

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificate to operate water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: ADM AFA APP CAF CMU EAG GCL LEG RAR RRR (WAW)  
 ("(") indicates OPR) \_\_\_\_\_ X \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ X \_\_\_\_\_ X

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module BI(a)

	<u>Staff Assignments</u>	
<u>OPR Staff</u>	_____	_____
	_____	_____
	_____	_____
	_____	_____
<u>Staff Counsel</u>	_____	_____
<u>OCRs ( )</u>	_____	_____
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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770  
 Current CASR revision level**

	<u>Due Dates</u>	
	Previous	Current
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Recommended assignments for hearing and/or deciding this case:  
 Full Commission \_\_\_\_\_ Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_  
 Date filed with RAR: \_\_\_\_\_  
 Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_ DOCUMENT NUMBER - DATE  
 Date: 04226 MAY 24 5

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificate to operate water and wastewater utility in Marion County by Ocala Springs Utilities Inc. Company: Ocala Springs Utilities Inc.

Official Filing Date: Last Day to Suspend: Expiration:

Referred to: ADM AFA APP CAF CMU EAG GCL LEG RAR RRR (WAW) ("() indicates OPR) X X X X X X X X

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Table with columns for Program/Module (B1(a)), Staff Assignments (P Brady, R Redemann; S McRae, A Crosby), and OPR Staff/Staff Counsel/OCRs.

Time Schedule table with columns for Due Dates (Previous, Current) and a list of items (1. Staff Recommendation, 2. Agenda - Regular, 3. Standard Order, 4. Close Docket or Revise CASR). Includes a box with '0' for Current CASR revision level.

Recommended assignments for hearing and/or deciding this case: Full Commission X Commission Panel Hearing Examiner Staff Date filed with RAR: 07/24/1998 Initials: OPR Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

- Prehearing Officer

Table for Hearing Officer assignments with columns for Commissioners (ALL, JN, DS, CL, GR, JC) and Staff.

Table for Prehearing Officer assignments with columns for Commissioners (JN, DS, CL, GR, JC) and ADM.

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature] Date: 07/27/1998

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificate to operate water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: ADM AFA APP CAF CMU EAG GCL LEG RAR RRR (WAW)  
 ("()" indicates OPR) \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_ X

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module B1(a)

**Staff Assignments**

OPR Staff P Brady, R Redemann  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Staff Counsel S McRae, A Crosby  
 \_\_\_\_\_  
 \_\_\_\_\_  
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OCRs ( ) \_\_\_\_\_  
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Recommended assignments for hearing and/or deciding this case:  
 Full Commission X Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: 10/13/1998

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION.**

FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770  
 Current CASR revision level

1

Due Dates

Previous Current

1. Staff Recommendation	NONE	11/05/1998
2. Agenda - Regular	NONE	11/17/1998
3. Standard Order	NONE	12/07/1998
4. Close Docket or Revise CASR	11/25/1998	01/06/1999
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]

Date: 10/13/1998

C

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

AUS	CAF	CCA	CMP	(ECR)	EXT	GCL	MMS	PIF
				X		X		

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Brady, S Rieger

Staff Counsel K Fleming

OCRs \_\_\_\_\_

1 Current CASR revision level

Due Dates  
 Previous Current

1.	Revised CASR Due	01/31/2004	03/31/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 10/13/1998

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
	X	X					

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/rt

Date: 10/13/1998

*N*

# Case Scheduling/Rescheduling Advice

Last Revised 02/15/2001 at 14:16

Page 1 of 1

Printed on 02/15/2001 at 16:51

**To:**

<input checked="" type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/Tech	<input type="checkbox"/> Safety & Electric Reliability Director
<input checked="" type="checkbox"/> Commissioner Jaber	<input checked="" type="checkbox"/> Appeals Director	<input checked="" type="checkbox"/> Records & Reporting Director
<input checked="" type="checkbox"/> Commissioner Baez	<input checked="" type="checkbox"/> Legal Director	<input checked="" type="checkbox"/> PAI Director
<input checked="" type="checkbox"/> Commissioner Palecki	<input type="checkbox"/> Economic Regulation Director	<input checked="" type="checkbox"/> Regulatory Oversight Director
<input checked="" type="checkbox"/> Executive Director	<input type="checkbox"/> Competitive Services Director	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/> Staff Contact

