

STATE OF FLORIDA

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

Public Service Commission

December 17, 2002

Mr. Ray Eubanks
Bureau of State Planning
Division of Resource Planning and Management
Department of Community Affairs
2550 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: PSC Docket No. 020745-SU, Application by Island Environmental Utility, Inc. for Original Wastewater Certificate in Charlotte County.

PSC Docket No. 020746-WU, Application by Knight Water Utility, Inc. for Original Water Certificate in Charlotte County.

Dear Mr. Eubanks:

By letter dated July 19, 2002 the Commission sent a copy of the filing of Island Environmental Utility (Island) and Knight Water Utility (Knight) to the Department of Community Affairs (DCA). Pursuant to the Memorandum of Understanding between the DCA and the Public Service Commission (PSC), the DCA has agreed to provide input on need for service and comprehensive plan consistency on applications for amendments or original certificates filed with the PSC. The DCA responded with comments to the Knight application by a letter dated October 7, 2002. Subsequently, the Knight application was withdrawn and the docket closed. The DCA responded with comments to the Island application by a letter dated December 13, 2002 indicating that expanding sanitary sewer service outside of the County's Infill Area boundaries would be inconsistent with the Charlotte County Comprehensive Plan at this time.

The utility has recently amended the application. Enclosed please find a copy of the amended application. The amended application changes the service area and the method of wastewater treatment. Please provide a response to the amended application. The staff requests that a response be received by January 31, 2002. **Please note that the response should be addressed to the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, with the docket numbers highlighted for reference by the Commission.**

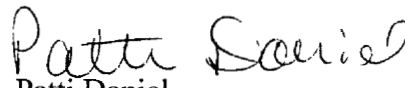
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Mr. Ray Eubanks
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In addition, the application has been protested. The hearing is tentatively scheduled for this proceeding in Charlotte County on October 14, 2002. An important part of this proceeding is the need for service and comprehensive plan consistency. The PSC may need a representative of the DCA to testify as to these items. The staff selected to complete the testimony must be available for questioning on October 14, 2002. If we can get all involved parties to agree, the testimony can be entered into the record undisputed. Consequently, your staff's presence at the hearing would not be necessary.

The staff of the Commission is looking forward to receiving the additional input from the DCA regarding the application. If there are any questions, please feel free to contact Pat Brady at 850/413-6686 or Richard Redemann at 850/413-6999.

Sincerely,


Patti Daniel
Supervisor of Certificate

PD/rpr

Enclosure

C:\wp6\020745d.rpr

cc: Department of Community Affairs (Dennis)
Division of Economic Regulation (Brady, Redemann)
General Counsel (Gervasi)
Division of the Commission Clerk and Administrative Services

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REPLY TO ALTAMONTE SPRINGS

December 4, 2002

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399


Re: Docket No. 020745-SU; Application of Island Environmental Utility, Inc., for
Original Certificate
Our File No.: 37025.01

Dear Ms. Bayo:

Enclosed are the original and fifteen (15) copies of the Utility's Amendment to
Application for Original Certificate.

Please do not hesitate to give me call should you have any questions regarding
this filing.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/dmp
Enclosures

cc: Mr. Jack Boyer (w/enclosure)
M. Christopher Bryant, Esquire (w/enclosure)

DOCUMENT NUMBER-DATE

13348 DEC-6 8

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of ISLAND)
ENVIRONMENTAL UTILITY, INC.)
for an original Wastewater Certificate)
in Charlotte County, Florida.) DOCKET NO. 020745-SU
_____)

AMENDMENT TO APPLICATION FOR ORIGINAL CERTIFICATE

Island Environmental Utility, Inc. ("Utility"), by and through its undersigned attorneys, files this Amendment to its Application for an Original Certificate as follows:

1. The Utility no longer intends to purchase the wastewater plant and facilities from Knight Island Utility, Inc., nor provide service within the area currently being served by Knight Island Utility, Inc.. Thus, attached is Second Amended Exhibit "E" reflecting the deletion of the Knight Island Utility, Inc., area from this Application. Also attached is a corrected Original Sheet No. 3.1 of Exhibit "D" to reflect the revised service area.

2. Part I, D. should be amended to reflect that John R. Boyer will be the resident, Secretary and Treasurer and the sole Director. Mr. Boyer will also be the sole shareholder.

3. No permits have yet been issued. The Utility intends to enter into an agreement with the Englewood Water District to provide bulk wastewater treatment and disposal.

4. Since obtaining service from Englewood Water District will involve cost and expenses different from that of the Utility's original proposal to purchase an existing wastewater treatment plant, the Utility requests that this case be bifurcated

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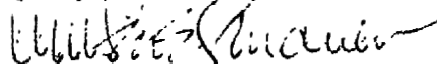
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and the certificate portion of the case be considered first and the rates and charges established as was done with regard to North Sumter Utility Company, LLC, in Order No. PSC-02-0179-FOF-WS

WHEREFORE, Island Environmental Utility, Inc., requests this Court accept these amendments and bifurcate.

Respectfully submitted on this
4th day of December, 2002, by:

ROSE, SUNDSTROM & BENTLEY, LLP
600 S. North Lake Boulevard, Suite 160
Altamonte Springs, FL 32701
(407) 830-6331

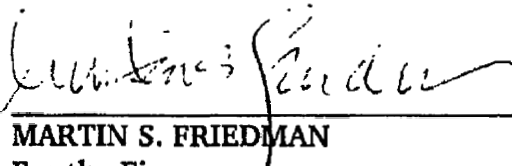


MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail this 4th day of December, 2002, to:

M. Christopher Bryant, Esquire
Oertel, Hoffman, Fernandez & Cole, P.A.
Post Office Box 1110
Tallahassee, FL 32302-1110



MARTIN S. FRIEDMAN
For the Firm

LEGAL DESCRIPTION

That portion of Sections 28, 32 and 33, and the South ½ of Section 29, Township 41 South, Range 20 East, and Sections 3 and 4, Township 42 South, Range 20 East, bounded on the West by the Gulf of Mexico, on the East by the Intercoastal Waterway, on the South by Gasparilla Pass, and on the North by Stump Pass, consisting of Thornton Key, Knight Island, Don Pedro Island and Little Gasparilla Island all in Charlotte County, Florida.

**SECOND AMENDED
EXHIBIT "E"**

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

That portion of Sections 28, 32 and 33, and the South ½ of Section 29, Township 41 South, Range 20 East, and Sections 3, 4, 15, 16, 21, 22 and 27 Township 42 South, Range 20 East, bounded on the West by the Gulf of Mexico, on the East by the Intercoastal Waterway, on the South by Gasparilla Pass, and on the North by Stump Pass, consisting of Thornton Key, Knight Island, Don Pedro Island and Little Gasparilla Island in Charlotte County, Florida.

(Continued of Sheet No. 3.2)

JACK BOYER
ISSUING OFFICER

PRESIDENT
TITLE