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REPLY TO ALTAMONTE SPRINGS

MARTIN S. FRIEDMAN, P.A.  
VALERIE L. LORD

March 10, 2005

HAND DELIVERY

RECEIVED-FPSC  
05 MAR 10 AM 10:17  
COMMISSION  
CLERK

Ms. Blanca Bayo  
Commission Clerk and Administrative Services Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 050123-WS; Plantation Bay Utility Company's Follow Up Application for "Quick-Take" Amendment of Water Certificate No. 455-W and Wastewater Certificate No. 389-S in Flagler County, Florida  
Our File No. 36062.04

Dear Ms. Bayo:

Pursuant to the request of Stan Reiger, enclosed for filing in the above-referenced docket are the original and five (5) copies of the Notice of Filing two (2) letters which supplement paragraph 3 (e) of the Follow-Up Application of Plantation Bay Utility Company for Amendment of Water Certificate No. 455-W and Wastewater Certificate No. 389-S.

CMP \_\_\_\_\_ Should you have any questions regarding the enclosed, please do not hesitate to give  
COM \_\_\_\_\_ me a call.

CTR \_\_\_\_\_

ECR \_\_\_\_\_

GCL \_\_\_\_\_

OPC \_\_\_\_\_

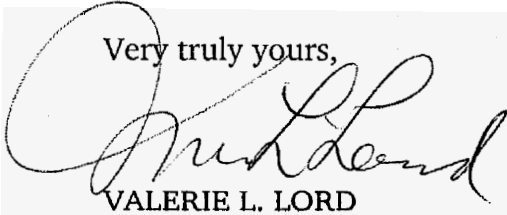
MMS \_\_\_\_\_

RCA \_\_\_\_\_ VLL/mp  
Enclosures

SCR \_\_\_\_\_

SEC 1 cc: Mr. Douglas B. Ross, Jr. (w/enclosure)  
Mr. Stan Rieger, Division of Economic Regulation (w/enclosure) (via hand delivery)

OTH \_\_\_\_\_ M:\1 ALTAMONTE\PLANTATION BAY\04 TERRITORY EXTENSION\PSC Clerk (Bayo) 04.ltr.wpd

Very truly yours,  
  
VALERIE L. LORD  
For the Firm

DOCUMENT NUMBER-D  
02380 MAR 10  
FPSC-COMMISSION CL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Initial Application of  
PLANTATION BAY UTILITY COMPANY  
for "quick-take" amendment of Water  
Certificate No. 455-W and Wastewater Certificate  
No. 389-S to add territory in Flagler County, Florida

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Docket No. 050123-WS

**NOTICE OF FILING**

PLANTATION BAY UTILITY COMPANY, by and through its undersigned counsel,  
hereby gives notice of filing two (2) letters which supplement paragraph 3 (e) of the Follow-  
Up Application of Plantation Bay Utility Company for Amendment of Water Certificate No.  
455-W and Wastewater Certificate No. 389-S.

Respectfully submitted on this 9th day of  
March, 2005, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
600 S. North Lake Boulevard  
Suite 160  
Altamonte Springs, Florida 32701  
Telephone: (407) 830-6331  
Facsimile: (407) 830-8522

By: 

MARTIN S. FRIEDMAN  
VALERIE L. LORD  
For the Firm

M:\1 ALTAMONTE\PLANTATION BAY\04) TERRITORY EXTENSION\NOF - addition all docs.wpd

DOCUMENT NUMBER-DATE

02380 MAR 10 05

FPSC-COMMISSION CLERK



November 22, 2004

Mr. Peter Celestino  
Director of Parks and Recreation  
1200 E. Moody Blvd. #4  
Bunnell, FL 32110

Re: Old Dixie Community Park

Dear Mr. Celestino:

I am in receipt of your letter dated November 12th, 2004. As requested, Intervest Construction, Inc. (ICI) shall endeavor to complete the identified improvements within the specified timeframe ending May, 16<sup>th</sup> 2005. The improvements shall include the following;

1. Extension of a 2" potable water line (within the Old Dixie Hwy. right-of-way) to the NE property corner of the park site.
2. Extension of a 2" sanitary sewer force main (within the Old Dixie Hwy. right-of-way) to the NE property corner of the park site.
3. Final grading of stock-piled, on-site fill material.

To complete the utility extensions, the Public Service Commission (PSC) will require a formal expansion of the Plantation Bay Utility Company (PBUC) "Service Area". We are still gathering information as to what this formal process will entail but please be aware that a lengthy process may cause the construction timeframe to be extended. However, a delay is not anticipated at this time. Your cooperation and assistance in this process may be necessary as we diligently pursue this approval. We will also ask for your assistance in expediting the Flagler County right-of-way permits.

In order to adequately prepare for providing the final grading services in a timely fashion, please forward to me a copy of the proposed construction schedule. Our contractor shall be prepared to commence final grading as soon as your contractor has completed clearing and disposal; retention area excavation and stockpiling of fill material; and, surveying for final grading. It would be prudent for our contractor to communicate directly with your contractor prior to commencement of excavation activities. Please provide us with the name and contact information for your contractor.

