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Public Service Commission

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COMMISSION CLERK

DATE: November 24, 2003
 TO: Division of the Commission Clerk and Administrative Services
 FROM: Cheryl Johnson, Division of Economic Regulation
 RE: Docket No. 030655-WU Application for Authority to Transfer the Facilities of and Certificate No. 149-W in Pasco County from Virginia City Utilities, Inc. to Virginia City Utility Company a Division of Community Utilities of Florida, Inc.

(030655
030656)

Please include the attached document in file docket no. 030655-WU.

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FPSC-COMMISSION CLERK

STATE OF FLORIDA

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

Public Service Commission

August 15, 2003

Mr. Matthew A. Potter, CPA
 5940 Main Street
 New Port Richey, FL 34652

Re: Docket No. 030655-WU - Application for transfer of facilities and Certificate No 149-W in Pasco County from Virginia City Utilities, Inc. to Virginia City Utility Company a Division of Community Utilities of Florida, Inc.

Dear Mr. Potter:

The above referenced application has been received and reviewed by Commission staff. This letter addresses the deficiencies found by staff in the transfer application filed on July 21, 2003, and also notes additional clarifications. All items must be addressed in order to process the application.

Deficiencies

1. ✓ Tariff Sheets. Pursuant to Rule 25-30.037(2)(s), F.A.C., the applicant shall provide an original and two copies of the sample tariff sheets reflecting the change in ownership. A copy of the rate tariff sheets were provided in the application. Please provide one original and two copies of a complete set of tariff sheets reflecting the change in ownership. A copy of the Commission's model water tariff can be accessed on line at the Commission website at www.floridapsc.com. To obtain a copy of model tariff click on the water and wastewater icon under regulated utilities, next click on water and wastewater application packages, and then click model water tariff.
2. Utility's current certificate. Pursuant to Rule 25-30.037(2)(t), F.A.C., the applicant shall provide the utility's current certificate, or if not available, the applicant shall provide an explanation of the steps the applicant took to obtain the certificate. A copy of the certificate was provided with the application, however, the original is needed. Please provide the original certificate or provide an explanation of steps taken to obtain the certificate.

*we were not able to locate it as we are the second owner.
 we provide a photo copy of a photo copy which we had.*

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Internet E-mail: contact@psc.state.fl.us

Virginia City Utilities, Inc
Page 2
August 15, 2003

Other Information

1. Wastewater service. Who provides wastewater service to the utility's customers?
No wastewater service is available.
2. Annual Report. According to our records, Virginia City Utilities, Inc. failed to file its 2002 annual report as required by Rule 25-30.110(3), F.A.C. As a result of you not filing the required annual report, a penalty for noncompliance will be assessed as required by Rule 25-30.110(6), F.A.C. The penalty is based on the number of calendar days elapsed from March 31, or from the approved extended filing date (May 12, 2003), until the date the annual report is filed, at \$3.00 per day. As of August 11, 2003, the penalty is \$ 273.00. Please submit the 2002 annual report for Virginia City Utilities, Inc., and the penalty charge.
3. Positive Acquisition Adjustment. Pursuant to Rule 25-30.0371(2), F.A.C., a positive acquisition adjustment shall not be included in rate base absent proof of extraordinary circumstances. Any entity that believes a full or partial positive acquisition adjustment should be made has the burden to prove the existence of extraordinary circumstances. If you wish to pursue Commission approval of a positive acquisition adjustment, please submit evidence that demonstrates extraordinary circumstances.
The buyer requested this
4. Stand by Charge. According to tariff sheet No. 14, the utility has an approved stand by charge of \$3.85. Is this charge still implemented? *Yes,*
5. According to the application, the buyer is addressing a lead and copper problem resulting from the Pasco County water corrosion, would you please provide a written explanation on how the lead and copper problem is being resolved. *Currently working on a treatment and public education plan.*
6. Pursuant to Order No. PSC-97-0037-FOF-WU, issued January 8, 1997, in Docket No. 960625-WU, the utility was required to implement a value change out program to replace all gate valves. Please provide a written description explaining the status of the water value replacement program. *The utility changed all valves required to be changed plus a few extra.*

Your response to this letter should be filed with the Commission on or before September 22, 2003. Please be sure to refer to the docket number and direct the response to the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399. If you have any questions please call Ms. Cheryl Johnson at (850) 413-6984, Ms. Adrienne Vining at (850) 413-6183 or Mr. Stan Rieger at (850) 413-6970.

Virginia City Utilities, Inc
Page 3
August 15, 2003

Sincerely,

Patti Daniel
Supervisor of Certification

PD:caj

cc: Office of General Counsel (Vining)
Division of Economic Regulation (Johnson, Rieger, Mailhot)
Division of Commission Clerk and Administrative Services (Bayo)
Mr. Gary Deremer
5320 Captains Court
New Port Richey, Florida 34652

State of Florida



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: November 24, 2003
TO: Division of the Commission Clerk and Administrative Services
FROM: Cheryl Johnson, Division of Economic Regulation
RE: Docket No. 030656-WU Application for Transfer the Facilities of and Certificate No. 139-W in Pasco County from Dixie Groves Estates, Inc. To Dixie Groves Utility Company a Division of Community Utilities of Florida, Inc.

Please include the attached document in file docket no. 030656-WU.

DOCUMENT NUMBER DATE

11944 NOV 24 8

FPSC-COMMISSION CLERK

COMMISSIONERS:
 LILA A. JABER, CHAIRMAN
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STATE OF FLORIDA



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

Public Service Commission

August 15, 2003

Mr. Matthew A. Potter, CPA
 5940 Main Street
 New Port Richey, FL 34652

Re: Docket No. 030656-WU - Application for transfer of facilities and Certificate No. 139-W by Dixie Groves Estates, Inc., in Pasco County to Dixie Groves Utility Company a Division of Community Utilities of Florida, Inc.

