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October 9, 1996

ROBERT M. C. ROSE  
OF COUNSEL

VIA HAND DELIVERY

Charles H. Hill, Director  
Division of Water & Wastewater  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

981180-SU

RECEIVED-FPSC  
OCT-9 PM 2:44  
REPORTING AND  
REPORTING

Re: K.W. Resort Utilities Corporation  
Application for Amendment of Wastewater Certificate  
Our File No. 34000.01

Dear Mr. Hill:

I am filing this letter in response to your letter of September 28, 1998 wherein you suggested the Utility had some deficiencies in its amendment application. This letter is our correction of those deficiencies. I have referenced the numbered paragraphs in your letter and our response to each.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG   D
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   I
- WAS Redemann
- OTH \_\_\_\_\_

1. We have now re-noticed the amendment using the legal description provided by Mr. Redemann. The revised Exhibit "E" is attached hereto and we will submit a revised Exhibit "F" for the publication notice as soon as that is accomplished. It is our understanding that the notice is being published on Tuesday, October 13th.

2. See comments to paragraph 1 above.

3. Please consider the below paragraph as our response to paragraph 3.

"K.W. Resort Utilities Corporation has employed Davis Water Analysis as the contract operator of its wastewater treatment plant for 15 years. This company has 20 years experience in the Key West area in operating wastewater treatment plants and now provides similar services to 96 clients, with

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DOCUMENT NUMBER-DATE

11170 OCT-98

FPSC-RECORDS/REPORTING

FPSC-BUREAU OF RECORDS

Charles H. Hill, Director  
October 9, 1998  
Page 2

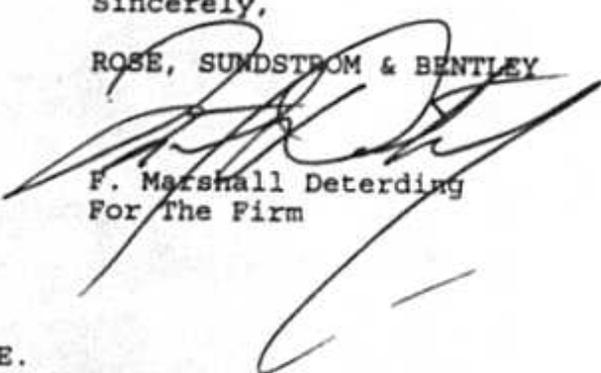
40 of these being full service operation of wastewater treatment systems. They employ professional personnel and have received awards from various agencies for their operations and safety record. The Utility will continue to employ Davis Water Analysis for these purposes in order to ensure continued quality of wastewater treatment services and to expand the operations personnel utilized as required in order to meet all applicable environmental regulations."

We have reviewed the territorial description that was included with Attachment "A" to your letter and we believe it is correct and includes both the new areas and the territory already granted to the Utility. We believe this does simplify the Utility's proposed service area and have included it in the attached notice and in the attached revised tariff sheets (revised Exhibit "D" attached) in order to reflect the new and combined territory.

With these revised exhibits and information, we now believe that all of the deficiencies have been corrected. Because of the need to move forward with providing service to those area which we are proposing to serve and because the need there is immediate, we request that the Commission expeditiously approve the extension application at this time. If there is anything we can do to help speed the process along, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding  
For The Firm

FMD/tmg

Enclosures

cc: Richard Redemann, P.E.  
Samantha McRae, Esquire  
Blanca Bayo, Director (15 copies of letter and attachments)  
William Smith, Esquire  
Mr. Doug Carter  
kwresort\hill.ltr

ORIGINAL

K.W. RESORT UTILITIES CORPORATION  
Proposed Tariff Sheets

EXHIBIT D

K.W. RESORT UTILITIES CORPORATION

ORIGINAL SHEET NO. 3.0

WASTEWATER TARIFF

TERRITORY SERVED

CERTIFICATE NUMBER -

COUNTY - MONROE

COMMISSION ORDER(S) APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
6803	JULY 28, 1975	750149-S	ORIGINAL
12618	OCTOBER 18, 1983	830390-S	EXTENSION

EFFECTIVE DATE -

WILLIAM L. SMITH, JR.  
ISSUING OFFICER

TYPE OF FILING - Amendment of Certificate

PRESIDENT  
TITLE

K.W. RESORT UTILITIES CORPORATION

FIRST REVISED SHEET NO. 3.1  
CANCELS ORIGINAL SHEET NO. 3.1

WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

(Consolidated Description from Orders 6803 and 12618)

Township 67 South, Range 25 East  
Section 35

All that portion of Stock Island South of U.S. Highway No. 1 (State Road No. 5) as now constructed.

Township 67 South, Range 25 East  
Sections 26 and 35

All of that area of said sections bounded on the North, East and West by the centerline of Jr. College Road as now constructed and on the South by the centerline of U.S. Highway No. 1 (State Road No. 5) as now constructed.

