

ROSE, SUNDSTROM & BENTLEY, LLP

ORIGINAL

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TALLAHASSEE, FLORIDA 32301

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February 25, 2000
VIA HAND DELIVERY

ROBERT M. C. ROSE
OF COUNSEL

Cheryl Johnson
Division of Water and Wastewater
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Fountain Lakes Sewer Corporation; PSC Docket No. 990744-SU
Our File No. 25093.01

Dear Cheryl:

Please consider this letter to be our report of the refunds made as required by Order No. PSC-99-1748-PAA-SU.

Attached is a listing of the refunds made, the interest calculated and the check issued.

Five checks were initially returned as undeliverable, however, through review of the various phone books in surrounding areas (Ft. Myers and Cape Coral), the company was able to locate a successor entity to Niemann-Wolter Development Co. Ltd. and through telephone contact confirmed that in fact "Niemann Homes" was the predecessor to the entity that paid the gross-up. That one check was then resent on February 2, 2000 and has cleared the bank as of February 10, 2000. The remaining four builders have no forwarding address in the local area, nor do they have any listing in the current phone directories in the surrounding areas. We have no method by which to locate them, and therefore, request that the \$9,966.38 remaining as unpaid to these four entities be authorized to be classified as CIAC on the Utility's books and records. We do not yet have a copy of that Niemann check, but copies of all of the other paid checks are attached.

If you need any further information or if I can be of any further service to you in this regard, please let me know. Otherwise, please issue a letter authorizing the booking of these remaining unrefunded monies as CIAC and close this case at your earliest convenience.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP



F. Marshall Deterding
For The Firm

Ralph Jaeger, Esq.
Blanca Bayo, Director
David J. Olson

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
EG _____
HAS _____
OPC _____
RRR _____
SEC _____
AAW _____
OTH _____

FMD\tmg

cc:

fountain\3johnson.ltr

DOCUMENT NUMBER-DATE

02595 FEB 25 8

FPSC-RECORDS/REPORTING



February 16, 2000

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

Re: PSC Docket No. 990744-SU
File No. 25093.01

Dear Marty,

Enclosed is a recap for the Gross-up Refunds. As indicated on the report five checks were returned to us as undeliverable. We checked the Fort Myers, Cape Coral and surrounding area phone directories and found a listing for Niemann Homes. We then confirmed that this was the same company as Niemann-Wolter Development Co. Ltd. The check was resent on Feb. 2, 2000 and cleared our bank on Feb. 10, 2000.

We were unable to find any listings for the other four companies. Therefore, we would like you to proceed with requesting to book these unclaimed refunds to CIAC.

Please do not hesitate to give me a call should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Olson", is written over a horizontal line.

David J. Olson
Controller

Fountain Lakes Sewer
523 South 8th Street, Minneapolis, MN 55404-1078
612-305-2927

R:\Flakes-Financial-Grossup216

**Fountain Lakes Sewer Corp.
Gross-up Refund Payment Tracking**

| Builder | Collected | Refund | Interest | Payments Made 12/14/99 | Check # | Cleared Bank Date | Returned Date |
|---------------------------------|---------------------|--------------------|-------------------|---------------------------|-------------|----------------------|------------------|
| Catalina | 1,692.00 | 409.47 | 107.46 | 516.93 | 4223 | | 1/3/00 |
| Centex Homes | 49,828.00 | 1,717.59 | 229.28 | 1,946.87 | 4224 | 12/21/99 | |
| Galt | 21,432.00 | 6,608.10 | 1,465.32 | 8,073.42 | 4225 | | 12/27/99 |
| Gulfwind | 5,920.00 | 1,039.94 | 188.45 | 1,228.39 | 4226 | 12/21/99 | |
| LeeMac | 5,916.00 | 695.86 | 115.75 | 811.61 | 4227 | | 12/27/99 |
| Niemann | 12,408.00 | 4,103.28 | 934.43 | 5,037.71 | 4229 | 2/10/00 | 12/30/99 |
| Rottlund Homes of Florida, Inc. | 18,852.00 | 484.52 | 53.61 | 538.13 | 4230 | 12/20/99 | |
| Ryan Homes - NVR Homes Inc. | 3,384.00 | 818.94 | 214.92 | 1,033.86 | 4231 | 12/27/99 | |
| Shelton | 10,136.00 | 493.15 | 71.27 | 564.42 | 4232 | | 1/3/00 |
| Sungate Villas | 13,812.00 | 4,450.52 | 880.13 | 5,330.65 | 4233 | 12/17/99 | |
| Villas of Fountain Lakes | 5,640.00 | 1,364.90 | 358.22 | 1,723.12 | 4234 | 12/24/99 | |
| Mike White | 6,480.00 | 264.48 | 38.41 | 302.89 | 4228 | 1/11/00 | |
| Total | \$155,500.00 | \$22,450.75 | \$4,657.25 | \$27,108.00 | | | |

Amount of Payments that Cleared Bank \$17,141.62

Checks Returned - No Forwarding Address
9,966.38
\$27,108.00

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 612-305-2927
FAX: 612-305-2932

BARN. BANK
BARNETT BANK OF LEE COUNTY, N.A.

