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TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850)413-6900

Public Service Commission

March 11, 2002

Mr. S. G. Dumbrell  
Lake Merial Development Company, Inc.  
1 Irmar House  
59, Cookham Road  
Maidenhead  
Berkshire SL6 7EP  
United Kingdom

Re: Docket No. 991632-WS, Dana Utility Corporation

Dear Mr. Dumbrell:

Thank you for your timely response to staff's December 12, 2001, request for information. Staff appreciates your forthrightness in recognizing that the basis for Dana's certificates no longer exists and voluntarily tendering them for cancellation. The following information is provided to assist you in applying to have your certificates cancelled.

Section 367.045(2), Florida Statutes, and Rule 25-30.036, Florida Administrative Code, contain the filing requirements for a deletion of certificated territory. Enclosed is the generic application package pursuant to the statute and rule. Items not needed for this filing are marked "N.A." on the application form.

Rule 25-30.020 (2)(b), Florida Administrative Code, prescribes the appropriate filing fee for deletion of territory based on the proposed capacity in equivalent residential connections (ERCs). A separate fee applies for water service and wastewater service. Since Dana proposes to serve no ERCs, the appropriate filing fee would be the minimum per service of \$100 for a total of \$200.

Rule 25-30.030, Florida Administrative Code, details the requirements for noticing the application to delete territory. The list of entities that must be noticed pursuant to Rule 25-30.030(2), Florida Administrative Code, is enclosed (List of Water and Wastewater Utilities in Bay County). Note that the list is valid through May 9, 2002. Since Dana has not yet constructed any facilities, there are no customers to notice. However, in the abundance of caution, notice should be given to the school which is currently serving itself on property donated by Lake Merial Development.

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A sample notice format is enclosed. The full legal description of Dana's approved territory is that attached to the order granting its certificates, also enclosed. However, a shortened version of the legal description may be used in the notice to delete territory, as follows:

That portion of Township 1 South, Range 14 West, Sections 15, 16, 17, 19, 20 and 21, Bay County, Florida, which constitute the development known as Lake Merial. For a precise legal description, please contact the utility at the address shown below.

Refer to Rule 25-30.030 (5), (6), and (7), Florida Administrative Code, regarding the timing requirements for providing the notice to the appropriate entities. Rule 25-30.030 (8), Florida Administrative Code, describes the affidavits that must be filed with the Commission regarding the completion of the noticing requirements.

An original and five copies of the application and any supporting exhibits should be filed as soon as possible with:

The Director, Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850.

If you have any questions regarding the application or have any other issues to address with staff, you may contact the assigned technical staff member, Pat Brady at (850) 413-6686, [pbrady@psc.state.fl.us](mailto:pbrady@psc.state.fl.us), or staff's legal counsel, Patty Christensen at (850) 413-6220, [pchriste@psc.state.fl.us](mailto:pchriste@psc.state.fl.us).

Sincerely,



Patti Daniel  
Supervisor of Certification

PD:PB  
Enclosures (4)

cc: Division of Economic Regulation (Kummer, Brady, Redemann)  
Office of General Counsel (Christensen)  
Division of Commission Clerk and Administrative Services (2 copies)