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May 11, 2000

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RECORDS AND REPORTING
by Federal Express

Ms. Blanca Bayo
Florida Public Services Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 000334-WU
Application for Transfer of Certificate No. 81-W Held by Tomoka
Waterworks, Inc. In Volusia Co. To FWSC & Amend Certificate No.
238-W, Cancel Certificate No. 81-W.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket, please find an original and five copies of this letter.

I write in reply to John Williams' April 14, 2000 letter to me regarding the captioned matter. Below I respond to Mr. Williams questions in the order they were posed.

1. As required by Rule 25-30.037 (2)(a), Florida Administrative Code (F.A.C.), provide the complete name and address of the seller as it appears on the certificates. Please confirm that the information that appears in Exhibit D, appendix D-1, at the bottom of page 16 of 19 is the complete name and address of the seller.

The seller's name as it appears on its Articles of Incorporation is Tomoka Waterworks, Inc. In Commission documents and filings, the seller's name appears: Tomoka Water Works, Inc. The information on page 16 of 19 of Appendix D-1 in the application was provided by the seller and is consistent with the Division of Corporation's information. Florida Water's principal contact with the seller and the seller's registered agent is Mr. Shirah, whose address is 1843 Old Tomoca Rd., Ormond Beach, FL 32174.

2. As required by Rule 25-30.037(2)(e), F.A.C., provide the state of incorporation of the organization. The application doesn't list the name of the state of incorporation.

Florida Water is incorporated in the State of Florida.

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FPSC-RECORDS/REPORTING

- 3. As required by Rule 25-30.030(3)(d) F.A.C., the notice should be appropriately styled: "Notice of Application for a Transfer Of". Because the word "Notice" doesn't appear at the top of the customer notice, the customers may not realize the significance of the document. Please make this correction to the notice and renote the customers.**

Rosanne Gervasi, Bureau Chief for Water and Wastewater in the Commission's Legal Department, informed me in a telephone conversation that Florida Water will not have to renote. The notice used in this case clearly indicates in the first sentence that it is a notice of the application's filing, and Florida Water will take steps to insure that future notices bear the word "Notice" in the caption.

- 4. Please provide a date for when "The Agreement for Purchase and Sale" will be entered into and a date for when the closing will occur.**

The Agreement for Purchase and Sale did not bear the date of entry at the top of the first page. However, the date that both parties signed the contract is the contract's effective date. Closing occurred December 21, 1999, contingent on Commission approval.

- 5. As required by Rule 25-30.037(2)(g)(2), F.A.C., please provide a list of and the dollar amount of the assets purchased.**

See the attached Exhibit A.

- 6. Based on your response in the application is it correct that all regulatory assessment fees for 1999 and 2000 will be paid by the seller up to the transfer date or will the fees be prorated between the buyer and seller? Please clarify.**

The answer to the question is that the seller is responsible for fees up to the closing date and that the parties may seek proration.

Please acknowledge filing of this item by date stamping the enclosed extra copy of this letter and returning it in the postage paid envelope provided.

If you have any questions, please contact me at (407) 598-4260.

Sincerely yours,



Matthew J. Feil
Staff Attorney

Enclosures

TOMOKO WATER WORKS
ACQUISITION ASSETS

DESCRIPTION	COST	1010 3042	1010 3072	1010 3102	1010 3112	1010 3203	1010 3304	1010 3314	1010 3344
PUMP 230 VOLT 5 HP	690				690				
PUMPS 3 FEED	672				672				
PUMP DH CENTRIFUGAL	755				755				
2 METER BOXES	155								155
GENERATOR	10,282			10282					
GEN GAS TANK	453			453					
6 METERS	85								85
5/8X3/4 METERS	424								424
12 INCH C700 METER	351								351
5 HP MOTOR	453				453				
12 MTERS	424								424
12 BOXES	164								164
12 METERS	424								424
	53,698	5,182	811	10,735	7,167	2,897	543	12,817	13,546