93-713
870

004224

PAY 12/14/1999 0004224 *****\$1,946.87
ONE THOUSAND NINE HUNDRED FORTY-SIX AND 87/100 DOLLARS

TO THE ORDER OF
CENTEX HOMES
3801 PELICAN BAY BLVD.
SUITE 600
NAPLES FL 34108

FOUNTAIN LAKES SEWER CORP.

⑈004224⑈

FOUNTAIN LAKES SEWER CORP.
523 SO. 8TH STREET • MPLS, MN 55404-1078

VENDOR NO.

VENDOR NAME

CENTEX CENTEX HOMES

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 1946.87 | .00 | 1946.87 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004224 | 1946.87 | .00 | 1946.87 |

PAY TO THE ORDER OF
NationsBank
NationsBank Customer Connection
FOR DEPOSIT ONLY
Centex Homes
Naples/Ft. Myers
3750769708

DEC 21 99

1039 78000

NATIONSBANK TPA 12/21/99
10631002774 E2951 01 P04
00003750769708

0940180870

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 612-305-2927
FAX: 612-305-2932

BARNETT BANK
BARNETT BANK OF LEE COUNTY, N.A.

63-713
670

004226

PAY 12/14/1999 0004226 *****\$1,228.39
ONE THOUSAND TWO HUNDRED TWENTY-EIGHT AND 39/100 DOLLARS

TO THE ORDER OF
GULF WIND HOMES
11934 FAIRWAY LAKES DR.
SUITE #1
FORT MYERS FL 33913

FOUNTAIN LAKES SEWER CORP.

⑈004226⑈

FOUNTAIN LAKES SEWER CORP.
523 SO. 8TH STREET • MPLS, MN 55404-1078

VENDOR NO.

VENDOR NAME

BU FND GULF WIND HOMES

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 1228.39 | .00 | 1228.39 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004226 | 1228.39 | .00 | 1228.39 |

PAY TO THE ORDER OF
NATIONSBANK
FOR DEPOSIT ONLY
BEAZER HOMES GULFOURST
DEPOSITORY ACCOUNT
ACCT# 3750082204

1094 30213

DEC 21 99

NATIONSBANK IPA 12/21/99
M631002774 2297 01 P04
0003750082204

9040491306

⑈004226⑈

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 612-305-2927
FAX: 612-305-2932

BARNETT BANK
BARNETT BANK OF LEE COUNTY, N.A.

83-713
670

004230

DATE CHECK NO. CHECK AMOUNT

PAY 12/14/1999 0004230 *****\$538.13
FIVE HUNDRED THIRTY-EIGHT AND 13/100 DOLLARS

TO THE ORDER OF
ROTTLUND HOMES OF FLORIDA, INC
12701 WORLD PLAZA LANE
BUILDING #80
FORT MYERS FL 33907

[Signature]
FOUNTAIN LAKES SEWER CORP.

⑈004230⑈

FOUNTAIN LAKES SEWER CORP.
523 SO. 8TH STREET, MPLS, MN 55404-1078

VENDOR NO.

VENDOR NAME

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 538.13 | .00 | 538.13 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004230 | 538.13 | .00 | 538.13 |

Rottlund Homes of Florida, Inc.
DEPOSIT ONLY
CIN BANK MONEY MARKET ACCOUNT
#0149540014302

1106 94957

DEC 20 99

063000047
12/20/99 E0815 01 P01

SUNTRUST CEN FL 12/20/99
2290 PREMIER ROW ORL, FL
STSC-MIA #0631021524

7340621995

41258383

02/24/00

16:51

K-A DEV. & FIN. CO MPLS

005

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 612-305-2927
FAX: 612-305-2932

BARNETT BANK
BARNETT BANK OF LEE COUNTY, N.A.

63-713
670

004231

PAY 12/14/1999 0004231 *****\$1,033.86

ONE THOUSAND THIRTY-THREE AND 86/100 DOLLARS

TO THE ORDER OF
RYAN HOMES - NVR HOMES INC.
7601 LEWINSVILLE RD. #300
MCLEAN VA 22102

⑈004231⑈

FOUNTAIN LAKES SEWER CORP.
523 SO. 8TH STREET MPLS, MN 55404-1078

VENDOR NO.

