

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** May 11, 2006  
**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director  
**FROM:** Patricia L. Brady, Regulatory Analyst IV, Division of Economic Regulation *pb*  
**RE:** Docket No. 030682-WS, Dual application by Zellwood Station Co-Op, Inc. for transfer of portion of water and wastewater facilities to Orange County, for transfer of remaining facilities to Zellwood Station Community Association, Inc., and request for cancellation of Certificate Nos. 602-W and 518-S.

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Attached for inclusion in the docket file is an April 20, 2006 letter from W. Christopher Browder, Esq., for the utility, to Jennifer Brubaker, Esq., Commission staff. The letter distinguishes the supplemental documents filed pursuant to letter dated April 19, 2006, from the supplemental documents which remain to be filed.

Attachment

DOCUMENT NUMBER-DATE

04132 MAY 11 08

FPSC-COMMISSION CLERK

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April 20, 2006

VIA E-MAIL AND U.S. MAIL

Ms. Jennifer Brubaker  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

REGULATION

ORLANDO  
TALLAHASSEE  
APOPKA  
APR 21 10:33  
SERVICE

Re: Docket No. 030682-WS Dual Application for Partial  
Transfer to Governmental Authority and For Transfer of  
Wastewater Certificate No. 518S and Water Certificate  
No. 602W from Zellwood Station Co-Op, Inc. to Zellwood  
Station Community Association, Inc.

Dear Ms. Brubaker:

On Wednesday, April 19, 2006, we filed in the above referenced docket, four sets of copies of the following documents in support of the Dual Application for Transfer:

1. City of Apopka/Zellwood Station Co-Op, Inc. Agreement for the Delivery and Use of Reclaimed Water;
2. City of Apopka/Zellwood Station Co-Op, Inc. Water, Wastewater and Reclaimed Water Service Area Agreement;
3. City of Apopka/Zellwood Station Co-Op, Inc. Wholesale Potable Water and Wastewater Agreement;
4. Acknowledgement Certificate (acknowledging and certifying that all contingencies have been met concerning the effectiveness of the Service Area Agreement);
5. Bill of Sale;
6. Indemnity Agreement By and Between City of Zellwood Station Co-Op, Inc. and the City of Apopka;

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7. Access Easement to Apopka;
8. Blanket Assignment and Assumption Agreement;
9. Agreement to Grant Deed and Easements By and Between Zellwood Station Co-Op, Inc. and the City of Apopka.
10. Operation and Maintenance Transition Agreement between Zellwood Station Co-Op, Inc. and Zellwood Station Community Association, Inc.

Items 1 – 9 above are documents from the closing between the City of Apopka and Zellwood Station Co-Op, Inc. (the “Co-Op”) which took place on Friday, April 14, 2006. This closing resulted in the transfer of the Co-Op’s wholesale water and wastewater utility function to the City of Apopka. With this closing, Zellwood Station Co-Op, Inc. is now prepared to transfer to Zellwood Station Community Association, Inc. (the “Association”) the retail water and wastewater utility function as indicated in the Dual Application for Transfer. Item 10 above is an agreement between the Co-Op and the Association assuring that the transition (once approved) of the utility service role will be smooth and will not result in any interruption of service.

In addition to the above materials, we intend very shortly to file the following additional items in this Docket. These documents were requested by Commission staff to finalize the documentation necessary for approval of the transfer of the retail water and wastewater utility function from the Co-Op to the Association:

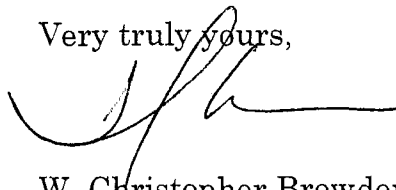
1. Utility Customer Participation Agreements in which the Association grants voting rights on Utility matters to the Co-Op and the Condominium Villages.
2. Utility Service Letter between the Association and Rolling Hills Church for water service at no charge.

Once we have provided these additional materials, we believe that the Commission will be in a position to approve the requested transfer of the retail water and wastewater function from the Co-Op to the Association and concurrently, to close Docket No. 010492-WS, the Co-Op’s pending rate case docket. Please let us

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know if Commission staff is aware of any other documentation or materials which will be necessary in order to accomplish these goals. Please do not hesitate to call should you have any questions.

Very truly yours,



W. Christopher Browder, Esquire  
Gray|Robinson, P.A.

WCB:ds

cc: Ms. Patricia L. Brady, Florida Public Service Commission  
Mr. John Hunter, Zellwood Station Co-Op  
Ms. Karen McMican, Zellwood Station Co-Op  
Thomas A. Cloud, Esquire