

STATE OF FLORIDA

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



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

July 18, 1997

Douglas Reynolds, Esquire
Cox & Reynolds
4875 N. Federal Highway, 10th Floor
Fort Lauderdale, FL 33308

Re: Docket No. 961321-WS - Application for certificates to provide water and wastewater service in Clay County by Point Water and Sewer, Inc.

Dear Mr. Reynolds:

We are in receipt of your letters dated July 16, 1997, copies of which are attached. The staff expects to seek further information and clarification with respect to the utility's application filed in this docket by way of discovery.

In the future, please reference the docket number on all documentation concerning this docket, and send any documentation, such as correspondence, notices, pleadings, etc., regarding this docket directly to the Director, Division of Records and Reporting, for filing in the docket file. Meanwhile, I will file copies of the attached letters in the docket file for you. Please also remember to copy counsel for all parties on all future correspondence.

If you have any questions, please feel free to contact me at (850) 413-6224.

Sincerely,

Rosanne G. Capeless
Rosanne G. Capeless
Senior Attorney

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

RGC:mw
Enclosures

cc: Scott G. Schildberg, Esquire
Division of Records & Reporting ✓
Division of Water & Wastewater (Brady, Redemann)

DOCUMENT NUMBER - DATE
07272 JUL 21 97
FPSC-RECORDS/REPORTING

LAW OFFICES
COX & REYNOLDS
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
SAVINGS OF AMERICA BUILDING, 10TH FLOOR
4875 NORTH FEDERAL HIGHWAY
FORT LAUDERDALE, FLORIDA 33308
TELEPHONE (954) 491-5220
TELECOPIER (954) 491-0702

July 16, 1997

**Via facsimile: (904) 413-6250 and
regular U.S. Mail**

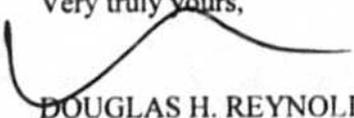
Ms. Roseanne Capeless, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

**RE: Point Water & Sewer, Inc.
Docket No. 96-1321-WS**

Dear Roseanne:

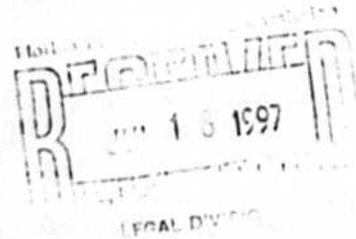
This will confirm our conversation after the Prehearing Conference wherein you advised me that the PSC had received the 1996 regulatory fees from the Public Service Commission. Thank you for inquiring into this matter.

Very truly yours,


DOUGLAS H. REYNOLDS

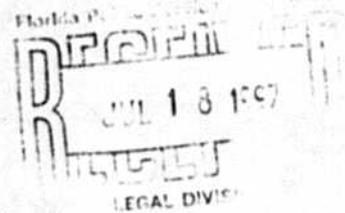
DHR:pdI

cc: PWS



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July 16, 1997



Via facsimile: (904) 413-6226
regular U.S. Mail

Ms. Roseanne Capeless, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Point Water & Sewer, Inc./Point Property Owner's Association

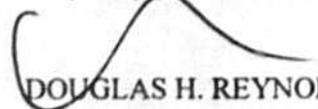
Dear Roseanne:

We are in receipt of your objection to our discovery and request for a protective order dated June 30, 1997. I wish we had discussed same at the prehearing to avoid some confusion, but I hope this letter clears it up.

Based on your representation that Staff will only be calling Ms. Defalco, Ms. Frasier and Ray Avery as its witnesses, and not staff, than we will withdraw our interrogatories.

Secondly, we will file a public records request as you requested. We have no objection to honoring Staff's right to assert the attorney/client privilege and the attorney work product doctrine, which may be subject to further review.

Very truly yours,


DOUGLAS H. REYNOLDS

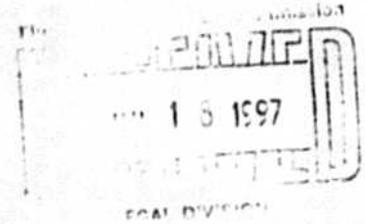
DHR:pdI

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July 16, 1997

Via facsimile: (904) 413-6226
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Ms. Roseanne Capeless, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



RE: Point Water & Sewer, Inc./Point Property Owner's Association

Dear Roseanne:

Please find enclosed our proposed Territory Description. Please advise if this is acceptable and what they have requested.

