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

# Public Service Commission

October 22, 1998

Mr. Robert W. Arnold, Senior  
Lake 'n Golf Estates  
534 Somerset Drive  
Auburndale, Florida 33823

Re: Docket No. 981100-WS; Application for Grandfather Certificate to operate water and wastewater utility in Polk County by Lake 'n Golf Estates.

Dear Mr. Arnold:

The above referenced application has been received and reviewed by my staff. This letter is a follow up to the review and subsequent telephone call to your office concerning deficiencies which need to be cured to process the application.

### Deficiencies

1. Rule 25-30.035(1), Florida Administrative Code, requires the utility's complete name be entered on the application. This information was missing from the application. Records within our office indicate that the name of the utility is Lake 'n Golf Estates. A check with the Office of the Secretary of State found that the fictitious name of Lake 'n Golf Estates had been registered to WRH Enterprises, Inc., but had not been renewed since 1993. If the proper name is Lake 'n Golf Estates, please provide written verification from the Secretary of State's Office as to the registration of the fictitious name.
2. Rule 25-30.035(6), Florida Administrative Code, requires evidence that the utility owns the land upon which the utility treatment facilities are located or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. The Warranty Deed provided shows the owner to be Robert W. Arnold, Sr., which does not meet this requirement. The deed should either be in the name of the utility or in the name of Robert W. Arnold, Sr., d/b/a Lake 'n Golf Estates. Also, provide a statement indicating the location of both the water and wastewater facilities on this property.
3. Rule 25-30.035(9), Florida Administrative Code, requires the submission of a description, using township, range, and section references as specified in Rule 25-30.030(2), of the territory the utility was serving, or was authorized to serve by the

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county..." After reviewing the map that was sent with the application, we have determined that a partial legal description has been written for the service area, but not a complete one. We have attached the description and a simple map to assist you. Please check with the property appraisers' office for assistance in completing the missing information for the territory description, or assistance may be sought from an engineer or surveyor. In addition, please check the legal description information that is on the following page for accuracy. Also, enclosed is a copy of the "Instructions for Preparation of Territory Description and Map" for your convenience.

4. Rule 25-30.035(11), Florida Administrative Code, requires the submission of one copy of the official county tax assessment map, or other map showing township, range, and section, with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. The map submitted with your application does not have the defined reference point of beginning.

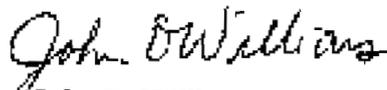
Clarifications or Corrections

Rule 25-30.035(12), Florida Administrative Code, requires the number and approval dates of permits issued for the water and wastewater treatment facilities by the Department of Environmental Protection. Although the permits were listed, the dates of approval for the permits were omitted. Please submit the dates.

Please file an original and five copies of the requested information no later than November 30, 1998, with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

If you have any questions please call Stephanie Clapp at (850) 413-6997.

Sincerely,



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

JW:sc  
Enclosure

cc: Division of Water and Wastewater (Hill, Iowe, Clapp, Redemann)  
Division of Legal Services (Fleming)  
Division of Records and Reporting (Bayo, Security File)

ATTACHMENT A

LAKE AND GOLF ESTATES

WATER AND WASTEWATER TERRITORY DESCRIPTION

POLK COUNTY

Township 28 South, Range 25 East  
Section 1

From the

to the Point of Beginning (POB), thence run North 89°46' West 559.0 feet, to the NW corner of said parcel, thence run South 0°02'18" West a distance of 560.25 feet, thence run South 89°57'42" East, a distance of 44.0 feet, thence run South 0°02'18" West, a distance of 646.38 feet, to the SW corner of said parcel, thence run South 89°57'42" East, a distance of 479.0 feet, thence continue South 89°57'42" East, a distance of 295.72 feet, thence along a curve concave Southerly whose radius is 1969.06 feet, thence run Northeasterly along said curve an arc distance of 280.18 feet (central angle 8°03'48") to its intersection with the West right-of-way of the Southwest Florida Management District Canal, to the SE corner of said parcel, thence run North 0°03'48" East a distance of 1,248.72 feet, to the NE corner of said parcel, thence run North 89°46' West a distance of 536.26 feet to the POB.