

RES

STATE OF FLORIDA

COMMISSIONERS:  
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DIVISION OF LEGAL SERVICES  
NOREEN S. DAVIS  
DIRECTOR  
(850) 413-6199

# Public Service Commission

May 23, 2001

Andrew B. Jackson, Esquire  
Post Office Box 2025  
Sebring, Florida 33871

RE: Docket No. 990374-WS; Application for Certificates to Operate a Water and Wastewater Utility in Highlands County by The Woodlands of Lake Placid, L.P.

Dear Mr. Jackson:

The Application referenced above continues to be deficient as a result of errors contained in The Woodlands of Lake Placid, L.P.'s (Woodlands) notice of January 20, 2001. In addition, as you are aware, there is an overlap of your proposed wastewater territory with Highlands Utilities Corporation's (Highlands) existing territory that must be resolved. The following filing requirement and request for additional information must be completed in order for our review of your application to be completed.

Pursuant to Section 367.045(1)(a), Florida Statutes and Rule 25-30.030, Florida Administrative Code, the utility must provide notice of the application to the governing body of the county or city affected to the Public Counsel, to the commission, and to the customers of the system to be certificated or deleted. Specifically, the notice of January 20, 2001, contained an incorrect legal description and referred to an application for water instead of wastewater. Therefore, the notice and legal description will need to be corrected and republished.

In addition, the issue of the overlap of your proposed wastewater territory with Highlands' territory will need to be resolved. One alternative is to obtain an agreement which allows Woodlands to provide notice to delete the overlapping service territory from Highlands' approved territory and that Woodlands can serve the wastewater territory. The agreement should include description and map of the overlapping area. If such agreement is obtained and provided to the Commission, the deletion of that territory from Highlands' service territory can be accomplished in this docket, rather than in another separate proceeding. **If you intend to pursue this alternative, please provide the Commission with a copy of the agreement before you begin to notice.**

DOCUMENT NUMBER DATE

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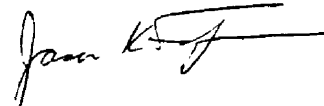
A copy of the Highlands County list of entities that must be noticed is enclosed. Please note that the list is only valid until July 21, 2001. The notice must be published in a newspaper of general circulation in the territory proposed to be served. Also enclosed is a proposed notice of wastewater application and territory description, including the proposed deletion language to correct the overlap of territory with Highlands. Please verify that the language in the notice and legal description is correct. After the wastewater territory noticing is complete, you must provide affidavits indicating that you have completed the noticing.

In addition, please be aware that staff is considering recommending a change from flat rates to metered monthly service rates which would be billed to all customers. In order to develop metered rates, individual customer water usage data will be needed. Therefore, staff requests that the utility start reading the individual meters that have been installed on a monthly basis. We also suggest that the utility continue meter installation on currently unmetered properties.

Please file an original and five copies of the requested information relating to deficiencies no later than July 13, 2001 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

If you have any questions please call me at (850) 413-6236.

Sincerely,



Jason K. Fudge  
Senior Attorney

Enclosure

cc: The Woodlands of Lake Placid (John H. Lovelette)  
Trobley, Lobozzo, Schommer, Disler & Acorsi (Lobozzo)  
Highlands Utilities Corporation (Pugh)  
Division of Records and Reporting  
Division of Regulatory Oversight (Clapp, Redemann)

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**APPLICATION FOR ORIGINAL CERTIFICATE  
(FOR A UTILITY IN EXISTENCE AND CHARGING RATES) AND  
APPLICATION FOR DELETION OF TERRITORY**

(Section 367.045, Florida Statutes)

**LEGAL NOTICE**

Notice is hereby given on \_\_\_\_\_, pursuant to Section 367.045, Florida Statutes, of the application of The Woodlands of Lake Placid, L.P. to operate a wastewater utility to provide service to the following described territory in Highlands County, Florida listed below and includes the deletion of territory of Highlands Utilities Corporation and amendment of its Wastewater Certificate No. 361-S to delete territory in Highlands County, Florida as listed below.

