

Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: June 15, 1999

Division of Records and Reporting TO:

FROM: Patricia Brady, Division of Water and Wastewater

Docket No. 981930-WU, Application for transfer of facilities of Fiveland Investments,

Inc. to Charlotte County, and cancellation of Certificate No. 571-W.

Please add to the docket file the attached letter dated April 1, 1999 from Ms. Kathleen W. Errett, Esquire, Consulting Attorney for Charlotte County Utilities, to Ms. Patricia Brady, Commission staff. The letter is intended to follow-up Mr. Richard E. Howell's March 17, 1999 letter [Document No. 03997-99] noticing an area of potential conflict between the water service territory granted to Fiveland Investments, Inc. and Rotonda West Utility Corporation.

Attachment

RE:

Division of Legal Services (Crosby) ce:

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COUNTY OF CHARLOTTE

OFFICE OF THE COUNTY ATTORNEY

18500 Murdock Circle Port Charlotte, Floride 33948-1094 Phone: (941) 743-1930 FAX: (941) 743-1550

RENEE FRANCIS LEE COUNTY ATTORNEY

April 1, 1999

VIA FACSIMILE

RECEIVED

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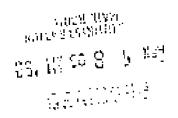
Florida Public Service Commission Cliebron of Weter and Wasselvater

Ms. Patricia Brady Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassae, FL 32399

Re: Application for Transfer of the Utility Facilities of Rotonda West Utility Corporation and Certificates Nos. 565-W and 493-S to Agua Source Utilities, Inc.

Dear Ms. Brady:

I am addressing this letter to you since you have already corresponded with Richard E. Howell, Director of Charlotte County Utilities ("CCU"), concerning other aspects of the above-referenced application. As you know, the County recently acquired the utility facilities of Fiveland Investment, and during the process the original PSC Notice of the Application was sent to Fiveland. It was in turn sent to us and we have discovered an error in the description of the Water and Wastewater Service Area, Paragraph one, *Township 41 South, Range 20 East, Charlotte County, Florida.* The description includes the entire Sections 27 and 34. This is incorrect. The Rotonda Service Area includes only the <u>east</u> ½ of Section 24. Fiveland's, now CCU's service area includes the west ½ of Sections 27 and 34. Please see attached copy of Attachment "A" to PSC Order No. PSC95-0613-FOF-WU, Docket No. 941340-WU.



Ms. Patricia Brady April 1, 1999 Page two

I trust this is simply a scrivener's error and can be corrected easily. If you need any further information, please contact me or Rick Howell directly.

Thank you.

Very truly yours,

Kathleen W. Errett Kathleen W. Errett Consulting Attorney

KWE:el

Attachment

cc: Martin S. Friedman, Esq.

Richard E. Howell, Director, CCU

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ORDER NO. PSC-95-0613-FOY-NU-BOCKET NO. 341340-WU PAGE 6

ATTACHMENT A

Piveland investments. inc.

TERRETORY DESCRIPTION

rosmanip 41 South, Range 20 Rast, Charlotte County, Florida.

Section 71
All that portion of the Southwest 1/4 of said Section 21 lying south of Buck Creek and East of Leaon Bay AND that portion of the Southwest 1/4 of the Southeast 1/4 lying South of Buck Creek and West of State Koad 775 as it is now conscructed.

<u>Section 27</u> The West 2400 feet more or less of said Section 27.

Section 28 All that portion of said Scotion 28 lying East of Lemon Bay.

Section 33 All that portion of said Section 33 lying Fast of Lemon Bay.

Section 34 The West 2400 feet more or less of said Section 34.

Township 42 South, Teage 26 East, Charlotte County, Floride.

Section 3 All that portion of the Northwest 1/4 of said Section 3 lying East of Lemon Bay and North and West of an existing canal.