

STATE OF FLORIDA

SCANNED

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

REDACTED

Public Service Commission

April 24, 2003

ORIGINAL

Citizens First Bank
1129 Main Street
The Villages, Florida 32159

Re: Account Number 10014 - Little Sumter Utility Company
(Docket No. 960305-WS)

Dear Sir or Madam:

As the Florida Public Service Commission's designated agent in such matters, and as a signatory on the above-referenced escrow account, I hereby authorize you to release a total of \$84,501.25 from the account to Little Sumter Utility Company. I have enclosed a copy of the company attorney's letter dated April 22, 2003 requesting release of this amount from escrow and a copy of Commission staff's authorization for release of the indicated amount pursuant to Commission Order No. PSC-96-1132-FOF-WS.

Please do not hesitate to call if you have any questions concerning this matter.

Sincerely,

Blanca S. Bayo
Blanca S. Bayo

BSB/kf
Enclosure

cc: Larry Harris, Office of the General Counsel
Sonica Bruce, Division of Economic Regulation
John F. Wise, Treasurer, Little Sumter Utility Company
Martin S. Friedman, Esq.

IS
F
IP
OM
R
R
L
C
MS
CH

DOCUMENT NUMBER - DATE



REDACTED

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-10: 40

RECEIVED-PSC

APR 23 11 10 AM '03

COMMISSION
CLERK

DATE: April 23, 2003
TO: Division of the Commission Clerk and Administrative Services (Bayó)
FROM: Sonica Bruce, Division of Economic Regulation
 Larry Harris, Office of the General Counsel
RE: Request by Little Sumter Utility Company to Release Funds from Escrow Account

By Order No. PSC-96-1132-FOF-WS, issued in Docket 960305-WS on September 10, 1996, the Commission directed Little Sumter Utility Company to establish an escrow account that can only be used to fund conservation programs approved by the Southwest Florida Water Management District. The order required that a request to release funds from the escrow account be accompanied by an explanation of the specific use of the funds and documentation that the funds will be used to further a conservation program approved by the water management district.

On April 22 2003, the utility filed the attached Request to Release Funds from Escrow. According to the Request, the utility expended \$84,501.25 on upgrades for its wastewater treatment facilities to provide the maximum amount of irrigation quality effluent as a source of irrigation to golf courses. Along with this request, the utility provided a copy of the invoice for the contractor's draw request dated March 26, 2003.

Accordingly, the utility's request to release funds from the escrow account should be authorized. Pursuant to the escrow account, the bank will disburse funds to the utility upon written instructions from the Commission through the Director of the Division of the Commission Clerk and Administrative Services. Therefore, we request that you provide written instructions to Citizens First Bank to release \$84,501.25 from the escrow account to Little Sumter Utility Company.

KK:scb
G:\123R5W\WORK\lilsumter4-03.wpd

LAW OFFICES
ROSE, SUNDSTROM & BENTLEY, LLP

2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
DAVID F. CHESTER
F. MARSHALL DETERDING
JOHN R. JENKINS, P.A.
STEVEN T. MINDLIN, P.A.
DARREN L. SHIPPY
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMUR, P.A.
JOHN L. WHARTON
ROBERT M. C. ROSE, *OF COUNSEL*
WAYNE L. SCHIEFFELHIN, *OF COUNSEL*

(850) 877-6555
FAX (850) 656-4029
www.rsbatlaw.com

REPLY TO ALTAMONTE SPRINGS

CENTRAL FLORIDA OFFICE
600 S. NORTH LAKE BLVD., SUITE 160
ALTAMONTE SPRINGS, FLORIDA 32701
(407) 830-6331
FAX (407) 830-8522

MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD, *OF COUNSEL*
(LICENSED IN TEXAS ONLY)

April 22, 2003

VIA FACSIMILE (850) 413-6995

Ms. Sonica Bruce
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

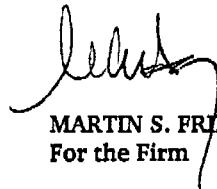
RE: Little Sumter Utility Company
Our File No.: 30059.07

Dear Sonica:

In response to Larry Harris' e-mail to me of April 15, 2003, the balance in the escrow account as of March 31, 2003, is \$358,294.05. The total contract amount is \$1,539,000.00. Enclosed is the most recent contractor's draw request dated March 26, 2003. As you can see, Little Sumter Utility Company previously paid \$54,837.25 in connection with an earlier draw and \$29,664.00 in connection with the instant draw, totaling \$84,501.25.

