencies, which need to be answered and corrected.

As we discussed, the utility's territory overlaps the territory granted to Sun County Estates formerly CHC2 Limited. Staff will recommend correcting the problem of overlapping territory at the Agenda Conference. Listed on Attachment A is the proposed territory description for Bahia Oaks Units One and Two. These two descriptions can be simplified into one description. If the utility chooses to do this please submit the description on diskette. Also, please look over the descriptions in detail, and advise if the description is correct. If you need a copy of the maps, please advise.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Although there is an overlap of territory, our records indicate that County-Wide Utility was noticed of CHC2 territory in Docket No. 880935-WS, the Original Certificate Application, and in Docket No. 950675-WS, an amendment and transfer docket. Why didn't County-Wide make the Commission aware of the problem earlier, or protest the applications?

In addition, to the above questions, staff has identified the following deficiencies:

1. As required by Rule 25-30.036(3)(j), Florida Administrative Code, provide a statement describing the capacity of the existing lines, the capacity of the treatment facilities, and the design capacity of the proposed extension. The statement provided did not specify the capacity of the treatment facility. How many wells does the utility have? Please resubmit.

DOCUMENT NUMBER-DATE

01804 FEB 18 5

Letter to Mr. Willingham
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2. As required by Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, the utility must provide notice of the application and provide affidavits that the notice was given. The notice must be published in a newspaper of general circulation in the territory proposed to be served. The affidavits provided for the customer notice and the entities of the Marion County list did not include a copy of the notice sent. The affidavit and notice must be filed together. Therefore, please resubmit. If you have any questions, please contact Ms. Alice Crosby at 413-6222.

3. As required by Rule 25-30.036(3)(d), Florida Administrative Code, provide evidence that the utility owns the land upon which the utility treatment facilities that will serve the proposed territory are located or a copy of an agreement, such as a 99-year lease. The utility provided a lease, but the lease is not recorded. Please record it and resubmit.

4. As required by Rule 25-30.036(3)(o), Florida Administrative Code, provide the original and two copies of sample tariff sheets reflecting the additional service area. The tariff sheets filed need to change to reflect the area in Attachment A. Attached please find our proposed changes. Please refile Sheets Nos. 2.0 and the sheets for the additional area.

5. As required by Rule 25-30.036(3)(p), Florida Administrative Code, the utility must provide Certificate No. 390-W for possible amendment.

Please file an original and twelve copies of the requested information no later than January 31, 1997 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

If you have any questions please call.

Sincerely,



Richard Redemann, P.E.

C:\WP\970085A.RPR

cc: Mr. Dirk J. Leeward (County-Wide)
Division of Water and Wastewater (Hill)
Division of Legal Services (Crosby)
Division of Records and Reporting (Bayo, Security File)

Letter to Mr. Willingham
February 17, 1997

ATTACHMENT A

COUNTY-WIDE UTILITY COMPANY, INC.

MARION COUNTY, FLORIDA

WATER SERVICE AREA

ORDER NO. 11868 (CORRECTED)

BAHIA OAKS - Unit No. One

Township 16 South, Range 21 East, Marion County, Florida

Section 4

Commencing at the Southwest corner of Section 4, Township 16 South, Range 21 East; thence North $0^{\circ} 16' 50''$ East, along the West boundary of said Section 4, a distance of 1978.89 feet to the Northwest corner of the South half of the Northwest quarter of the Southwest quarter of said Section 4; thence North $89^{\circ} 57' 06''$ East, along the North boundary, thereof, 50.0 feet to the Point of Beginning for the following description: From the Point of Beginning thus described, continue North $89^{\circ} 57' 06''$ East, along said North boundary, 1277.42 feet to the Northeast corner of said South half of the Northwest quarter of the Southwest quarter; thence South $0^{\circ} 16' 26''$ West, along the East boundary, thereof, 659.77 feet to the Southeast corner of said South half of the Northwest quarter of the Southwest quarter; thence North $89^{\circ} 57' 30''$ East, along the North boundary of the West three-quarters of the South half of the Southwest quarter, a distance of 663.75 feet to the Northeast corner, thereof; thence South $0^{\circ} 16' 14''$ West, along the East boundary of said West three-quarters of the South half of the Southwest quarter, a distance of 381.17 feet to an intersection with the Northwesterly right of way line of State Road 200 (100 foot wide); thence South $41^{\circ} 33' 59''$ West, along said right of way line, a distance of 1190.48 feet; thence departing from said right of way line, North $48^{\circ} 26' 01''$ West, a distance of 900.0 feet; thence South $41^{\circ} 33' 59''$ West, a distance of 148.0 feet; thence North $48^{\circ} 26' 01''$ West, 75.0 feet to the P.C. of a curve concave Northeasterly having a central angle of $48^{\circ} 42' 51''$ and a radius of 221.92 feet; thence Northwesterly, along and with the arc of said curve, a distance of 188.68 feet to the Point of Tangency; thence North $0^{\circ} 16' 50''$ East, a distance of 451.99 feet; thence South $89^{\circ} 57' 06''$ West, a distance of 250.0 feet to the Easterly right of way line of a 100 foot wide county road; thence North $0^{\circ} 16' 50''$ East, along said right of way line, a distance of 775.0 feet to the Point of Beginning, all being in Marion County, Florida.

