

STATE OF FLORIDA



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DIVISION OF WATER & WASTEWATER
DANIEL M. HOPPE, DIRECTOR
(850) 413-6900

Public Service Commission

May 12, 2000

Ms. Gena F. Larison
533 E. Crystal Lake Drive
Avon Park, Florida 33825

Re: Docket No. 991889-WS, Application for transfer of Certificate Nos. 525-W and 454-S in Highlands County from Crystal Lake Club to CWS Communities LP d/b/a Crystal Lake Club.

Dear Ms. Larison:

This letter is a follow up to the review and subsequent telephone call to your office concerning deficiencies which still exist with your application for transfer. These deficiencies need to be cured in order for us to process your application.

Deficiencies

- 1. Copy of the contract for sale and all additional agreements: Pursuant to Rule 25-30.037(2)(g) and (h), F.A.C., a copy of the contract for sale of the utility and all auxiliary or supplemental agreements are to be submitted. The agreements shall include, if applicable:
(a) Purchase price of the utility and terms of payment.
(b) A list of and the dollar amount of the assets purchased and liabilities assumed or not assumed, including those of nonregulated operations or entities.
(c) A description of all consideration between the parties, for example, promised salaries, retainer fees, stock, stock options, assumption of obligations.

The contract for sale shall also provide for the disposition, where applicable, of the following:

- (1) Customer deposits and interest thereon;
(2) Any guaranteed revenue contracts;
(3) Developer agreements;
(4) Customer advances;
(5) Debt of the utility; and
(6) Leases.

Vertical list of codes: WAW, OTH, SEC, RRR, OPC, MAS, REG, BAQ, FIR, GEN, LAF, WAW

DOCUMENT NUMBER - DATE

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FPSC-RECORDS/REPORTING

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A review of the Real Estate Exchange and Contribution Agreement does not address these issues. In fact, none of the contractual information you have submitted specifically refers to the transfer of the utility. Please provide a copy of the transfer closing documents or contract for sale which refer to the transfer of the utility. These documents should also address the above deficiency issues.


2. Notices of actual application: Pursuant to Rule 25-30.030, F.A.C., specific styled notices are to be submitted to government bodies and other utilities as well as customers and for publication. Proof of notices are to be provided with notarized affidavits. You submitted only witnessed affidavits. Please provide us with the required notarized affidavits.

The original and four copies of the response to the information requested in this letter should be filed with the Commission on or before **June 16, 2000**. When filing the response, please be sure to reference the docket and to direct the response to :

**Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

Should you have any questions concerning the information requested in this letter, please contact Ms. Stephanie Clapp, of my staff, at (850) 413-6997.

Sincerely,

Handwritten signature of John D. Williams in cursive, with the initials "JDW" written below the signature.

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

JDW/sc  
attachments

cc: **Division of Water and Wastewater (lowe, Messer, Clapp, Redemann)  
Division of Legal Services (Crosby)  
Division of Records and Reporting**