Very truly yours,

DOUGLAS H. REYNOLDS

DHR:pdI

POINT WATER & SEWER, INC.
EXHIBIT JY-10

DOCKET NO. 96-1321-WS
ORDER NO. PSC 97-0346PCO-WS

Territory Description:

WHITNEY'S MARINA

The following described lands located in portions of Section 43 & 44, N 1/2, Township 4S, Range 26E, Clay County, Florida:

A portion of Lot 19, CREIGHTON FOREST, according to plat thereof recorded in Plat Book 4, page 8, public records of Clay County, Florida and a portion of Section 44, Township 4 South, Range 26 East, Clay County, Florida adjacent thereto (being a portion of the lands described in Official Records Book 393, page 75, public records of Clay County, Florida) and being more particularly described as follows:

For a point of beginning, begin at a permanent reference monument which is the Northwest corner of said Lot 19, CREIGHTON FOREST, according to Plat Book 4, page 8, public records of Clay County, Florida, and referred to in Official Records Book 152, page 527 of said public records; thence run South 3 degrees 20 minutes 30 seconds West along the Easterly right of way line of U.S. Highway No. 17, 219 feet; thence run North 84 degrees 57 minutes 16 seconds East, 286 feet, more or less, to the waters property conveyed by the State of Florida Board of Trustees of the Internal Improvement Trust Fund as recorded in Official Records Book 258, page 328, public records of Clay County, Florida, thence on said Easterly line run North 16 degrees 35 minutes, 18 seconds West, 378 feet to the end of said Easterly line; thence run North 45 degrees 20 minutes 44 seconds West, 109.8 feet along the Northeasterly line of said real property described in Official Records Book 258, page 328; thence South 5 degrees 9 minutes 22 seconds West, 242 feet; thence South 89 degrees 58 minutes 52 seconds West, 14 feet; thence South 00 degrees 16 minutes 43 seconds East, 27 feet, more or less, to the Northeast line of said Lot 19; thence Northwesterly 80 feet, more or less, to a point which bears North 03 degrees 20 minutes 30 seconds East, 47 feet, more or less, from the point of beginning; thence South 03 degrees 20 minutes 30 seconds West 47 feet, more or less, to the Point of Beginning.

AND:

POINT TOWNHOMES

A portion of Lot 19, Creighton Forest, according to map recorded in Plat Book 4, Page 8, of the Public Records of Clay County, Florida, being more particularly described as follows:

Commence at the Southwesterly corner of said Lot 19; thence along the Southerly line thereof, South $83^{\circ} 28' 30''$ East, 67.0 feet, to the Easterly right-of-way line of U.S. Highway No. 17, (as now established) also being the Point of Beginning; thence in a Northerly direction along said Easterly right-of-way line, and along the arc of a curve concave Westerly and having a radius of 5.879.65 feet, to the point of tangency of said curve, said curve being subtended by a chord bearing and distance of North $04^{\circ} 13' 45''$ East, 180.58 feet; thence continue along said Easterly right-of-way line of U.S. Highway No. 17 (as now established) North $03^{\circ} 20' 30''$ East, 100.40 feet to the Southerly line of those lands described and recorded in Official Records Book 489, Page 294, of said Public Records; thence North $84^{\circ} 57' 16''$ East, along last said line, 288.81 feet, to the Easterly edge of said concrete bulkhead run the following (4) courses and distances: (1) South $15^{\circ} 16' 54''$ East, 100.46 feet; (2) South $29^{\circ} 13' 43''$ West, 12.18 feet; (3) South $04^{\circ} 44' 15''$ East, 144.24 feet; (4) South $03^{\circ} 35' 46''$ East, 101.08 feet; thence North $86^{\circ} 24' 14''$ East, 1.0 feet, to the Easterly edge of a wooden bulkhead, South $01^{\circ} 04' 39''$ East, 3.30 feet, to the intersection with the Southerly line of said Lot 19; thence North $83^{\circ} 28' 30''$ West, along last said line, 349.45 feet, to the Point of Beginning.