

STATE OF FLORIDA

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

# Public Service Commission

July 24, 2003

Mr. J. Fritz Holzberg  
Gistro, Inc.  
P.O. Box 100 131  
Naples, FL 34108

Re: Docket No. 020640-SU, Application for certificate to provide wastewater service in Lee County by Gistro, Inc.

Dear Mr. Holzberg:

Thank you for your letter dated July 17, 2003, in which you request assistance with some of the remaining deficiencies.

1. Title Insurance. Staff cannot advise you as to the appropriate amount of title insurance. It is, however, staff's understanding that the amount is generally based on the value of the property to be insured. As indicated in Ms. Gervasi's letter dated February 6, 2003, the title insurance is meant to ensure ownership of the wastewater collection lines and all related collection equipment such as the lift stations.
2. Notice. Prior to mailing and publishing the notice, I would suggest you send a copy of the notice for staff's review. If the notice is not in the right format, you may be required to give the following notices again.
3. Notice to Utilities and Governments. Attached is an updated list of utilities and governments in Lee County. The list is valid through September 21, 2003. A copy of the notice must be mailed to each entity on the list. Once the notices are mailed, you must provide an affidavit indicating the date the notices were mailed and attaching the list.
4. Notice to Customers. Yes, all lot owners must be noticed. This would include lots currently receiving service, lots owned but not yet receiving service, and unsold lots owned by developers. Again, you must provide an affidavit indicating the date the notices were mailed. Please attach to the affidavit a list of all lot owners receiving the notice, the lot identification, and the address used for the lot.

DOCUMENT NUMBER DATE

06762 JUL 23 03

FPSC-CUSTOMER SERVICE CLERK

Mr. J. Fritz Holzberg

Page 2

July 24, 2003

5. Publication of Notice. Also, please remember that you must publish the notice at least once in a newspaper of general circulation in the area of the utility. In this case, the newspaper will provide you with an affidavit of publication. Once you have received the newspaper's affidavit of publication, please forward it to the Commission.

I believe the above answers your questions. The following summarizes the status of the rest of the deficiencies and information requested in Ms. Gervasi's February 6, 2003 letter.

6. Territory Description. There are some problems remaining with the legal description provided by your letter dated July 9, 2003. However, the legal description is sufficient for purposes of noticing. Based on the maps provided, staff should be able to work with you to correct the legal description.
7. Territory Map. The territory maps provided by your letter dated July 9, 2003, meet the filing requirements and this deficiency is considered corrected.
8. System Maps. The system maps provided by your letter dated July 9, 2003 meet the filing requirements and this deficiency is considered corrected.
9. Financial Ability. Staff has not yet received the financial statement required in the February 6, 2003, notice of remaining deficiencies. Therefore, this deficiency remains to be corrected.
10. Wastewater Tariff. Staff has not yet received the wastewater tariff required in the February 6, 2003, notice of remaining deficiencies. For now, in lieu of the tariff, staff will accept a statement of the rates and charges you propose to charge for Gistro, Inc. Please indicate how the rates and charges related to the cost information provided in your original application.
11. Tax Statements. As noted in the February 6, 2003 notice of remaining deficiencies, you will be required to prove that your original investment was not recovered the lots sold prior to foreclosure. Since you have indicated the utility's books and records were stolen, staff will accept tax statements. You should be able to request copies from the Internal Revenue Service. As noted, the tax statements should be for the developer (Gulf Construction, Inc.) during the construction years.

Again, since you appear to be making a good-faith attempt to complete the application, staff is not giving a deadline for completing the remaining deficiencies. However, as you are aware, staff cannot begin its evaluation of the application until all deficiencies are corrected.

Mr. J. Fritz Holzberg  
Page 3  
July 24, 2003

If you have any further questions, please contact my staff at (850) 413-6900 or staff's legal counsel at (850) 413-6224.

Sincerely,



Patti Daniel  
Supervisor of Certification

PD:PB

Attachment

cc: Division of Economic Regulation (Redemann, Kaproth)  
Office of the General Counsel (Gervasi)  
Division of the Commission Clerk and Administrative Services (docket, security)