VENDOR NAME

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 1033.86 | .00 | 1033.86 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004231 | 1033.86 | .00 | 1033.86 |

MLR 0003697 5369/29 51038780 006 3340 07 12-22-99

040106156 12-24-99 5014 04
66666666 55775577
LPSI LOU KY

PAY TO THE ORDER OF
BANK OF BOSTON
FOR DEPOSIT ONLY
RYAN HOMES INC
510...
DEPOSIT TO THE ACCOUNT OF
WITHOUT PREJUDICE TO THE
WITHIN NAMED PAYEE'S
SERVICES

063000947 12/27/99 E5827 01 P93
5840082473
FNBB0110003904 030
2 MORRISSEY BLVD BOST, MA
12221999 900030
1705932043

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 812-305-2927
FAX: 812-305-2932

BARNETT BANK
BARNETT BANK OF LEE COUNTY, N.A.

83-713
670

004234

PAY 12/14/1999 0004234 *****\$1,723.12
ONE THOUSAND SEVEN HUNDRED TWENTY-THREE AND 12/100 DOLLARS

TO THE ORDER OF
VILLAS OF FOUNTAIN LAKES
STAN TAABE
PONDVIEW PLAZA, SUITE 210
5850 OPAS PARKWAY
MINNETONKA MN 55343

FOUNTAIN LAKES SEWER CORP.

⑈004234⑈

1740025849⑈

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET - MPLS, MN 55404-1078

VENDOR NO

VENDOR NAME

41005

VILLAS OF

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 1723.12 | .00 | 1723.12 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004234 | 1723.12 | .00 | 1723.12 |

HORNBET BK AZ 12221999
TRACER# 1231 005
⑈1221-0527-84⑈
4700037864

12 99

0109 81701

PAY TO THE ORDER OF
WELLS FARGO BANK
LAS VEGAS NV 89130
FOR DEPOSIT ONLY
S. M. TAUBE COMPANY II INC
0942000364

963100277
12/24/99 E2299 01 P04

0440265637

FOUNTAIN LAKES SEWER CORP.

523 SO. 8TH STREET
MINNEAPOLIS, MN 55404-1078
PHONE: 612-306-2927
FAX: 612-305-2932

BARNETT BANK
BARNETT BANK OF LEE COUNTY, N.A.

83-713
670

004228

PAY

DATE

CHECK NO.

CHECK AMOUNT

12/14/1999 0004228 *****\$302.89

THREE HUNDRED TWO AND 89/100 DOLLARS

TO
THE
ORDER
OF

W. MICHAEL WHITE
16880 GATOR ROAD
FORT MYERS FL 33912

FOUNTAIN LAKES SEWER CORP.

⑈004228⑈

⑆067007⑆30⑆

⑆720025849⑈

FOUNTAIN LAKES SEWER CORP.
523 SO. 8TH STREET • MPLS, MN 55404-1078

VENDOR NO.

VENDOR NAME

MWHITE

W. MICHAEL WHITE

| TRANSACTION DATE | REFERENCE | GROSS AMOUNT | DEDUCTION | NET AMOUNT |
|------------------|-----------|--------------|-----------|------------|
| 12/14/1999 | GUR12/15 | 302.89 | .00 | 302.89 |

| CHECK DATE | CHECK NO. | TOTAL GROSS | TOTAL DEDUCTION | CHECK AMOUNT |
|------------|-----------|-------------|-----------------|--------------|
| 12/14/1999 | 0004228 | 302.89 | .00 | 302.89 |

ATM

1046

3512408448
Handwritten notes and signatures

Tran 00120 9 01/11/2000 12:11
Entity NFL 96 0008260 11 0000
Account 9 1720025848
R/TH 540590135
Cash Check 4 \$302.89

NATIONSBANK TPA 01/11/00
⑆0631002774 E3496 01 P04

9040021637

STATE OF FLORIDA**PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850**

To: SU572 Fountain Lakes Sewer Corp

Date: 2-21-0

From: Records Fax Server

Page 1 of 3

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4), F.S.

DOCKET NO. 000005-WS
ORDER NO. PSC-00-0348-CO-WS
ISSUED: February 18, 2000

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-00-0206-PAA-WS, issued February 1, 2000, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-00-0206-PAA-WS has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of February, 2000.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director
Division of Records and Reporting

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

(S E A L)

JKF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial

ORDER NO. PSC-00-0348-CO-WS
DOCKET NO. 000005-WS
PAGE 2

review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.