**From:** Office of Chairman E. Leon Jacobs

**Docket Number:** 980876-WS

**Docket Title:** Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.

**1. Schedule Information**

Event	Former Date	New Date	Location	Time
See Remarks Below		02/03/2001	Tallahassee	9:00 AM - 9:02 AM

**2. Hearing/Prehearing Assignment Information**

Former Assignments

**Hearing Officers**

Commissioners						Hearing Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
	1		1				

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
		X		X	X		

**Prehearing Officer**

Commissioners					
JC	DS	JB	BZ	PL	ADM

Commissioners					
JC	DS	JB	BZ	PL	ADM
	X				

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

**Remarks:** THIS FORM IS FOR CMS COMMISSIONER REASSIGNMENT PURPOSES ONLY.

Section 1 - Bureau of Records and Hearings Services Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("()") indicates OPR

AUS	CAF	CCA	CMP	(ECR)	EXT	GCL	MMS	PIF
				X		X		

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Brady, S Rieger

Staff Counsel K Fleming

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 03/16/2004

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

	Current CASR revision level	Due Dates	
		Previous	Current
1. Staff Recommendation	2	NONE	04/08/2004
2. Agenda		NONE	04/20/2004
3. Standard Order		NONE	05/10/2004
4. Close Docket or Revise CASR		NONE	06/01/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
	X	X			X		

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/ [Signature]  
 Date: 03/16/2004

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

AUS	CAF	CCA	CMP	(ECR)	EXT	GCL	MMS	PIF
				X		X		

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Brady, S Rieger

Staff Counsel K Fleming

OCRs \_\_\_\_\_

Current CASR revision level

Due Dates  
 Previous Current

1.	Staff Recommendation	04/08/2004	05/20/2004
2.	Agenda	04/20/2004	06/01/2004
3.	Standard Order	05/10/2004	06/21/2004
4.	Close Docket or Revise CASR	06/01/2004	07/22/2004
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Recommended assignments for hearing and/or deciding this case:  
 Full Commission \_\_\_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_  
 Date filed with CCA: 03/25/2004  
 Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
	X	X			X		

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/hw  
 Date: Pending 3/29/04

Section 1 - Bureau of Records Complete

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("()") indicates OPR)

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Brady, S Rieger

Staff Counsel K Fleming

OCRs \_\_\_\_\_

	Current CASR revision level	Due Dates	
		Previous	Current
1. Staff Recommendation	4	05/20/2004	07/22/2004
2. Agenda		06/01/2004	08/03/2004
3. Standard Order		06/21/2004	08/23/2004
4. Close Docket or Revise CASR		07/22/2004	09/17/2004
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Recommended assignments for hearing and/or deciding this case:  
 Full Commission \_\_\_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_  
 Date filed with CCA: 05/20/2004  
 Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
	X	X			X		

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BIB/hms  
 Date: 05/24/2004



Section 1 - Bureau of Records Completed

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.  
 Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B1(a); B7(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Brady, S Rieger

Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel K Fleming

OCRs

1.	Staff Recommendation	07/22/2004	08/05/2004
2.	Agenda	08/03/2004	08/17/2004
3.	Standard Order	08/23/2004	09/07/2004
4.	Close Docket or Revise CASR	09/17/2004	10/04/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 06/08/2004

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
	X	X			X		

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BBJ/rmf  
 Date: Pending 6/21/04

C

Section 1 - Bureau of Records Completes

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.

Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

("C)" indicates OPR)

CCA	CMP	(ECR)	GCL	PIF	RCA	SCR	SGA
		X	X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

Due Dates

OPR Staff	P Brady, S Rieger	6	Current CASR revision level		
			Previous	Current	
		1.	Staff Recommendation	NONE	04/20/2006
		2.	Agenda	NONE	05/02/2006
		3.	PAA Order	NONE	05/22/2006
		4.	Consummating Order if No Protest	NONE	06/15/2006
		5.	Close Docket or Revise CASR	NONE	07/31/2006
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Staff Counsel	K Fleming	8.			
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel X  
Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 12/06/2005

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BD	DS	BZ	ED	AR		
		X	X	X			

Prehearing Officer

Commissioners					ADM
BD	DS	BZ	ED	AR	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BD/Am  
Date: 12/06/2005

Section 1 - Bureau of Records Complete

Docket No. 980876-WS Date Docketed: 07/13/1998 Title: Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.

Company: Ocala Springs Utilities Inc.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

CCA CMP (ECR) GCL PIF RCA SCR SGA

("C)" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(a); B7(b)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

Due Dates

OPR Staff	P Brady, S Rieger	7	Current CASR revision level		
			Previous	Current	
		1.	Staff Recommendation	04/20/2006	05/25/2006
		2.	Agenda	05/02/2006	06/06/2006
		3.	PAA Order	05/22/2006	06/26/2006
		4.	Consummating Order if No Protest	06/15/2006	07/20/2006
		5.	Close Docket or Revise CASR	07/31/2006	08/31/2006
		6.			
		7.			
Staff Counsel	K Fleming	8.			
		9.			
		10.			
OCRs		11.			
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		40.			

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel X  
Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 04/12/2006

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	DS	AR	CT	TW		
		X	X	X			

Prehearing Officer

Commissioners					ADM
ED	DS	AR	CT	TW	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: ED  
Date: Pending 4/24/06

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYO  
DIRECTOR  
(850) 413-6770

**Public Service Commission**

July 15, 1998

B. Kenneth Gatlin, Esquire  
Gatlin, Schiefelbein & Cowdery, P.A.  
3301 Thomasville Road, Suite 300  
Tallahassee, Florida 32312

Re: Docket No. 980876-WS

Dear Mr. Gatlin:

This will acknowledge receipt of an application for certificate to operate water and wastewater utility in Marion County by Ocala Springs Utilities, Inc., which was filed with this office on July 13, 1998 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Please make notes as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting  
Florida Public Service Commission

DOCUMENT NUMBER DATE

04226 MAY 24 98

FPSC-COMMISSION CLERK

M E M O R A N D U M

RECEIVED-FPSC

OCT 12 PM 1:29

October 12, 1998

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (MCRAE) *S.M. JH*

RE: DOCKET NO. 980876-WS - APPLICATION FOR CERTIFICATE TO  
OPERATE WATER AND WASTEWATER FACILITY IN MARION COUNTY BY  
OCALA SPRINGS UTILITIES INC.

*PSC-98-1374-PCO-WS*

Attached is an NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING TEMPORARY VARIANCE FROM OR TEMPORARY WAIVER OF RULES 25-30.033(1)(h), (j), (k), (m), (o), (r), (t), (u), (v), (w), (2), (3), and (4), and 25-30.433(10), FLORIDA ADMINISTRATIVE CODE, to be issued in the above-referenced docket.

(Number of pages in order - 7)

SAM/lw

Attachment

cc: Division of Water and Wastewater (Brady, Redemann)

I:980876OR.SAM

*See 1, 2*

*2/1*

MEMORANDUM

December 7, 1998

RECEIVED-730  
DEC-7 PM 1:50  
RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (MCRAE) *S.M. JRS*  
RE: DOCKET NO. 980876-WS - APPLICATION FOR CERTIFICATES TO  
OPERATE A WATER AND WASTEWATER UTILITY IN MARION COUNTY  
BY OCALA SPRINGS UTILITIES, INC.

*PSC -98-1644-FOF-WS*

Attached is an ORDER APPROVING APPLICATION FOR ORIGINAL WATER AND WASTEWATER CERTIFICATES, ISSUING CERTIFICATES NOS. 604-W AND 520-S, AND KEEPING DOCKET OPEN PENDING THE COMPLETION OF FILING REQUIREMENTS AND THE ESTABLISHMENT OF RATES AND CHARGES, to be issued in the above-referenced docket.

