

STATE OF FLORIDA

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

Public Service Commission

September 10, 1997

Ms. Mary Hermany
Ortega Utility Company
905 North Street
Jacksonville, FL 32311

Re: Docket No. 970523-WS; Application for a Amendment of Certificate No. 223-W and 167-S by Ortega Utility Company in Duval County.

Dear Ms. Hermany:

In Mr. Alan Potter, Jr.'s letter dated May 13, 1997, he explained that if there was any additional information needed that we should contact you. After reviewing the application in the above referenced docket, the staff has identified the following deficiencies. Please correct and/or provide additional information as requested.

1. As required by Rule 25-30.036(3) (j), Florida Administrative Code, provide a description of the territory proposed to be served, using township, range and section references as specified in Rule 25-30.030(2). Although descriptions were provided, they are not in compliance with the rule because they refer to plat books and tracts. Also, there appears to be one error in a description and additional distances are needed to make the descriptions more clear. We have corrected and retyped the territory description that was submitted, for possible inclusion in a recommendation and order. Errors are identified in the description by being ~~struck out~~, and where additional information and distances are needed these have been identified by being ~~shadowed~~. Please review this description and check the distance and corrections where appropriate and advise (see Attachment A). Also, enclosed is copy of the description in WordPerfect 6.1 for Windows format.

2. 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 area. Since the description is not correct, the tariff will need to be revised. Please note that it is unnecessary to include an effective date on these sheets, because only rate sheets have effective dates. The revised territory tariff sheets have not been completely reviewed at this time, but we will advise, if there are any corrections or clarifications needed.

In addition to the above deficiencies, the staff requires further information. There are two deeds attached to the application. One deed refers to a piece of land that was purchased from

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J. Stores and Nancy L. Stores, and the other deed refers to a piece of land that was purchased from John H. Turnham and Montette M. Turnham. Please describe which piece of land has the water plant and facilities and which has the wastewater plant and facilities.

The City of Jacksonville filed a motion for leave to request a hearing, but withdrew their motion. Therefore, once all the deficiencies are corrected and all information is provided we can go to the agenda for approval of the amendment. Regarding your revised tariff on the territory descriptions, it appears that some of the old description have some small errors. We will have to take the application back to the agenda to correct those small errors at a different agenda.

Please file an original and twelve copies of the requested information no later than October 10, 1997 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399.

If you have any questions please call.

Sincerely,



Richard Redemann, P.E.

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cc: Division of Water and Wastewater (Hill)
Division of Legal Services (Brubaker)
Division of Records and Reporting (Bayo)
Division of Records and Reporting (Security File)

PARCEL 2: SECTION 20, TOWNSHIP 03 SOUTH, RANGE 26 EAST (PART OF JACKSONVILLE HEIGHTS) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 20; THENCE NORTH $3^{\circ}51'35''$ WEST, ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 769.04 FEET; THENCE SOUTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE A DISTANCE OF 861.43 FEET TO A POINT SITUATE IN THE SOUTH LINE OF SAID SECTION 20; THENCE NORTH $89^{\circ}26'42''$ WEST, ALONG SAID SOUTH LINE OF SECTION 20, A DISTANCE OF 398.17 FEET TO THE POINT OF BEGINNING, CONTAINING 3.5 ACRES, MORE OR LESS.

PROPERTY 3 ORTEGA BLUFF SUBDIVISION

PARCEL 1: A PORTION OF SECTION 29, TOWNSHIP 03 SOUTH, RANGE 26 EAST LYING SOUTHEASTERLY OF THE ORTEGA RIVER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE CORNER OF SECTIONS 28, 29, 32 AND 33 OF SAID TOWNSHIP AND RANGE, THENCE NORTH $89^{\circ}42'30''$ WEST ALONG THE SOUTH LINE OF SAID SECTION 29, 661.70 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH LINE OF SECTION 29, NORTH $89^{\circ}42'30''$ WEST TO THE HIGH WATER LINE OF THE ORTEGA RIVER (MCGIRTS CREEK) A DISTANCE OF 4,594, MORE OR LESS, TO REFERENCE POINT "A"; RETURNING TO THE POINT OF BEGINNING. THENCE NORTH $00^{\circ}10'00''$ EAST 1332.15 FEET; THENCE SOUTH $89^{\circ}42'30''$ EAST 661.70 FEET; ~~TO THE EAST LINE OF SECTION 29;~~ THENCE NORTH $00^{\circ}18'00''$ EAST 444.05 FEET; THENCE NORTH $89^{\circ}42'30''$ WEST 661.70 FEET ~~TO THE EAST LINE OF SECTION 29;~~ THENCE NORTH $00^{\circ}18'00''$ EAST 222.02 FEET; THENCE SOUTH $89^{\circ}42'30''$ EAST 661.70 FEET TO THE EAST LINE OF SECTION 29; THENCE ALONG SAID EAST LINE OF SECTION 29, NORTH $00^{\circ}18'00''$ EAST, 3350 FEET, MORE OR LESS, TO THE HIGH WATER LINE OF THE ORTEGA RIVER (MCGIRTS CREEK); THENCE MEANDER TO THE SOUTHWEST ALONG THE HIGH WATER LINE OF THE ORTEGA RIVER (MCGIRTS CREEK) 6,600 FEET, MORE OR LESS, TO REFERENCE POINT "A" AND TO CLOSE, CONTAINING 333 ACRES, MORE OR LESS.