Should you require any additional information, please do not hesitate to give me a call, otherwise, we will look forward to a letter from the Clerk authorizing withdrawal of funds from the escrow account.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/dmp
Enclosure

cc: Larry Harris, Esquire (w/enclosure)
Mr. John Wise

APPLICATION AND CERTIFICATE OF PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 3 PAGES

TO: Little Sumter Utility Company
 1100 Main Street
 The Villages, FL 32159

PROJECT: LSU WWTP Expansion - Phase 3A & 3 B
 VENDOR # 50430
 INVOICE # 7
 AMOUNT 29,164.00
 A/P DATE 3-25-03 4-18-03
 ACCOUNT # SC 9030702 1052,0400

APPLICATION NO: Seven (7)
 PERIOD TO: 03/25/03

Distribution to:
 OWNER
 CONTRACTOR

FROM: Encore/Farmer, Barley, LLC
 P.O. Box 771589
 Winter Garden, FL 34777-1599

CONTRACT DATE: 08/18/02

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

CHANGE ORDER SUMMARY

Change Orders approved in previous months by Owner		Additions	Deductions
TOTAL			
Approved this month			
Number	Date Approved		
1	10/20/2002	933,000.00	
TOTALS		933,000.00	
Net change by Change Orders		933,000.00	

W WTP Draw # 7

1. ORIGINAL CONTRACT SUM	\$ 806,000.00
2. Net change by change Orders	\$ 933,000.00
3. CONTRACT SUM TO DATE (Line 1+or-2)	\$ 1,539,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 93,890.28
5. TOTAL RETAINAGE: 10%	\$ 9,389.03
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$ 84,501.25
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 8 from prior Certificate)	\$ 54,837.25
8. CURRENT PAYMENT DUE	\$ 28,664.00
9. BALANCE TO FINISH (Line 3 less Line 6)	\$ 1,454,488.75

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Encore/Farmer, Barley, LLC
 By: John E. Mueller Date: 03/28/03

State of: Florida County Of: Orange
 Subscribed and sworn to before me this 28th day of March 2003 Expires 3/8/2007
 Notary Public: Victoria Green-Nasagan
 (800-433-4254) Florida Notary Assn., Inc.

CERTIFICATE FOR PAYMENT

In accordance with the Contract documents, based on on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 28,664.00
 (Attach explanation if amount certified differs from the amount applied for.)
 By: _____ Date: _____
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

84,501.25

MADE IN FLORIDA & DELIVERED
 4/17 8:34 85:22 P.03

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

APPLICATION NUMBER: Seven (7)

Contractor's signed Certification is attached

APPLICATION DATE: 03/25/03

In tabulations below, amounts are stated to the nearest dollar.

PERIOD TO: 03/25/03

Use Column 1 on Contracts were variable retainage for line items may apply

PROJECT NO.: 293

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		G TOTAL COMPLETED AND STORED TO DATE	H % COMPLETE	I BALANCE TO FINISH
			FROM PREVIOUS APPLICATION	THIS PERIOD			
1	Engineering & Permitting	\$145,000.00	\$64,000.00	\$27,950.00	\$81,950.00	56.5%	\$63,048.00
2	General Conditions	\$100,000.00	\$5,000.00	\$5,000.00	\$10,000.00	10.0%	\$90,000.00
3	Sitework	\$35,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$35,000.00
4	70-ft. Diameter Clarifier	\$320,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$320,000.00
5	Scum Pumps & Control Panel	\$30,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$30,000.00
6	Mixed Liquor Splitter Box	\$28,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$28,000.00
7	Yard Piping & Clarifier Piping	\$335,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$335,000.00
8	Metals	\$40,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$40,000.00
9	Coatings	\$48,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$48,000.00
10	Electrical	\$175,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$175,000.00
11	Instrumentation & SCADA	\$80,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$80,000.00
12	New Filter No. 5 Equipment	\$90,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$90,000.00
13	New Filter No. 5 Concrete	\$33,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$33,000.00
14	Effluent Pumps Upgrade (3 larger pumps)	\$50,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$50,000.00
15	Emergency Generator Upgrade share	\$25,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$25,000.00
16	O & M Manuals Revisions	\$5,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$5,000.00
	Stored Materials		\$1,930.28	\$0.00	\$1,930.28		
	TOTALS	\$1,839,000.00	\$60,930.28	\$32,950.00	\$93,880.28	6.1%	\$1,445,109.72

Little Sumter Utility Company
 1100 Main Street
 The Villages, FL 32159

PROJECT:
 LSU WWTP Expansion - Phase 3A & 3 B

03/25/03

Application No.: Seven (7)

STORED MATERIAL LOG

ITEM NO	VENDOR	DESCRIPTION	INVOICE NO	INVOICE AMOUNT	PREVIOUSLY RECEIVED	RECEIVED THIS MONTH	PREVIOUSLY INSTALLED	INSTALLED THIS MONTH	BALANCE TO INSTALL
1	National Waterworks	Piping Materials	9081864	1,930.28	1,930.28	-	\$ -	\$ -	\$ 1,930.28
2									\$.
3									\$.
4									\$.
5									\$.
6									\$.
7									\$.
8									\$.
9									\$.
10									\$.
11									\$.
12									\$.
13									\$.
14									\$.
15									\$.
16									\$.
17									\$.
18									\$.
19									\$.
20									\$.
21									\$.
22									\$.
23									\$.
24									\$.
25									\$.
26									\$.
27									\$.
28									\$.
TOTALS				\$ 1,930.28	\$ 1,930.28	\$ -	\$ -	\$ -	\$ 1,930.28

TOTAL P.05

HR-22-2003 19:20 RUBE SUNSHINE & BENNETT 407 834 8522 P.05