



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: April 8, 1997
TO: Division of Records and Reporting
 Division of Legal Services, Jennifer Brubaker
FROM: Division of Water & Wastewater, J. Travis Coker *JTC*
RE: Docket No. ~~970381~~-SU; Application for transfer of Wastewater Certificate No. 495-S from Sandalhaven Utility, Inc. to CHP Utility, Inc. for provision of wastewater service in Polk County.

Please include this information in the above mentioned docket file. If you have any questions concerning this memo, please contact me at 413-6997.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
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DOCUMENT NUMBER-DATE
00606 APR-85
 FPSC-RECORDS/REPORTING

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING



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

Public Service Commission

April 8, 1997

Mr. Robert Underwood
537 East Park Avenue
Tallahassee, Florida 32301

RE: Docket No. 970381-SU; Application for transfer of Wastewater Certificate No. 495-S from Sandalhaven Utility, Inc. to CHP Utility, Inc. for provision of wastewater service in Polk County.

Dear Mr. Underwood:

CHP Utility Inc.'s (CHP) application for transfer of wastewater certificate requires additional information to fulfill requirements of Rule 25-30.035, Florida Administrative Code (F.A.C.).

1) The utility shall provide a description of all consideration between the parties, for example, promised salaries, retainer fees, stock, stock options, assumption of obligations, per Rule 25-30.037(2)(g)(3), F.A.C., and the contract for sale shall also provide for the disposition, where applicable, of the following:

- 1) customer deposits and interest thereon;
- 2) any guaranteed revenue contracts;
- 3) developer agreements;
- 4) customer agreements;
- 5) debt of the utility;
- 6) leases;

per Rule 25-30.037(3)(h), F.A.C.

2) The utility shall provide a statement indicating how the transfer is in the public interest including a summary of the buyer's experience in wastewater utility operations, a showing of the buyer's financial ability to provide service, and a statement that the buyer will fulfill the commitments, obligations and representations of the seller with regard to utility matters, per Rule 25-30.037(2)(j), F.A.C.

3) The utility shall provide a list of all entities upon which the applicant is relying to provide funding to the buyer, and an explanation of the manner and the amount of such funding, which shall

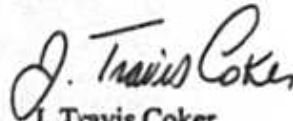
CHP
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include their financial statements and copies of any financial agreements with the utility. This requirement shall not apply to any person or entity holding less than 10 percent ownership interest in the utility, per Rule 25-30.0307(2)(k), F.A.C.

4) The utility must submit proof of public notice as required by Rule 25-30.030, F.A.C.

Please file an original and two copies of the requested information by April 30, 1997, to **Director of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850**. Also please be sure to reference the docket number, indicated at the top of this letter on all future correspondence to ensure proper and timely processing. If you have any additional questions, do not hesitate to contact me at (904) 413-6997.

Sincerely,



J. Travis Coker
Regulatory Analyst

JTC/jtc

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