EFFECTIVE DATE -

TYPE OF FILING - Amendment of Certificate

WILLIAM L. SMITH, JR.  
ISSUING OFFICER

PRESIDENT  
TITLE

K.W. RESORT UTILITIES CORPORATION

Affidavit of Noticing

EXHIBIT E

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEON

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared TONYA M. GRAHAM, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of F. Marshall Deterding, attorney for K.W. Resort Utilities Corporation and that on October 9, 1998, she did send by certified mail, return receipt requested, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

*Tonya M. Graham*  
Tonya M. Graham

Sworn to and subscribed before me this 9th day of October, 1998, by Tonya M. Graham, who is personally known to me.

*Bronwyn S. Revell Maderau*  
Print Name *Bronwyn S. Revell Maderau*  
NOTARY PUBLIC  
My Commission Expires:



October 9, 1998

RE-NOTICE OF APPLICATION FOR AMENDMENT OF WASTEWATER CERTIFICATE

Pursuant to the provisions of Section 367.045, Florida Statutes, and the provisions of Florida Public Service Commission Rule 25-30.030, Notice is hereby given by K.W. Resort Utilities Corporation, P.O. Box 2125, Key West, Florida 33045, of its Application to extend its service area to provide sewer service to the following described lands in Monroe County, Florida:

Township 67 South, Range 25 East

Section 35

All that portion of Stock Island South of U.S. Highway No. 1 (State Road No. 5) as now constructed.

Written objections of the above noted extension must be filed with the Director of the Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and a copy provided to F. Marshall Deterding, ROSE, SUNDSTROM & BENTLEY, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, no later than 30 days after the last date this notice was mailed or published whichever is later.

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER  
CHARLES H. HILL  
DIRECTOR  
(850) 413-6900

## Public Service Commission

September 9, 1998

Mr. F. Marshall Deterding  
Rose, Sundstrom & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

**Re: Noticing List for the Application of Amendment of K.W. Resort Utilities Corporation  
in Monroe County**

Dear F. Marshall Deterding:

Enclosed is the list of water and wastewater utilities and governmental/regulatory agencies in the above mentioned counties. Please refer to Commission Rule 25-30.030, Florida Administrative Code, for the noticing requirements. Noticing must be done in the proper format, consistent with the rule. If your notice is not in the proper format, you will be required to renotice and your application will be delayed. The description that refers to McDonalds and Maloney Avenues do not meet the rule. Enclosed are the proper instructions for preparation of a territory description.

Please note that if your county list includes two Department of Environmental Protection offices or two Water Management District offices, you must identify which is the proper district office for your notice.

You will note that the county list is dated and is valid for sixty days from that date. If you have not performed the noticing by this date, you must request an updated list.

If you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "John D. Williams".

John D. Williams, Chief  
Bureau of Policy and Industry Structure

C:\kwc\corp.fs  
Enclosures

LIST OF WATER AND WASTEWATER UTILITIES IN MONROE COUNTY

(VALID FOR 60 DAYS)  
09/09/1998-11/07/1998

UTILITY NAME

MANAGER

MONROE COUNTY

K W RESORT UTILITIES CORP. (SU336)  
% DAVIS WATER ANALYSIS  
P. O. BOX 2125  
KEY WEST, FL 33045-2125

JOE DAVIS  
(305) 294-9578

KEY HAVEN UTILITY CORPORATION (SU306)  
P. O. BOX 2067  
KEY WEST, FL 33045-2067

A. WAYNE LUJAN  
(305) 296-5052 OR -3826

LIST OF WATER AND WASTEWATER UTILITIES IN MONROE COUNTY

(VALID FOR 60 DAYS)  
09/09/1998-11/07/1998

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY  
500 WHITEHEAD ST.  
KEY WEST, FL 33040-6547

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 364  
FORT MYERS, FL 33901

MAYOR, CITY OF KEY COLONY BEACH  
P. O. BOX 141  
KEY COLONY BEACH, FL 33051-0141

MAYOR, CITY OF KEY WEST  
P. O. BOX 1409  
KEY WEST, FL 33041-1490

MAYOR, CITY OF LAYTON  
P. O. BOX 778  
LONG KEY, FL 33001-0778

SO. FLORIDA REGIONAL PLANNING COUNCIL  
3440 HOLLYWOOD BLVD, SUITE 140  
HOLLYWOOD, FL 32201

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P.O. BOX 24680  
WEST PALM BEACH, FL 33416-4680

LIST OF WATER AND WASTEWATER UTILITIES IN MONROE COUNTY

(VALID FOR 60 DAYS)  
09/09/1998-11/07/1998

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL  
C/O THE HOUSE OF REPRESENTATIVES  
THE CAPITOL  
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

K.W. RESORT UTILITIES CORPORATION

Proof of Publication  
(Late filed)

EXHIBIT F