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March 28, 1997

VIA HAND DELIVERY

Mr. Travis Coker
Division of Water and Wastewater
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Sports Shinko Utility, Inc. d/b/a Grenelefe Utilities;
Docket No. ~~961006-NS~~; Application for Grandfather Certificates
Our File No. 31098.01

Dear Travis:

In response to your recent inquiry, I am writing to provide you information concerning the implementation of the irrigation water rate to Sports Shinko's customers in Polk County and specifically to Grenelefe Condominiums.

I have outlined the questions that you posed as I under them and the response below:

1. **When did the Utility begin to charge its customers for irrigation water service?**

Answer: The Utility began to charge for irrigation water service for the first time on September 1, 1996. Prior to that time, no charge was imposed for irrigation water service. Therefore, despite the fact the Polk County Board of County Commissioners transferred jurisdiction over private water and wastewater utilities in Polk County on May 14, 1996, at that time no charge was imposed for irrigation service. At the time jurisdiction was transferred, a flat rate of \$35 per month for potable water and wastewater service was in effect and had been approved by Polk County. Polk County has taken the position that they had no jurisdiction even during the time which they regulated these utilities over non-potable water service.

In any case, the charge imposed by Sports Shinko Utility, Inc. d/b/a Grenelefe Utilities did not begin to be imposed until after jurisdiction passed to the Florida Public Service Commission and without any approval from Polk County, much less from the Public Service Commission who had jurisdiction at that time.

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2. When did Grenelefe Utilities begin charging the currently imposed rates for irrigation service?

Answer: The only charge ever imposed for irrigation service was begun on September 1, 1996, after the PSC gained jurisdiction over this Utility, and without oversight or review by any regulatory authority. Prior to that time, there was no charge imposed for this irrigation water.

3. What was the previous rate?

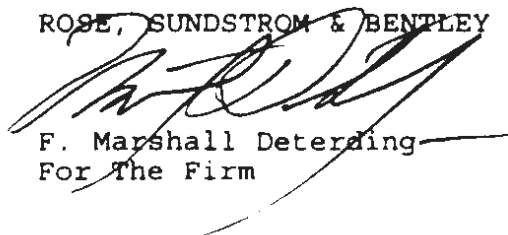
Answer: There was no previous charge for irrigation water service.

I trust that with this information you will agree that the charge imposed by Sports Shinko Utility, Inc. d/b/a Grenelefe Utilities for irrigation service was illegally implemented and cannot be grandfathered. In addition, all the charges imposed by the Utility should be required to be refunded for such service since there was no approval, either by Polk County or by the Public Service Commission for this charge imposed after the PSC jurisdictional dates.

If you have any further questions in this regard, please let me know. Otherwise, I would appreciate your letting me know as soon as the Staff Recommendation is filed in the above matter and provide me with a copy since it is rather difficult to get one from the Clerk's office until at least a day after it is filed. If I can be of any further assistance, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding
For The Firm

FMD/lts
cc: Donna Cyrus-Williams, Esquire
Ms. Blanca Bayo
Richard Redemann, P.E.