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

ORIGINAL

Public Service Commission

January 23, 2007

Mr. Robert Dodrill
2307 Amherst Avenue
Orlando, Florida 32804-5401

Re: Docket No. 060784-SU - Application for transfer of Certificate No. 538-S in Okeechobee County from Zachary Taylor Camping & Lodge, Inc. to Zachary Taylor Camping and RV Resort, LLC.

Dear Mr. Dodrill:

Staff has reviewed the above referenced application for transfer of wastewater certificate. Please complete the following deficiencies and provide the requested additional information to clarify the application.

Deficiencies

1. Contract. Pursuant to Rule 25-30.037(2)(g) and (h), Florida Administrative Code (F.A.C.), the application is to contain a copy of the contract between the seller and buyer of the utility. The rule is very specific regarding the minimum requirements of such a contract. Please provide an addendum to the contract for Sale and Purchase, signed by the two parties, which addresses disposition of:

- a. Any guaranteed revenue contracts;
- b. Developer agreements;
- c. Customer advances;
- d. Debt of the utility; and
- e. Leases.

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CTR _____
ECR _____
GCL _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC
OTH _____

2. Financing. Pursuant to Rule 25-30.037(2)(i) and (k), F.A.C., the application is to contain specific information as to the amount of the purchase price which is being financed, the terms of the financing, and those entities being relied upon for financing. The contract makes it clear that the buyer will be financing the purchase, however none of the specifics required by the rule are included in the application. Please provide detailed information regarding all entities the buyer will rely on for financing, the amount of financing secured from each source including terms, and repayment requirements.

3. Financial Ability. Pursuant to Rule 25-30.037(2)(j), F.A.C., the application is to contain a showing of the buyer's financial ability to provide service. Please provide evidence

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which demonstrates buyer's financial ability to operate and maintain the utility. In addition, please provide a statement regarding why the utility was for sale.

4. Evidence of Land Ownership. Pursuant to Rule 25-30.037(2)(q), F.A.C., the application is to contain proof that the buyer owns the land upon which the utility treatment facilities are located. According to Exhibit VIII of the application, "The information requested with regard to the ownership of the land where the utility treatment facility is located is already on file with the Public Service Commission in the Sellers records." The information in the Original Certificate application file shows that the seller owns the land, but there is no showing that the buyer owns the land. The Commission allows the filing of an unexecuted warranty deed with the understanding that an executed and recorded warranty deed will be filed within 30 days of the Commission Order approving the transfer. Please provide an unexecuted copy of the warranty deed.
5. Regulatory Assessment Fees. Pursuant to Rule 25-30.037(2)(r), F.A.C., the application is to contain a statement regarding the disposition of any outstanding regulatory assessment fees (RAFs), fines, or refunds owed. This statement was not included in the application. Please provide a statement as to the responsible party who will pay any outstanding RAFs, fines, or refunds. This statement can specify one party until a date certain or event and another party after a date certain or event.
6. Tariff. Pursuant to Rule 25-30.037(2)(s), F.A.C., the application is to contain an original and two copies of tariff sheets reflecting the change in ownership. No tariff sheets were included with the application. Please provide the tariff sheets in the name of Zachary Taylor Camping and RV Resort, LLC., including the name of the new issuing officer.
7. Noticing. Pursuant to Rule 25-30.030, F.A.C., the application is to contain three notices and three affidavits of noticing. The mailing list for government officials and utilities was submitted without an affidavit of noticing or a copy of the notice. The proof of publishing appears to be the billing for the notice instead of an affidavit that the notice was published. The newspaper can provide an affidavit concerning the publication. Please provide the two needed affidavits.

Additional Information Needed

Should you decide to close on the transfer prior to the Commission taking action on your application, please provide the date of closing.

The original and four copies of the response to the information requested in this letter should be filed with the Commission on or before **February 23, 2007**. When filing the response, please be sure to refer to the docket number and to direct the response to:

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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 Stephanie Clapp, of my staff, at (850) 413-6997.

Sincerely,



Patti Daniel
Supervisor of Certification

PD/sc

cc: Zachary Taylor Camping and Lodge, Inc.
Christine Clifford
Division of Economic Regulation (Clapp, Walden)
Office of the General Counsel (Jaeger)

~~Division of Commission Clerk and Administrative Services~~