

STATE OF FLORIDA

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

Public Service Commission

February 3, 1999

Mr. John Essenwine  
IBSCO, Inc.  
2591 SW Estella Terrace  
Palm City, FL 34990

Re: Docket No. 982020-WS, Application for transfer of facilities of IBSCO, Inc. to Martin County Utilities in Martin County and for cancellation of Certificate Nos. 382-W and 328-S.

Dear Mr. Essenwine:

The application for transfer of IBSCO, Inc.'s (IBSCO's) facilities to Martin County Utilities and the cancellation IBSCO's certificate was received by the Commission on December 31, 1998 and assigned the above referenced docket number and name. Please be sure to reference the docket number and title on all further correspondence with regard to this application. Staff has preliminarily reviewed the filing and needs a response to the following items in order to process the application further.

Deficiencies

- 1. Sales Contract: Chapter 25-30.037(4)(c), Florida Administrative Code, requires a copy of the contract or other document transferring the utility system to the governmental authority. Please provide a copy of the document in which the transfer of IBSCO to Martin County Utilities was executed.
- 2. Governmental Authority Information: Chapter 25-30.037(4)(e), Florida Administrative Code, requires a statement that the governmental authority has obtained from the utility its most recent income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction. The application indicated such as "N.A." but did not explain why. Please provide a statement from Martin County Utilities that it has obtained this information or the reason why such is not applicable.

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DOCUMENT NUMBER - DATE

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Mr. John Essenwine

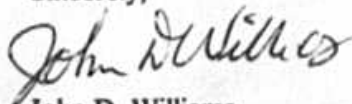
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3. Customer Deposits: Chapter 25-30.037(4)(g), Florida Administrative Code, requires a statement describing the disposition of customer deposits and interest thereon. The application indicated "N.A." but did not explain why. According to the utility's current tariffs, customer deposits are not required. If the utility has never collected deposits, please indicate that in a statement describing the disposition of customer deposits as required by the rule.
  
4. Transfer Prior to Approval: Section 367.071(1), Florida Statutes, states that no utility shall sell, assign, or transfer its certificate(s) of authorization or facilities without the determination and approval of the Commission. According to the application, the transfer took place on December 10, 1998. As a consequence, staff will need an explanation why the transfer occurred prior to the Commission taking action. Please provide such explanation with your response.

An original and four copies of the response to the information requested above should be filed with the Director, Division of Records and Reporting on or before March 5, 1999. If you have any questions about the information required, please contact Ms. Patricia Brady at (850) 413-6686.

Sincerely,



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

JDW:pb

cc: Division of Water and Wastewater (Brady)  
Division of Legal Services (Fleming, Crosby)  
Division of Records and Reporting