Mr. Peter Celestino  
Director of Parks and Recreation  
Re: Old Dixie Community Park

November 22, 2004  
Page 2

It will also be necessary for a service agreement to be entered into between the County and the Plantation bay Utility Company to activate the service and set forth the service charges. We will have this agreement prepared and forwarded to you.

We look forward to working with Flagler County on this project. If you have any questions, please call me at (386) 788-0820 ext. 4163.

Sincerely,



Richard D. Smith  
Director of Development

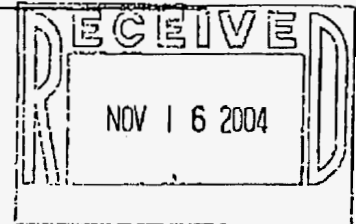
Cc: Mori Hosseini  
Doug Ross — 4100  
Andy Hagan  
Jerry Finley, Finley Engineering Group  
Marty Friedman

# FLAGLER COUNTY PARKS & RECREATION

1200 E. Moody Blvd. #4, Bunnell, FL 32110

Phone 386-437-7490 FAX 386-437-7589

[www.flaglerparks.com](http://www.flaglerparks.com)



November 12, 2004

Mr. Richard Smith  
Director of Development  
Interwest Construction, Inc.  
2359 Beville Road  
Daytona Beach, Florida 32119

Re: Development of Old Dixie Community Park

Dear Mr. Smith:

Flagler County has now begun preparations to commence with development of Old Dixie Community Park, which is located south of Old Dixie Highway, approximately one mile west of I-95 and the Plantation Bay development. According to Section 12.2 of the Plantation Bay DRI Development Order, the developer shall be responsible for the completion of various site preparations and utility connections to this facility. This section reads as follows:

12.0 Recreation and Open Space

12.2 *The Applicant shall grade the park sites in a reasonable manner suitable for recreational development under a schedule agreed upon with the County. The applicant will assist the County in the design of the parks.*

*Within six (6) months notice by the County the Applicant shall provide at no cost to the County, suitable sanitary sewer and water services to the park at a location designated by the County.*

Based on the above, please accept this letter as your Notice to Proceed, as outlined in the above referenced section of the Plantation Bay DRI Development Order. The six (6) month period shall extend from November 17, 2004 through May 16, 1005. If you have any questions or additional documentation is required, please do not hesitate to contact me.

Sincerely,



*Peter Celestino*  
11-12-04

Peter Celestino  
Director of Parks and Recreation

PLC:rd

Copy: Richard Gordon, Assistant County Engineer  
Benjie Cauley, Public Works Director

Excerpt from Flagler County Resolution 2004-125, recorded 9/21/2004 in Book 1145, Page 1928, Amending the Development Order for Plantation Bay DR/NOPC

These units shall be certified by the utility as having merited the Watt-Wise designation or is its equivalent.

- 11.2 The Applicant shall construct or cause to be constructed a separate pedestrian and bike path system. This pedestrian and bike path system shall be separate and apart from the road system where feasible. The bike and residents' paths shall link all residential areas to the commercial, recreational and school site areas. The paths shall be constructed to concur with the ~~phasing of the development of the adjacent areas.~~
- 11.3 The Applicant shall install or cause to be installed bike racks/devices at the commercial and recreational facilities.
- 11.4 All outdoor lighting systems in areas such as parking and recreation, shall use energy efficient lighting such as high pressure sodium or low pressure sodium.
- 11.5 If swimming pools for the condo units and clubs are to be heated, the equipment shall meet the following standards: for fossil fuel systems, a steady state efficiency rating of 85% or greater; for electrical systems, a C.O.P. of 2 or greater.

12.0 RECREATION AND OPEN SPACE

12.1 The Applicant shall convey to Flagler County and Flagler County shall accept and maintain a 19.65 acre park as shown on the Master Development Plan (Map H-1) which is attached hereto as Attachment B.

12.2 The Applicant shall grade the park sites in a reasonable manner suitable for recreational development under a schedule agreed upon with the County. The Applicant will assist the County in the design of the parks. Within six (6) months notice by the County the Applicant shall provide at no cost to the County, suitable sanitary sewer and water services to the park at a location designated by the County.

12.3 Land identified for golf course and tennis court usage on the Master Development Plan Map (ADA, p. 11-10 Attachment B) shall be deed and plat restricted to ensure that the usage of this land is limited to golf courses (including appropriate associated golf club facilities), tennis court, open space, parks or, if approved by the County Commission, other appropriate recreational usages. Since it is recognized that the final configurations of the proposed golf courses are not now available, the Applicant at the time of platting shall identify the specific acreage for golf course and tennis court use. The plat shall show the boundaries and configurations of the golf courses. The plat and all deeds of land within the area so identified as golf course usage and tennis court usage on the plat shall contain restrictions limiting the usage of the property platted to golf courses (including appropriate associated golf club facilities), tennis court, open space, parks or, if approved by the County Commission, other appropriate recreational or governmental usages.

12.3.1 Club De Bonmont Relocation/Replacement. The golf clubhouse in Volusia County (currently known as Club De Bonmont) may be relocated to the area in Flagler County depicted on Map H that is west of its current site. The