Letter to Mr. Willingham
February 17, 1997

ATTACHMENT A

COUNTY-WIDE UTILITY COMPANY, INC.

MARION COUNTY, FLORIDA

WATER SERVICE AREA

ORDER NO. 11868 (CORRECTED)

BAHIA OAKS - Unit No. Two

Township 16 South, Range 21 East, Marion County, Florida

Sections 4 and 9

Commencing at the Southwest corner of Section 4, Township 16 South, Range 21 East; thence North $0^{\circ} 16' 50''$ East, along the West boundary of said Section 4, a distance of 1203.89 feet; thence departing from said West boundary, North $89^{\circ} 57' 06''$ East, a distance of 50.0 feet to the Point of Beginning for the following description: Said Point of Beginning being on the East right of way line of a 100 foot wide public road (S.W. 60th Avenue - County Road 5-W); from the Point of Beginning thus described, thence South $0^{\circ} 16' 50''$ West, along said East Right of way line, a distance of 1203.91 feet to the North boundary of Section 9, Township 16 South, Range 21 East; thence continuing along said East right of way line, South $0^{\circ} 13' 00''$ West, a distance of 254.53 feet to the P.C. of a curve concave Westerly, having a central angle of $4^{\circ} 08' 50''$ and a radius of 5779.42 feet; thence Southerly along and with the arc of said curve, a distance of 418.32 feet to the P.R.C. of a curve concave Easterly, having a central angle of $4^{\circ} 08' 50''$ and a radius of 5679.42 feet; thence Southerly along and with the arc of said curve, a distance of 411.09 feet to the Point of Tangency; thence departing from said right of way line and said curve South $68^{\circ} 56' 13''$ East, a distance of 148.92 feet to an intersection with the Northwesterly right of way line of State Road 200 (100 foot wide); thence North $41^{\circ} 33' 59''$ East, along said right of way line, a distance of 1584.25 feet; thence departing from said right of way line, North $48^{\circ} 26' 01''$ West, a distance of 900.0 feet; thence South $41^{\circ} 33' 59''$ West, a distance of 146.0 feet; thence North $48^{\circ} 26' 01''$ West 75.0 feet to the P.C. of a curve concave Northeasterly having a central angle of $48^{\circ} 42' 51''$ and a radius of 221.92 feet; thence Northwesterly, along and with the arc of said curve, a distance of 168.68 feet to the Point of Tangency; thence North $0^{\circ} 16' 50''$ East, a distance of 451.99 feet; thence South $89^{\circ} 57' 06''$ West, a distance of 250.0 feet to the Point of Beginning, all being in Marion County, Florida.

Cancels ORIGINAL SHEET NO. 2.0

NAME OF COMPANY ~~WATA PARKS INC.~~ COUNTY-WIDE UTILITY COMPANY

WATER TARIFF
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First Revised Sheet No. 2.0

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| Contracts and Agreements | |

There are no Contracts at the Date of Original Issue. Or (Submit Contracts)

James K. Leeward
President

COUNTY-WIDE UTILITY COMPANY
WATER TARIFF

SECOND REVISED SHEET NO. 3.0
CANCELS FIRST REVISED SHEET NO. 3.0

TERRITORY SERVED

CERTIFICATE NUMBER - 390-W

COUNTY - MARION

COMMISSION ORDER(S) APPROVING TERRITORY SERVED -

| <u>Order Number</u> | <u>Date Issued</u> | <u>Docket No.</u> | <u>Filing Type</u> |
|---------------------|--------------------|-------------------|---------------------------------------------------|
| 11868 | 04-21-83 | 810369-W | Original Certificate |
| | | 970085-WS | Amendment and Correction of Order No. 11868 |

(Continued to Sheet No. 3.1)

James K. Leeward
PRESIDENT

TERRITORY SERVED

ORDER NO. 11868 (CORRECTED)