**The Woodlands of Lake Placid, L.P. (Original Certificate - Wastewater Service Area)**

Begin at a point on the North line of Section 17, Township 37 South, Range 30 East, Highlands County, Florida, 660 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles; thence run Easterly along the North line of Section 17 a distance of 2,975 feet more or less to the Shore line of Lake Grassy, thence run Southerly and Southwesterly along the shore line of Lake Grassy (a straight line to this point is a distance of 2,250 feet more or less) to a point that is 413.15 feet North of the South line of the Northeast 1/4 and the Northwest 1/4 of Section 17; thence run Westerly along a line 413.15 feet North of the South line of said Northeast 1/4 and 413.15 feet North of the South line of said Northwest 1/4 to a point that is 600 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles; thence run Northwesterly, 660 feet East of and parallel to the Easterly right-of-way line of US Highway 27 to the Point of Beginning. And, The North 300 feet of the South 750 feet of the West 410 feet of the East 1/2 of the East 1/2 of the Southwest 1/4 of Section 8, Township 37 South, Range 30 East, Highlands County, Florida. And, The West 210 feet of the South 450 feet of the East 1/2 of the East 1/2 of the SW 1/4 of Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

Wastewater Service Area (Original Certificate) to be added to The Woodlands of Lake Placid, L.P. and Deleted from Highlands Utilities Corporation Service Area

Township 37 South, Range 30 East, Section 17- That portion of Lake Placid Camp Florida Resort, as recorded in Plat Book 15, Page 93, Highlands County, Florida, previously being part of the territory described in Highlands Utilities Corporation service area, being more particularly described as follows: Commence on the North line of Section 17, Township 37 South, Range 30 East, 660 feet Easterly of, as measured at right angles to the East right of way line of U.S. 27; thence Southeasterly along a line that is 660 feet East of and parallel with the said East right of way line, 300 feet more or less to the North line of said Lake Placid Camp Florida Resort and the **Point of Beginning**; thence continuing South easterly along the line 660 feet East of and parallel with said right of way line, 778.39 feet more or less to the South line of said Lake Placid Camp Florida Resort; the following 15 calls are along the boundary of said Lake Placid Camp Florida Resort, (1) thence N81°58'06"W, 29.61 feet; (2) thence N35°18'13"W, 256.10 feet; (3) thence S88°19'15" W, 135.89 feet; (4) N69°05'48"W, 8.86 feet; (5) thence S65°07'11"W, 291.84 feet; (6) thence N24°52'49"W, 174.00 feet; (7) thence S65°07'11"W, 165.76 feet to said right of way line; (8) thence N24°49'46"W, 157.95 feet; (9) thence N65°08'22"E, 25.57 feet; (10) thence N24°51'38"W, 219.42 feet; (11) thence N80°20'00"E, 107.91 feet; (12) thence N87°00'00"E, 218.15 feet; (13) thence N 50°00'00"E, 166.49 feet; (14) thence N75°29'10"E, 115.12 feet; (15) thence along the arc of a curve to the right with a central angle of 08°24'16", whose radius is 377.51 feet, with a chord bearing of N79°41'18"E, and a chord distance of 55.33 feet, an arc distance of 55.38 feet to the **Point of Beginning**.

Any objection to the said application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicants whose address is set forth below. The objection must state the grounds for the objection with particularity.

The Woodlands of Lake Placid, L.P.  
1525 U.S. Highway 27 South  
Lake Placid, Florida 33852

Highlands Utilities Corporation  
720 U.S. Highway 27 South  
Lake Placid, Florida 33852

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)  
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