Dear Mr. Potter:

The above referenced application has been received and reviewed by Commission staff. This letter addresses the deficiencies found by staff in the transfer application filed on July 21, 2003, and also notes additional clarifications. All items must be addressed in order to process the application.

Deficiencies

1. Evidence of Land Ownership. Pursuant to Rule 25-30.037(2)(q), Florida Administrative Code (F.A.C.), the application is to include evidence that the utility owns the land upon which the utility treatment facilities are located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative. These documents must be in the exact name of the utility. Please provide either a recorded deed or other evidence of utility's long term access to the property for the utility's treatment facilities. If a quit claim deed is submitted, please provide proof of title insurance with the quit claim deed and a statement as to the location of the water facilities. *This was started in 1950 and all we have to give you is a printout from the County records, tax bill.*
2. ✓ Tariff Sheets. Pursuant to Rule 25-30.037(2)(s), F.A.C., the applicant shall provide an original and two copies of the sample tariff sheets reflecting the change in ownership. A copy of the rate tariff sheets were provided in the application. Please provide one original and two copies of a complete set of tariff sheets reflecting the change in ownership. A copy of the Commission's model water tariff can be accessed on line at the Commission website at www.floridapsc.com. To obtain a copy of model tariff, click on the water and wastewater icon under regulated utilities, next click on water and wastewater application packages, and then click model water tariff

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Dixie Groves Utility Company
 Page 2
 August 15, 2003

Other Information

1. Wastewater service. Who provides wastewater service to the utility's customers?

2. Annual Report. *None* According to our records, Dixie Groves Estates, Inc., failed to file its 2002 annual report as required by Rule 25-30.110(3), F.A.C. As a result of not filing the required annual report, a penalty for noncompliance will be assessed as required by Rule 23-30.110(6), F.A.C. The penalty is based on the number of calendar days elapsed from March 31, or from the approved extended filing date, until the date the annual report is filed, at \$3.00 per day. As of August 11, 2003, the penalty is \$273.00. Please submit the 2002 annual report for Dixie Groves Estates, Inc., and the penalty charge.

3. Positive Acquisition Adjustment. Pursuant to Rule 25-30.0371(2), F.A.C., a positive acquisition adjustment shall not be included in rate base absent proof of extraordinary circumstances. Any entity that believes a full or partial positive acquisition adjustment should be made has the burden to prove the existence of extraordinary circumstances. If you wish to pursue Commission approval of a positive acquisition adjustment, please submit evidence that demonstrates extraordinary circumstances. *The seller requested*

4. According to the application, the buyer is addressing a water valve and water meter replacement program. Please provide a written description explaining the status of the water valve and water meter replacement program. *The buyer has informed us that they are implementing a plan to change all meters for valves.*

5. In the utility's last rate case, issues were raised in regards to the refund of customer deposits and the books and records. Please provide a statement as to what was done by the utility to address these issues? *This was taken care of by crediting interest toward on deposits upon final bills and refunding deposits that qualified to be refunded.*

Your response to this letter should be filed with the Commission on or before September 22, 2003. Please be sure to refer to the docket number and direct the response to the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399. If you have any questions please call Ms. Cheryl Johnson at (850) 413-6984, Ms. Jennifer Rodan at (850) 413-6189 or Mr. Stan Rieger at (850) 413-6970.

Sincerely,

Patti Daniel, Supervisor
 Bureau of Certification & Tariffs

PD: caj

cc: Office of General Counsel (Rodan)
 Division of Economic Regulation (Johnson, Rieger)

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Parcel ID	32-26-16-0010-00G00-0030 (Card: 1 of 1)							
Classification	- 17 - 1 Story Office							
Mailing Address DIXIE GROVES ESTATES INC PO BOX 845 NEW PORT RICHEY, FL 346560845 Physical Address					Assessment (totals) Ag Land -- Land \$11,017 Building \$2,555 Extra Features \$470 Total Assessment \$14,042 Save Our Homes \$0 Taxable Value \$14,042			
Legal Description (First 4 Lines) DIXIE GROVES ESTATES PB 6 PG 27 LOTS 3 & 4 BLOCK G & WEST 20.00 FT OF SOUTH 30.60 FT OF LOT 3 BLOCK F								
Land Detail (Card: 1 of 1)								
Line	Use	Description	Zoning	Units	Type	Price	Cond	Value
01	1700	1STORY_OFF	00C1	7,737.00	SF	3.56	0.40	\$11,017
Additional Land Information								
Acres	0.18	Tax Area	9100	Fema Code	--	Comm Code	MMST1AA	
Building Information - Year Built 1956 USE 17 - Offices (One Story) (Card: 1 of 1)								
Ext Wall 1	Concrete Block		Ext Wall 2	None				
Roof Str	Gable or Hip		Roof Cov	Asphalt or Composition Shingle				
Int Wall 1	Masonry or Minimum		Int Wall 2	None				
Flooring 1	Finished Concrete		Flooring 2	None				
Fuel	None		Heat	None				
AC	None		Baths	1.00				
Line	Description		Sq. Feet		Repl. Cost New			
1	AOF		342		\$11,683			
2	FOP		108		\$1,093			
Extra Features (Card: 1 of 1)								
Line	Description	Year	Units		Value			
1	SHUFFLE	1956	633		\$380			
2	UTILITY	1960	1		\$90			
Sales History								
Previous Owner			--					
Year	Month	Book / Page		Type	Amount			
-- No Sales History --								

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