

STATE OF FLORIDA

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

# Public Service Commission

August 31, 2004

Mr. Joe Hazellief  
The Vantage Development Corporation  
1595 S.E. 32<sup>nd</sup> Avenue  
Okeechobee, FL 34974

**Re: Docket No. 040801-SU, Application for grandfather certificate to operate a wastewater utility in Okeechobee County by Vantage Oaks Wastewater Treatment Facility**

Dear Mr. Hazellief:

Thank you for your application for a grandfather certificate. The application has been assigned the above referenced docket number and name. Please ensure that the docket number appears on the first page of any further correspondence you may file regarding this matter. In addition, all further correspondence should be filed directly with the:

Director, Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32308

Staff has reviewed your application and there are a number of requirements which remain to be completed before the application can be considered filed. Below is a list of those requirements.

### REMAINING FILING REQUIREMENTS

1. Utility Name According to the Florida Department of State, Divisions of Corporations, there is no corporation registered in the State of Florida under the name of Vantage Oaks Wastewater Treatment Facility. The grandfather certificate should be issued under the name utility service has been previously provided. Please verify the name by which the utility is currently known to its customers and provide proof of the name's registration.

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2. Proof of Ownership Rule 25-30.035(6), Florida Administrative Code, requires 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. In response, the application indicates that it provided a map. You must provide a recorded warranty deed, or a recorded long-term lease, in the name of the utility. If you own the land, you should be able to obtain a copy of your recorded warranty deed from the County Court House.

3. Wastewater Tariff Rule 25-30.035(7), Florida Administrative Code, requires an original and two copies of a tariff which contains all rates, classifications, charges, and rules and regulations of the utility consistent with Chapter 25-9, Florida Administrative Code. According to a note attached to the application, the utility does not have a wastewater tariff. Whether or not the utility has an existing tariff, once certificated, you will be required to maintain a tariff on file at the Commission and in the utility office. Another copy of the Commission's model tariff is enclosed along with instructions. However, if you need assistance completing the tariff, please call the undersigned for assistance.

4. Territory Description Rule 25-30.035(9), Florida Administrative Code, requires a legal description of the territory the utility is serving using township, range, and section references or metes and bounds descriptions. The map provided shows the streets but does not contain a legal description of the territory. If you are serving a platted community, you should be able to obtain a copy the legal description from the plat books at the County Court House. However, the legal description must not rely on lot numbers or plat book references. If that is the case, you may wish to have an engineering or surveying firm translate the description into metes and bounds.

5. Territory Map Rule 25-30.035(11), Florida Administrative Code, requires one copy of the official county tax assessment map, or other map, with the territory plotted in metes and bounds, or quarter sections, and with a defined reference point of beginning. You should also be able to get a copy of the county's tax assessment map from the County Court House. You may also wish to have an engineering or surveying firm plot the above territory description in Item 4, above, onto the map.

6. System Map. Rule 25-30.035(10), Florida Administrative Code, requires a detailed system map showing the lines, treatment facilities, and territory to be served. The system maps included with the application are exactly what is needed. However, they do not appear to show all 338 connections nor the treatment facilities. If you are having trouble copying a large map, you may wish to take it to a blue print shop. In the alternative, if you want to send the map to the Commission and ask staff to have it copied for you and returned.

7. Number of Customers Finally, Rule 25-30.035(13), Florida Administrative Code, requires a schedule of the number of current customers, by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied. It appears that the service area is not yet at build-out. Please verify the total number of projected customers when the service territory will be fully occupied.

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Please try to file the above referenced requirements on or before September 30<sup>th</sup>. Again, ensure that "Docket No. 040801-SU" appears on the first page of any filing and that all filings are sent directly to the Division of the Commission Clerk and Administrative Services at the address given above.

If you have any questions, or need any assistance with these requirements, please feel free to contact members of staff. The analyst assigned to your filing is Ms. Patricia Brady at (850) 413-6686 or [pbrady@psc.state.fl.us](mailto:pbrady@psc.state.fl.us) and the engineer assigned is Mr. Richard Redemann at (850) 413-6999 or [rredeman@psc.state.fl.us](mailto:rredeman@psc.state.fl.us). Should you have any legal questions, please contact Ms. Jennifer Rodan at (850) 413-6189 or [jrodan@psc.state.fl.us](mailto:jrodan@psc.state.fl.us).

Sincerely,



Patti Daniel  
Supervisor of Certification

Enclosure: Model wastewater tariff

cc: Division of Economic Regulation (Brady, Redemann)  
Office of the General Counsel (Rodan)  
Division of the Commission Clerk and Administrative Services.