HIGHLANDS COUNTY

AQUASOURCE UTILITY, INC. (WU827) % DQE, INC 400 FAIRWAY DRIVE, SUITE 400 CORADPOLIS, PA 15108-3190	RICHARD S. HERSKOVITZ (412) 393-3662
BUTTONWOOD BAY WATER & SEWER COMPANY, LLC (WS387) % ROSE, SUNDSTROM & BENTLEY, LLP 2548 BLAIRSTONE PINES DRIVE TALLAHASSEE, FL 32301-5915	MARTIN S. FRIEDMAN (850) 877-6555
C & H UTILITIES, INC. (SU526) P O BOX 1088 SEBRING, FL 33871-1088	WENDELL L. FAIRCLOTH (941) 471-1400
C & H UTILITIES, INC (WU649) P. O. BOX 1088 SEBRING, FL 33871-1088	WENDELL L. FAIRCLOTH (941) 471-1400
COUNTRY CLUB OF SEBRING (WS654) 3035 WYNSTONE DRIVE SEBRING, FL 33875-4745	R. GREG HARRIS (863) 385-6330
CREOLA, INC. (SU658) P. O. BOX 1346 SEBRING, FL 33871-1346	DAVID L. HICKMAN (863) 385-0981
CWS COMMUNITIES LP D/B/A CRYSTAL LAKE CLUB (WS831) 533 EAST CRYSTAL LAKE DIRVE AVON PARK, FL 33825-9739	GENA F. LARISON (863) 385-7727
DAMON UTILITIES, INC. (WS551) 47 LAKE DAMON DRIVE AVON PARK, FL 33825-8902	LISA DAVIS (863) 453-0773
FAIRMOUNT UTILITIES, THE 2ND, INC. (SU648) P. O. BOX 488 AVON PARK, FL 33826-0488	ROGER E MILLER (941) 385-8542
FLORIDA WATER SERVICES CORPORATION (WS618) P. O BOX 609520 ORLANDO, FL 32860-9520	FREDERICK W. LEONHARDT (407) 598-4152

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)  
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

HIGHLANDS COUNTY (continued)

HARDER HALL - HOWARD, INC. (SU644)  
122 EAST LAKE DRIVE BLVD.  
SEBRING, FL 33872-5018

PAUL E. HOWARD  
(941) 382-8725

HEARTLAND UTILITIES, INC. (WU566)  
P. O BOX 1991  
SEBRING, FL 33871-1991

HOWARD SHORT  
(863) 655-4300

HIGHLANDS RIDGE ASSOCIATES, INC. (WS672)  
3003 EAST FAIRWAY VISTA DRIVE  
AVON PARK, FL 33825-6001

DAVID B MESEROLL, JR  
(863) 471-1171

HIGHLANDS UTILITIES CORPORATION (SU299)  
720 U.S. HIGHWAY 27 SOUTH  
LAKE PLACID, FL 33852-9515

DIXON PUGH  
(863) 465-1296

HOLMES UTILITIES, INC. (WU760)  
760 HENSCRATCH ROAD  
LAKE PLACID, FL 33852-8397

DANIEL HOLMES  
(941) 465-6044 OR -6911

LAKE PLACID UTILITIES, INC. (WS709)  
% UTILITIES, INC.  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4099

DONALD RASMUSSEN  
(407) 869-1919

LANDMARK ENTERPRISES, INC. (SU686)  
62 LAKE HENRY DRIVE  
LAKE PLACID, FL 33852-6000

DAVID S. PLANK  
(941) 382-3030

PLACID LAKES UTILITIES, INC. (WU193)  
2000 JEFFERSON AVENUE, NORTH  
LAKE PLACID, FL 33852-9749

ROLAND TOBLER  
(863) 465-0345

SEBRING RIDGE UTILITIES, INC. (WS345)  
3625 VALERIE BLVD.  
SEBRING, FL 33870-7814

CHRISTOPHER F MILLER  
(863) 385-8542

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)  
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CENTRAL FL. REGIONAL PLANNING COUNCIL  
P.O. BOX 2089  
BARTOW, FL 33831

CLERK, BOARD OF COUNTY COMMISSIONERS, HIGHLANDS COUNTY  
590 SOUTH COMMERCE AVENUE  
SEBRING, . 33870-3867

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 364  
FORT MYERS, FL 33901

MAYOR, CITY OF AVON PARK  
110 EAST MAIN STREET  
AVON PARK, FL 33825-3945

MAYOR, CITY OF SEBRING  
368 SOUTH COMMERCE AVENUE  
SEBRING, FL 33870-3606

MAYOR, TOWN OF LAKE PLACID  
50 PARK DRIVE  
LAKE PLACID, FL 33852-9693

S.W. FLORIDA WATER MANAGEMENT DISTRICT  
2379 BROAD STREET  
BROOKSVILLE, FL 34609-6899

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P O. BOX 24680  
WEST PALM BEACH, FL 33416-4680

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)  
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL  
C/O THE HOUSE OF REPRESENTATIVES  
THE CAPITOL  
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850