

STATE OF FLORIDA

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DIVISION OF REGULATORY OVERSIGHT  
DANIEL M. HOPPE, DIRECTOR  
(850) 413-6480

Public Service Commission

July 27, 2001

Mr. Tim E. Thompson, President  
Marion Utilities Inc.  
710 NE 30th Ave.  
Ocala FL 34470

Docket No.991104-WU, Application for Amendment of Certificate No. 347-W to add territory in Marion County by Marion Utilities Inc.

Dear Mr. Thompson:

Thank you for cooperating with us in our territory description review of Marion Utilities, Inc. (Marion or utility). The information that you have supplied has been very helpful with our attempt to clarify the various discrepancies that have been found in the tariff. Although some discrepancies have been resolved (thanks to your help), there are others that need to be addressed in order to be consistent with current Commission rules and regulations. Some corrections will need only tariff sheet revisions, while others will require legal noticing. Included with this letter is pertinent information needed to complete this project. Please provide the additional information as requested for those areas with discrepancies remaining.

1. Ponderosa - As reflected in the Original Tariff Sheets Nos. 3.26 and 3.27, The Ponderosa territory description now appears to reflect the correct territory that the utility presently serves. No further description information or changes are necessary for this system.

2. Fore Acres - a.) The information you supplied for the Hillside Acres, Tall Pines, and Pine Manor parcel descriptions of the Four Acres area appear as they were presented in the original application. Order No. 11568 to Docket No. 81259, and the resulting tariff descriptions for these areas were incorrect. We will need revised tariff sheets reflecting the correct territory of those areas. To help you, the territory descriptions as originally applied for are included with this letter which is the correct language.

b.) In reference to the Georgetowne parcel of Four Acres, there is still a problem. As you now know, neither the Four Acres territory description in Order No. 11568, or the resulting tariff description reflected the Georgetowne parcel. However, the utility's original application did reflect the Georgetowne parcel. From the most recent information supplied by you, the Georgetowne

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territory description is a larger area than that reflected in the application description. In the application, the Georgetowne area, located in Section 33 of Township 14 South, Range 22 East, is described as being in the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 33. As reflected from your most recently supplied map of the Four Acres area, you marked the Georgetowne parcel to be in the East 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 33. If the second description is the correct one, this area must be noticed pursuant to Chapter 367.045 Florida Statutes. We will also need revised tariffs reflecting the territory of the Georgetowne parcel. The territory description as originally applied for is included with this letter.

3. Rainbow Lake Estates - As you noted in your May 22, 2001 letter, the only exception to the tariff was the exclusion of one half of Block 26. We agree that the area needs to be included in the Rainbow Lakes tariff description. The description should read as follows: The South 200 feet of the Southwest quarter of Section 26 of Township 15 South, Range 18 East. If this discription appears correct, please submit a revised tariff reflecting the correction.

4. Logan's Run - As you have verified, Logan's Run should be referred to as its tariff reference, International Villas. The map of the area that you supplied also reflects that the application description is correct, not the description as shown on Page 3.2 of the tariff. Please submit a revised tariff reflecting the correct description. The Territory description as originally applied for is included with the letter.

5. Libra Oaks - You have verified that the Libra Oak's tariff description properly indicates that it is in Sections 27 and 34 of Township 15 South, Range 21 East. The original legal notice description reflects Sections 27 and 28 of the same township and range. Since the legal notice is wrong, the correct area must be noticed pursuant to Chapter 367.045 Florida Statutes. The territory description as shown in Page 3.3 is enclosed with this letter.

6. Sugar Hills Quadvillas - Since you have confirmed that there are no conflicting areas served by other utilities, no further description information or changes are necessary for this system.

7. Delcrest - Since you have confirmed that the territory as described in the tariff is correct, no further description information or changes are necessary for this system.

8. Cedar Hills - The Cedar Hills area covers all of the Southeast 1/4 of Section 27 of Township 15 South, Range 22 East. The tariff description on Page 3.4 **excluded** the Northeast 1/4 of the Southeast 1/4 of Section 27. It appears that the excluded part is in error. Accounting for the railroad tracks, the revised tariff description for Cedar Hills should say the following: The Southeast 1/4 of Section 27 of Township 15 South, Range 22 East, lying South of the CSX Transportation Railroad Tracks (Please verify if CSX is current owner of the railroad tracks). If this description appears correct, please submit a revise tariff reflecting the correct description for Cedar Hills.

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9. Kings Court, Hidden Oaks, and Glen Manor - The legal description that you submitted for the above mentioned parcels appears correct. To replace the existing tariff description on Page 3.6, please submit a revised tariff reflecting the properly formatted description. A copy of the revised legal description is included with this letter.

10. Walbusser - Since the application's legal notice appears to be incorrect, it will be necessary for the correct area, as reflected in the tariff description shown on Tariff Page 3.8, to be noticed pursuant to Chapter 367.045 Florida Statutes. Tariff Page 3.8 is included with this letter.

11. Oak Creek Caverns - You identified the territory description detailed in Order No. 13264 to Docket No. 84109-WU, as the Oak Creek Caverns service area. Since the area is not currently included in the utility's tariff, please submit a tariff description of this territory. Included with this letter is the territory description as it appeared in Order No. 13264.

As we have previously discussed, it is the responsibility of the Commission staff to assure that Marion's territory descriptions currently on file at the Commission, as well as the territory descriptions of the areas the utility proposes to serve by way of the amendment application, are accurate and complete. To recap what is left to be done to complete this task for those areas with discrepancies remaining, please consider the following:

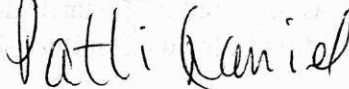
1. Ponderosa - Satisfied.
2. Fore Acres - Tariffs needed for Hillside Acres, Tall Pines, Pine Manor, and Georgetowne.  
Legal notice necessary for Georgetowne.
3. Rainbow Lakes Estates - Tariff needed.
4. International Villas - Tariff needed.
5. Libra Oaks - Legal notice necessary.
6. Sugar Hill Quadvilla - Satisfied.
7. Delcrest - Satisfied.
8. Cedar Hills - Tariff needed.
9. Kings Court, Hidden Oaks, and Glen Manor - Tariff needed.
10. Walbusser - Legal notice necessary.
11. Oak Creek Caverns - Tariff needed.

We must secure this information prior to making our recommendation to the Commission on the application. Please submit the corrected tariffs and an affidavit that the applicant has provided notice pursuant to the amendment statute. Included with this letter is the County List you must use for noticing. Please note that this list is valid for only sixty days. Please copy the descriptions of the proposed territory on a diskette that is formatted in WordPerfect 6.1, Windows, and provide the diskette in addition to the submittal of a hard copy of the appropriate descriptions. Please file an original and five copies of the requested information by no later than August 27, 2001, with the Director, Division of Commission Clerk and Administrative Services, 2540 Shumard Oak

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Boulevard, Tallahassee, FL 32399. Only one copy of the diskette is required. If you have any questions please call Mr. Stanley Rieger at (850) 413-6970 or Mr. Jason Fudge at (850) 413-6236.

Sincerely,



Patti Daniel, Chief  
Bureau of Certification

cc: Division of Regulatory Oversight (Hoppe, Lowe, Rieger)  
Division of Legal Services (Fudge)  
Division of Commission Clerk and Administrative Services (Bayo, Security File)