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
07/24/2003 - 09/21/2003**

<u>UTILITY NAME</u>	<u>MANAGER</u>
<u>LEE COUNTY</u>	
AQUASOURCE UTILITY, INC. (SU821) % AQUASOURCE, INC. 6960 PROFESSIONAL PARKWAY EAST, #400 SARASOTA, FL 34240-8432	NANCE GUTH (941) 907-7411
BAYSHORE UTILITIES, INC. (WU013) 2259 CLUBHOUSE ROAD NORTH FT. MYERS, FL 33917-2523	WAYNE CARSON WAMPLER (239) 482-4024
BE UTILITY SYSTEMS, L.L.C. D/B/A BUCCANEER WATER SERVICE (WU730) % MANUFACTURED HOME COMMUNITIES, INC. 2 NORTH RIVERSIDE PLAZA, SUITE 800 CHICAGO, IL 60606-2682	DONALD BARTON (813) 995-3337
CHATEAU COMMUNITIES, INC. (SU315) 6160 SOUTH SYRACUSE WAY GREENWOOD VILLAGE, CO 80111-4772	MIKE WHITAKE (303) 874-7059
COOLIDGE-FT. MYERS REALTY LIMITED PARTNERSHIP D/B/A HERON' (SU828) 2250 AVENIDA DEL VERA NORTH FT. MYERS, FL 33917-6700	DOUGLASS CORDELLO (239) 543-6200 EXT 528
ENVIRONMENTAL PROTECTION SYSTEMS OF PINE ISLAND, INC. (SU287) 3039 YORK ROAD ST. JAMES CITY, FL 33956-2303	KEVIN J. CHERRY (239) 283-1144
FLORIDA WATER SERVICES CORPORATION (WS565) P. O. BOX 609520 ORLANDO, FL 32960-9520	CARLYN KOWALSKY (407) 598-4297
FOREST UTILITIES, INC. (SU293) 6000 FOREST BLVD. FT. MYERS, FL 33908-4318	DAVID SWOR (239) 481-0111
FOUNTAIN LAKES SEWER CORP. (SU572) 523 SOUTH EIGHTH STREET MINNEAPOLIS, MN 55404-1078	MARY JO KELLY (612) 332-7281
HUNTER'S RIDGE UTILITY CO. OF LEE COUNTY (SU674) 12500 HUNTERS RIDGE DRIVE BONITA SPRINGS, FL 34135-3401	DON HUPRICH (239) 992-4900
MOBILE MANOR, INC. (WU167) 150 LANTERN LANE NORTH FORT MYERS, FL 33917-6515	CAROL JULIUS (239) 543-1414

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(VALID FOR 60 DAYS)  
07/24/2003 - 09/21/2003**

<u>UTILITY NAME</u>	<u>LEE COUNTY</u>	<u>MANAGER</u>
NORTH FORT MYERS UTILITY, INC. (SU317) P. O. BOX 2547 FT. MYERS, FL 33902-2547		JACK SCHENKMAN (239) 543-1005 OR -1808
NORTH FORT MYERS UTILITY, INC. (WU834) P. O. BOX 2547 FT. MYERS, FL 33902-2547		JACK SCHENKMAN (239) 543-1005 OR -1808
PINE ISLAND COVE HOMEOWNERS ASSOCIATION, INC. (SU724) 7290 LADYFISH DRIVE ST. JAMES CITY, FL 33956-2723		ROBERT EAMES (239) 283-3100
SANIBEL BAYOUS UTILITY CORPORATION (SU331) 13591 MCGREGOR BLVD., SUITE 21 FT. MYERS, FL 33919-6050		JOHN HUCKEBA (239) 549-2191
SPRING CREEK VILLAGE, LTD. (WS234) P. O. BOX 6966 FT. MYERS, FL 33911-6966		DENNIS M. WALTCHACK (941) 992-3800/936-8888
TAMIAMI VILLAGE WATER COMPANY, INC. (WU740) 9280-5 COLLEGE PARKWAY FT. MYERS, FL 33919-4848		JOHN J. USTICA (239) 482-0717
TOWN AND COUNTRY UTILITIES COMPANY (WU811) 2220 PALMER STREET PITTSBURGH, PA 15218-2603		RICHARD S. CUDA (941) 639-3958
USEPPA ISLAND UTILITY, INC. (WS249) P. O. BOX 640 BOKEELIA, FL 33922-0640		VINCENT FORMOSA (239) 283-1061
UTILITIES, INC. OF EAGLE RIDGE (SU749) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027		PATRICK C. FLYNN (407) 869-1919

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
07/24/2003 - 09/21/2003**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, LEE COUNTY  
P. O. BOX 398  
FT. MYERS, FL 33902-0398

CLERK OF CIRCUIT COURT, LEE COUNTY  
P. O. BOX 2469  
FORT MYERS, FL 33902-2469

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

MAYOR, CITY OF CAPE CORAL  
P. O. BOX 150027  
CAPE CORAL, FL 33915-0027

MAYOR, CITY OF FT. MYERS  
P. O. BOX 2217  
FORT MYERS, FL 33902-2217

MAYOR, CITY OF SANIBEL  
800 DUNLOP ROAD  
SANIBEL, FL 33957-4096

S.W. FLORIDA REGIONAL PLANNING COUNCIL  
P.O. BOX 3455  
NORTH FT. MYERS, FL 33918-3455

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

**LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY  
(VALID FOR 60 DAYS)  
07/24/2003 - 09/21/2003**

UTILITY NAME

MANAGER

STATE OFFICIALS

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

DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850