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Public Service Commission

August 18, 2005

Mr. Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
600 S. North Lake Blvd., Suite 160  
Altamonte Springs, FL 32701

Re: Docket No. 050281-WS - Application of Plantation Bay Utility Company for an increase in water and wastewater rates in Volusia County

Dear Mr. Friedman:

We have reviewed the minimum filing requirements (MFRs) submitted on August 8, 2005, on behalf of Plantation Bay Utility Company (Plantation Bay or utility). After reviewing this information, we find the MFRs to be deficient. The specific deficiencies are identified below:

1. Rule 25-30.020(2)(e), Florida Administrative Code (FAC), requires the utility to submit a filing fee for file and suspend rate cases based on the existing capacity to serve. Subsection 3, indicates that for utilities with existing capacity to service from 2,001 to 4,000 ERCs, the filing fee shall be \$3,500. Pursuant to Plantation Bay's water system capacity of 750,000 gallons per day, the utility has an existing capacity to serve 2,143. Therefore, the utility's appropriate filing fee should be \$3,500 for its water system. Plantation Bay submitted \$2,000.

Rule 25-30.437, FAC, requires that each utility applying for a rate increase shall provide the information required by Commission Form PSC/ECR 20 (11/93), entitled "Class B Water and/or Wastewater Utilities Financial, Rate, and Engineering Minimum Filing Requirements." Numbers 2 and 3 of the following list are deficiencies pursuant to this rule:

2. With regard to Schedule E-2, page 2 of 2, and Schedule F-10, the wastewater gallons sold do not match. These amounts should be equal, or an explanation provided as to why not.

3. With regard to Schedule E-2, page 2 of 2, Schedule F-10 and Schedule F-2, the amount of wastewater gallons sold on E-2 and F-10 exceed the amount of wastewater gallons treated on Schedule F-2. The utility should correct these schedules to reflect the appropriate amount, or provide an explanation as to why the wastewater gallons sold exceeds the amount of wastewater gallons treated.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

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4. If any above corrections require a corresponding change to any MFR schedules, those corrected schedules must also be submitted.

Your petition will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than September 19, 2005.

Sincerely,



Tim Devlin

Director

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TR:wtr

cc: Division of Commission Clerk and Administrative Services  
Office of the General Counsel (Gervasi)  
Division of Economic Regulation (Willis, Rendell, Fletcher, Massoudi, Lingo)