

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
LISA POLAK EDGAR  
ISILIO ARRIAGA



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

05 NOV 15 PM 4:43

COMMISSION  
CLERK

Public Service Commission

November 15, 2005

Mr. Ben J. Maltese  
MSM Utilities, LLC  
9696 Bonita Beach Road, Suite 210  
Bonita Springs, Florida 34135

Re: Docket No. 050820-WS; Application for amendment of Certificates 611-W and 527-S to extend water and wastewater service areas to include territory in Charlotte County by MSM Utilities, LLC

Dear Mr. Maltese:

Your application for amendment of Certificate Nos. 611-W and 527-S in Charlotte County by MSM Utilities, LLC has been received and reviewed by Commission staff. This letter addresses deficiencies and additional information needed regarding your application filed on October 18, 2005.

Deficiencies

- 1. DCA Statement. Pursuant to Rule 25-30.036(3)(c), Florida Administrative Code, the applicant shall provide a statement concerning consistency with the local comprehensive plan as approved by the Department of Community Affairs, or a statement demonstrating public interest. Please provide a statement concerning the above requirement. Additionally, please provide the maximum population density as allowed through the local comprehensive plan for the proposed area to be served, as well as the existing service area being served by the utility.

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_

GCL \_\_\_\_\_ Additional Information

OPC \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
OTH \_\_\_\_\_

- 1. Need for service. In the application, it was indicated that the utility is requesting an extension of territory in order to provide services in an area where development is anticipated. In addition, the application mentioned that there are at least three planned developments. Please provide any information such as requests for service or contracts made to provide service.
- 2. Existing residences. Within the proposed area, how many existing residences are there? Of that number, how many have indicated a desire for service from the utility?

DOCUMENT NUMBER-D-111

10992 NOV 15 05

FPSC-COMMISSION CLERK

Mr. Ben J. Maltese  
Page 2  
November 15, 2005

3. Service availability charges. Concerning the construction of facilities necessary to provide service, it was indicated in the application that the projected impact on the capital structure will be offset by CIAC from anticipated service availability charges being addressed in the current staff assisted rate case (Docket No. 050587-WS). The utility presently has no plant or system capacity charges approved by the Commission. It is not clear that service availability charges necessary to accommodate the proposed area are being addressed in the above mentioned rate case. Please provide more information as to when the utility will request appropriate plant or system capacity charges.

Please provide the original and four copies of the response to this letter to the Commission on or before December 15, 2005. When filing the response, please be sure to refer to the docket number and to direct the response to:

Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida, 32399-0850

Should you have any questions concerning the information in this letter, please contact Stanley Rieger at (850) 413-6970.

Sincerely,



Patti Daniel  
Public Utilities Supervisor  
Certification Section

PD:sdr

cc: Division of Economic Regulation (Rieger)  
Office of the General Counsel (Rodan)  
Division of Commission Clerk and Administrative Services ✓