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

Public Service Commission

March 22, 2004

F. Marshall Deterding
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive,
Tallahassee, Florida 32301

Re: Docket No. 040152-WS, Application for transfer of majority organizational control of FIMC Hideaway, Inc. in Levy County from Florida Investors Mortgage Corporation, a Florida corporation, to Robert and Janet McBride.

Dear Mr. Deterding:

Staff has reviewed the above referenced application for transfer of majority organizational control (TMOC) of FIMC Hideaway, Inc. (FIMC or utility) and found it deficient. In addition, additional information is needed.

Deficiencies

1. Transfer without Commission approval. Pursuant to Section 367.071(1), Florida Statutes, a TMOC must be contingent on Commission approval. The stock transfer agreement in the application does not appear to be contingent upon such approval.

Please provide either an unwind provision as an addendum to the stock transfer agreement, signed by both parties, or provide a reason why staff should not recommend that the seller be required to show cause in writing why a fine should not be imposed.

2. Affidavit of Customer Notice. Late-filed Exhibit "H" did not have the notice that was given to customers attached. Please provide a revised late-filed Exhibit "H" which includes both the affidavit of the notice to customers and the notice that was given.
3. Proof of ownership of land. The Certificate of Title provided with the application is not in the name of the utility. Pursuant to Rule 25-30.037(3)(i), Florida Administrative Code, please provide 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.

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Additional Information

4. Technical ability. Please provide the name, DEP water and wastewater certification numbers, description of duties performed, and employment history with the utility for the operator. Please provide the names, description of duties performed, and employment history with utility for the maintenance staff.
5. Tariffs. Please provide revised water and wastewater Tariff Sheets No. 1 to reflect the current address and phone numbers for the buyer.
6. Interconnection with Springside at Manatee, Ltd. (Springside). Provide an interconnection agreement which formalizes the terms, conditions, and/or rates for the backup interconnection between Springside and FIMC.

Please file a response to the above items, with the Director, Division of the Commission Clerk and Administrative Services, on or before April 22, 2004. If you have any questions about the information being requested, please contact a member of my staff, Ms. Patricia Brady, at (850) 413-6686, pbrady@psc.state.fl.us, or with Senior Attorney, Ralph Jaeger, Esq., at (850) 413-6234, rjaeger@psc.state.fl.us.

Sincerely,



Patti Daniel
Supervisor of Certification

cc: Lonnie Parnell, Springside at Manatee
Division of Economic Regulation (Brady, Rieger, Kaproth)
Office of the General Counsel (Jaeger)
Division of Commission Clerk and Administrative Services