

ORIGINAL

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

Public Service Commission

December 22, 2005

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
Sanlando Center  
2180 W. State Road 434, Suite 2118  
Longwood, FL 32779

RECEIVED FPSC  
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COMMISSION  
CLERK

Re: Docket No. 050902-WS; Application for authority to transfer assets of Lake Haven Utility Associates, Ltd., d/b/a Lake Wales Utility Company and Certificate Nos. 590-W and 508-S to Gold Coast Utility Corp.

Dear Mr. Friedman:

Staff has reviewed that above referenced application for transfer of assets of Lake Haven Utility Associates, Ltd., d/b/a Lake Wales Utility Company. Please complete the following deficiencies and provide the requested additional information to clarify the application.

Deficiencies

1. As required by Rule 25-30.037(2)(q), Florida Administrative Code (F.A.C.), the utility must provide evidence that it owns the land upon which the utility treatment facilities that will serve the proposed territory are located, or a copy of an agreement, such as a 99-year lease, which provides for the continued use of the land. The Commission may consider a written easement or other cost-effective alternative. Please provide a recorded copy of the proof of ownership of the land for the water and wastewater treatment facilities. Also, the application states that Gold Coast Utility Corp. will assume the lease on the property where the spray field is located. Please provide a recorded copy of this lease in the name of Gold Coast Utility Corp.

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

2. As required by Rule 25-30.037(2)(o), F.A.C., the buyer must provide a statement that it has obtained or will obtain copies of all of the federal income tax returns of the seller from the date rate base was last established by the Commission or, if the tax returns have not been obtained, a statement from the buyer detailing the steps taken to obtain the returns. Please provide the required statement.

ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_

3. As required by Rule 25-30.037(2)(j), F.A.C., the buyer must provide a showing of its financial ability to provide service. Please provide personal financial statements of the primary shareholders.

RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA \_\_\_\_\_

SEC 1  
OTH \_\_\_\_\_

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Additional Information

1. According to the application, the buyer was financing the purchase with a loan from Fidelity Federal Bank. Please provide the details of the loan including amount, interest rate, monthly payment and length of repayment.

2. The applicant indicates that the proof of noticing will be late-filed exhibits. We have not received late filed Exhibits "E," affidavit of notice to customers, or "F," the proof of publication in the newspaper. Please submit the affidavit of notice to customers and the proof of publication of the notice in the newspaper when it is complete.

3. The buyer's office is located across the state from the utility site. How do you intend to attend to day to day matters of the utility?

4. Are there any assets of the utility not being sold to Gold Coast Utility Corp.?

5. Many water tariff pages need correction. Please provide corrected pages as follows:

a. Original Sheet No. 4.0 needs the schedules available and sheet numbers for the developments listed.

b. Original Sheet No. 11.0 needs to list sheet numbers 14 and 15 which were submitted as part of the tariff.

c. Original Sheet No. 19.0 needs a copy of the Customer's Guarantee Deposit Receipt.

d. Original Sheet No. 21.0 needs a copy of the Application for meter installation.

e. Original Sheet No. 22.0 needs a copy of a customer's bill.

6. Many wastewater tariff pages need correction. Please provide corrected pages as follows:

a. Original Sheet No. 2.0 needs to be corrected to show the Index of Service Availability Policy as being only sheet number 21.0.

b. Original Sheet No. 4.0 needs the schedules available and sheet numbers for the developments listed.

c. Original Sheet No. 11.0 needs to list sheet number 14 which was submitted as part of the tariff.

d. Original Sheet No. 18.0 needs a copy of the Customer's Guarantee Deposit Receipt.


e. Original Sheet No. 20.0 needs a copy of a customer's bill.

f. Original Sheet No. 21.1 needs to be renumbered as 21.0 and to refer to Service Availability Policy as being on sheet number 22.0.

Martin S. Friedman  
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A response to the above deficiencies and questions should be filed with the Director, Division of Commission Clerk and Administrative services on or before **January 23, 2006**. If you have any questions please contact Ms. Stephanie Clapp at (850) 413-6997, or Mr. Richard Redemann at (850) 413-6999.

Sincerely,

  
Patti Daniel, Supervisor  
Certification Section

cc: Division of Economic Regulation (Redemann, Clapp)  
General Counsel (Fleming)  
~~Division of the Commission Clerk and Administrative Services~~