



Public Service Commission

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

DATE: March 23, 2000
TO: Division of Records and Reporting
FROM: Division of Legal Services (Christensen)
RE: Docket No. 991812-SU - Application for transfer of Certificate No. 492-S in Franklin County from Resort Village Utility, Inc. to SGI Utility, LLC. *z*

Please file the attached letter, received March 23, 2000, in the docket file for the above-referenced docket.

PAC/dm

cc: Mr. Ben Johnson, Resort Village Utility, Inc.
 SGI Utility, LLC
 Division of Water and Wastewater (Johnson)
 Chairman Joe A. Garcia
 Commissioner J. Terry Deason
 Commissioner Susan F. Clark
 Commissioner E. Leon Jacobs
 Commissioner Lila A. Jaber

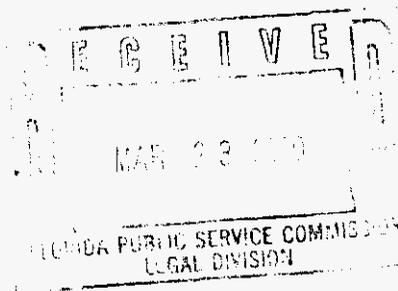
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 FPSC-RECORDS/REPORTING

1440 Elm Court
St. George Island, FL 32328
March 21, 2000

Patricia A. Christensen, Esq.
Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Dear Ms. Christensen,

Thank you for sending me the staff recommendation regarding Docket 991812-SU, Application for Transfer of Certificate No. 492-S in Franklin County from the Resort Village Inc. to St. George Island Utility L.L.C. After reading the document and seeing the "sign-offs" by initials, there seems to be no point in my appearing at the agenda meeting in Tallahassee on March 28, 2000.

Does the Public Service Commission know that every community in Franklin County, - Apalachicola, Eastpoint, St. George Island, Carabelle, Lanark, and Alligator Point, is now, and has been, under citation by DEP for violations of sewer operations? The assurance that SGI Utility L.L.C. "will meet all requirements" is not persuasive to anyone who has seen all these sewer plants in Franklin County deteriorate and then fail to meet DEP criteria.

In the current case, you have a developer who sold all his 56 acre interest in the Resort Village for over six million dollars, including the absorption beds and the drainfields required for operation of the sewer plant, but retained ownership of a tiny 1/3 acre parcel, the site of the proposed sewer plant. From the date of this property sale until the present time, neither party (Resort Village or SGI L.L.C.) could operate the sewer plant approved for the Resort Village because neither owns the property required for such operation. If SGI L.L.C. needs a sewer plant, they must either buy the remaining one- third acre plant site from Resort Village Inc., or go through the entire permitting process. The transfer of the certificate alone without the sale of the one-third acre site will not allow SGI L.L.C. to operate the proposed sewer plant. They must BUY the site as well. Approving the transfer of this certificate by PSC does one sure thing: Resort Village Inc can then name its price for this property sale.

In my view, the PSC is being asked to facilitate transfer of a certificate despite the fact that neither party can currently operate this sewer facility because absorption beds and drain fields are owned by one entity while the plant site is owned by another. While the Agrico case is cited as reason to dismiss me, isn't it also true that Resort Village Inc has no injury, damage or interest in the matter other than the possible leverage it will gain to sell the remaining one-third acre parcel with the sewer certificate? I fail to see how the public interest is served by the PSC becoming a party to this property "deal".

I respectfully request that this letter be presented to the Commission for their consideration. Thank you for your assistance.

Sincerely yours,


Thomas H. Adams