

RECEIVED FPSC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

98 NOV 16 PM 3:55

In re: Application for )  
certificates to operate a water )  
and wastewater utility in )  
Charlotte and DeSoto Counties by )  
Lake Suzy Utilities, Inc. )

DOCKET NO. 970657-WS

RECORDS AND  
REPORTING

In re: Application for amendment )  
of certificates Nos. 570-W and )  
496-S to add territory in )  
Charlotte County by Florida )  
Water Services Corporation. )

DOCKET NO. 980261-WS

CHARLOTTE COUNTY'S RESPONSE TO COMMISSION  
STAFF'S FIRST SET OF INTERROGATORIES

Charlotte County by and through its undersigned attorney, hereby responds to the interrogatories, numbered one through six, propounded to Charlotte County, by the Staff of the Florida Public Service Commission pursuant to Rule 1.340, Florida Rules and Civil Procedure. These responses to the interrogatories are answered under oath by representatives of Charlotte County who are qualified to answer and are identified herein.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   I
- WTS \_\_\_\_\_
- \_\_\_\_\_

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*[Signature]*  
FPSC-BUREAU OF RECORDS

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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CHARLOTTE COUNTY'S RESPONSE TO  
FIRST SET OF INTERROGATORIES  
Docket Nos. 980261-WS and 970657-WS

**INTERROGATORIES**

1. How close (in feet) are Charlotte County Utilities' water and wastewater lines to the disputed area, also known as the Links subdivision, in Charlotte County?

**Document: Charlotte County Utilities 10/3/98 print showing the existing water and wastewater lines and distance (in feet) these lines are from the disputed area. See Charlotte County's Response to Commission Staff's Request for Production of Documents No. 3.**

CHARLOTTE COUNTY'S RESPONSE TO  
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**INTERROGATORIES**

2. Please explain Charlotte County's position on the capacity issue with FWSC under the terms of the Water and Sewer Agreement dated October 7, 1988 and the addendum dated April 5, 1990.

**Response: Florida Water Services Corporation (FWSC) has no water or wastewater treatment capacity in Charlotte County. They purchase bulk service from Charlotte County Utilities. Services purchased under the Agreement dated October 7, 1988 and the Addendum dated April 5, 1990 are for specific areas defined in the Agreement, and no capacity has been reserved for any development outside of their specified area within the Agreement. Additionally, FWSC is currently in default under the terms and conditions of capacity reservation contained within the existing agreement and does not have any capacity reserved or available other than that being utilized by their existing customers. With regard to the ability of FWSC to provide water and sewer service utilizing capacity allocation purchased from DeSoto County, DeSoto County has no wastewater treatment facilities nor have they entered into any agreements with FWSC granting franchise abilities to FWSC for the construction of wastewater treatment facilities. With regards to water capacity, pursuant to the terms and conditions of existing contracts and agreements for the allocation of potable water obtained from the Peace River/Manasota Regional Water Supply Authority (PR/MRWSA), capacity allocation to DeSoto County may not be utilized to provide service to customers within Charlotte County without consent. (Copies of Public Record, PR/MRWSA Meeting Tape for November 4, 1998, are available upon request). Note: See Affidavits, with accompanying documents, of Laurretta Case and Greg S. Thornburgh and the certified copy of Charlotte County Utility Agreement with Harbor Oaks included in response to this interrogatory.**

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**INTERROGATORIES**

3. Please provide an income statement as well as any other financial information with respect to Charlotte County Utilities' financial ability to provide water and wastewater to the Links subdivision in Charlotte County.

**Document: Pages from the Charlotte County, Florida Comprehensive Annual Financial Report for Fiscal year Ended September 30, 1997 that pertain to the Enterprise Funds, specifically Charlotte County Utilities.**

CHARLOTTE COUNTY'S RESPONSE TO  
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**INTERROGATORIES**

4. Please provide any information with respect to the technical ability of Charlotte County Utilities to provide service to the Links subdivision in Charlotte County. At a minimum, provide information on present water and wastewater capacity and pending plants for expansion of capacity.