BAHIA OAKS - Unit No. One

Township 16 South, Range 21 East, Marion County, Florida

Section 4

Commencing at the Southwest corner of Section 4, Township 16 South, Range 21 East; thence North $0^{\circ} 16' 50''$ East, along the West boundary of said Section 4, a distance of 1978.89 feet to the Northwest corner of the South half of the Northwest quarter of the Southwest quarter of said Section 4; thence North $89^{\circ} 57' 06''$ East, along the North boundary, thereof, 50.0 feet to the Point of Beginning for the following description: From the Point of Beginning thus described, continue North $89^{\circ} 57' 06''$ East, along said North boundary, 1277.42 feet to the Northeast corner of said South half of the Northwest quarter of the Southwest quarter; thence South $0^{\circ} 16' 26''$ West, along the East boundary, thereof, 659.77 feet to the Southeast corner of said South half of the Northwest quarter of the Southwest quarter; thence North $89^{\circ} 57' 30''$ East, along the North boundary of the West three-quarters of the South half of the Southwest quarter, a distance of 663.75 feet to the Northeast corner, thereof; thence South $0^{\circ} 16' 14''$ West, along the East boundary of said West three-quarters of the South half of the Southwest quarter, a distance of 381.17 feet to an intersection with the Northwesterly right of way line of State Road 200 (100 foot wide); thence South $41^{\circ} 33' 59''$ West, along said right of way line, a distance of 1190.48 feet; thence departing from said right of way line, North $48^{\circ} 26' 01''$ West, a distance of 900.0 feet; thence South $41^{\circ} 33' 59''$ West, a distance of 148.0 feet; thence North $48^{\circ} 26' 01''$ West, 75.0 feet to the P.C. of a curve concave Northeasterly having a central angle of $48^{\circ} 42' 51''$ and a radius of 221.92 feet; thence Northwesterly, along and with the arc of said curve, a distance of 188.68 feet to the Point of Tangency; thence North $0^{\circ} 16' 50''$ East, a distance of 451.99 feet; thence South $89^{\circ} 57' 06''$ West, a distance of 250.0 feet to the Easterly right of way line of a 100 foot wide county road; thence North $0^{\circ} 16' 50''$ East, along said right of way line, a distance of 775.0 feet to the Point of Beginning, all being in Marion County, Florida.

(Continued to Sheet No. 3.2)

James K. Leeward
PRESIDENT

TERRITORY SERVED

ORDER NO. 11868 (CORRECTED)

BAHIA OAKS - Unit No. Two

Township 16 South, Range 21 East, Marion County, Florida

Sections 4 and 9

Commencing at the Southwest corner of Section 4, Township 16 South, Range 21 East; thence North $0^{\circ} 16' 50''$ East, along the West boundary of said Section 4, a distance of 1203.89 feet; thence departing from said West boundary, North $89^{\circ} 57' 06''$ East, a distance of 50.0 feet to the Point of Beginning for the following description: Said Point of Beginning being on the East right of way line of a 100 foot wide public road (S.W. 60th Avenue - County Road 5-W); from the Point of Beginning thus described, thence South $0^{\circ} 16' 50''$ West, along said East Right of way line, a distance of 1203.91 feet to the North boundary of Section 9, Township 16 South, Range 21 East; thence continuing along said East right of way line, South $0^{\circ} 13' 00''$ West, a distance of 254.53 feet to the P.C. of a curve concave Westerly, having a central angle of $4^{\circ} 08' 50''$ and a radius of 5779.42 feet; thence Southerly along and with the arc of said curve, a distance of 418.32 feet to the P.R.C. of a curve concave Easterly, having a central angle of $4^{\circ} 08' 50''$ and a radius of 5679.42 feet; thence Southerly along and with the arc of said curve, a distance of 411.09 feet to the Point of Tangency; thence departing from said right of way line and said curve South $68^{\circ} 56' 13''$ East, a distance of 148.92 feet to an intersection with the Northwesterly right of way line of State Road 200 (100 foot wide); thence North $41^{\circ} 33' 59''$ East, along said right of way line, a distance of 1584.25 feet; thence departing from said right of way line, North $48^{\circ} 26' 01''$ West, a distance of 900.0 feet; thence South $41^{\circ} 33' 59''$ West, a distance of 146.0 feet; thence North $48^{\circ} 26' 01''$ West 75.0 feet to the P.C. of a curve concave Northeasterly having a central angle of $48^{\circ} 42' 51''$ and a radius of 221.92 feet; thence Northwesterly, along and with the arc of said curve, a distance of 168.68 feet to the Point of Tangency; thence North $0^{\circ} 16' 50''$ East, a distance of 451.99 feet; thence South $89^{\circ} 57' 06''$ West, a distance of 250.0 feet to the Point of Beginning, all being in Marion County, Florida.

(Continued to Sheet No. 3.3)

James K. Leeward
PRESIDENT