**Documents:** PR/MRWSA "Water Supply Allocation/Allocation Remaining Capacity Spreadsheet for Fiscal year 1997/1998."

**Response:**

- (A) **Charlotte County Utilities currently purchases treated water from PR/MRSWA under contract, which guarantees an allocation to Charlotte County at 10.753 MGD (Refer to the attached certified copy of the May 21, 1991 PR/MRSWA Contract). An additional 2.0 MGD capacity allocation will be available to Charlotte County upon completion of the construction of the current plant expansion scheduled in 2001. Current average daily demand of Charlotte County customers is approximately 7.5 MGD resulting in current excess water capacity of 3.25 MGD (Refer to the attached certified copy #960102A0 of the Amended Peace River Option Water Supply Contract dated March 8, 1996).**
- (B) **The service to the Links Subdivision would be provided by the Charlotte County Utilities East Port Water Reclamation Facility currently permitted at 5.0 MGD, and it is currently operating at average daily flow of 3.5 MGD.**

**Document:**

- (A) **Attached copy of the East Port WRF Construction Permit #DC08-244790 dated May 25, 1994.**
- (B) **Attached copies of the Fiscal Year 1997/1998 Monthly Operating Reports for East Port WRF.**

CHARLOTTE COUNTY'S RESPONSE TO  
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**INTERROGATORIES**

5. Please provide the approximate monthly service rates and any other service connection charges that would apply to a customer in the Links Subdivision, if service was obtained directly from Charlotte County Utilities for both water and wastewater.

**Document: Certified Copy of the Resolution #961131A0 - Amending Resolution #961130A0 to Adopt Water, Sewer and Gas utility rates, fees and charges for customers within the Charlotte County Water and Sewer District No. 1; and providing an effective date. (Refer to starting Page no. 14 of 52)**

CHARLOTTE COUNTY'S RESPONSE TO  
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Docket Nos. 980261-WS and 970657-WS

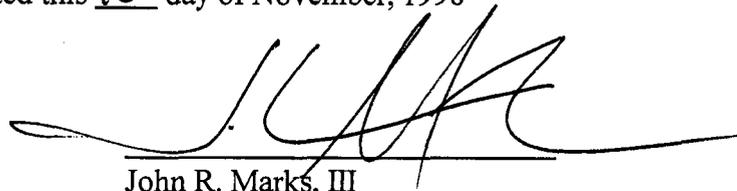
**INTERROGATORIES**

6. Please identify the date by what authority Charlotte County Utilities' service are was delineated.

**Document: Certified Copy of the Resolution 91-79 Charlotte County Water and Sewer District No. 1 dated April 23, 1991. See Charlotte County's Response to Commission Staff's Request for Production of Documents No. 2(A).**

All responses to the interrogatories and the documents produced in these responses were provided by Richard E. Howell, Director for Charlotte County Utilities and/or Laretta Case, Fiscal Manager for Charlotte County Utilities, 20101 Peachland Boulevard, Suite 301, Port Charlotte, Florida 33954, telephone number 941-625-4164.

Respectfully submitted this 16<sup>th</sup> day of November, 1998

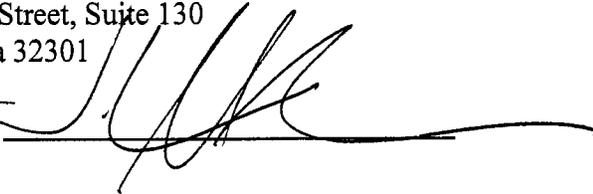


John R. Marks, III  
Knowles, Marks & Randolph, P.A.  
215 South Monroe Street, Suite 130  
Tallahassee, Florida 32301  
(850) 222-3768

CHARLOTTE COUNTY'S RESPONSE TO  
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I HEREBY DECLARE that the responses to the above interrogatories are true and correct to my best knowledge and belief.

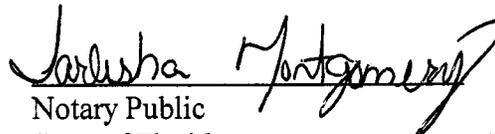
Charlotte County  
c/o John R. Marks, III  
215 South Monroe Street, Suite 130  
Tallahassee, Florida 32301

By: 

STATE OF FLORIDA

COUNTY OF Leon

SWORN to and subscribed before me at Tallahassee, Leon County,  
Florida, this 16 day of November, 1998.

  
Notary Public  
State of Florida  
My Commission Expires:

(SEAL)



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy Charlotte County's Response to Commission Staff's First Set of Interrogatories to the Florida Public Service Commission has been furnished has been furnished by hand delivery to Bobbie L. Reyes, Senior Attorney, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and that a true and correct copy thereof has been furnished by U.S. mail to Martin Friedman, Esquire, Rose, Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301; Matthew J. Feil, Esquire, Post Office Box 609520, Orlando, Florida 32860-9520; and to Haus Development, Inc., c/o Ms. Charlotte L. Sopko, Post Office Box 3024, Port Charlotte, Florida 33949 this 16<sup>th</sup> day of November, 1998.



John R. Marks, III