(Number of pages in order - 16)

*See 18.9*

SAM/lw

Attachment

cc: Division of Water and Wastewater (Brady, Redemann)

I:98087602.SAM

*2/11*

STATE OF FLORIDA

Commissioners:  
J. TERRY DEASON, CHAIRMAN  
E. LEON JACOBS, JR.  
LILA A. JABER  
BRAULIO L. BAEZ



DIVISION OF LEGAL SERVICES  
NOREEN S. DAVIS  
DIRECTOR  
(850) 413-6199

Public Service Commission

November 16, 2000

Kathryn G.W. Cowdery, Esquire  
Ruden, McClosky, Smith,  
Schuster & Russell, P.A.  
215 S. Monroe Street, Suite 815  
Tallahassee, Florida 32301

Re: Docket No. 980876-WS - Application for certificates to operate a water and wastewater utility in Marion County by Ocala Springs Utilities Inc.

Dear Ms. Cowdery:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 16, 2000. The Commission is expected to consider this Recommendation at its November 28, 2000, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6199.

Sincerely,

A handwritten signature in black ink that reads "Samantha M. Cibula".

Samantha Cibula  
Senior Attorney

SMC/lw

Enclosure

cc: Division of Economic Regulation (Brady, Rieger)  
Division of Records and Reporting

i:\980876r1.smc

RECORDED AND REPORTING  
NOV 16 PM 3:33  
RECEIVED-PPSC

**RAR Official Filing:**

**12/13/00\*\*\*\*\*9:42 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1**

**Matilda Sanders**

*FOF - 2387*

---

**From:** Lysa White  
**Sent:** Wednesday, December 13, 2000 9:41 AM  
**To:** RAR - Orders-Notices  
**Cc:** Janet Harrison  
**Subject:** order in dn 980876-ws

**The order saved in WP9 as i:\980876or.smc has been electronically submitted to Records.**

*211*



CCA Official Filing:

2/11/02\*\*\*\*\*10:02 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1

Matilda Sanders

02 - 0180 - PCO

From: Wanda Terrell  
Sent: Monday, February 11, 2002 10:02 AM  
To: CCA - Orders / Notices  
Subject: Order / Notice Submitted

Date and Time: 2/11/02 9:56:00 AM  
Docket Number: 980876-WS  
Filename / Path: i:980876OR.SMC  
Notice Type: Memo for Issuance

ORDER GRANTING MOTION FOR EXTENSION OF TIME is ready to be issued.

No. of pages: 9

3/0

## Hong Wang

---

**From:** Sandy Moses  
**Sent:** Monday, February 16, 2004 10:21 AM  
**To:** Kay Posey; Kathleen Stewart; Veronica Washington; Hong Wang  
**Subject:** Commissioner Reassignments

Shortly after Commissioner Davidson was sworn in, the following cases previously assigned to former Commissioners Jacobs and Palecki were globally reassigned in CCS as indicated below, but the reassignment information was never transmitted to staff in the Clerk's office for entry into CMS. By copy of this e-mail, I am requesting that Hong make the reassignments as shown (the Prehearing Officer is reflected in **BOLD**) so that CMS and CCS reflect the same Commissioner assignments.

Please let me know if you have any questions.

<u>Docket No.</u>	<u>From</u>	<u>To</u>	<u>Status</u>
971622-SU	BZ, DS, PL	BZ, DS, DV	Active
980876-WS	BZ, <b>DS</b> , PL	BZ, <b>DS</b> , DV	Active
990455-TL	BZ, <b>DS</b> , JC	BZ, <b>DS</b> , BD	Active
990649A-TP	DS, <b>JB</b> , PL	DS, <b>JB</b> , DV	Litigation
000475-TP	BZ, <b>JC</b> , PL	BZ, <b>BD</b> , DV	Active
000649-TP	BZ, <b>JB</b> , JC	BZ, <b>JB</b> , BD	Litigation
000731-TP	<b>BZ</b> , JC, PL	<b>BZ</b> , BD, DV	Litigation
010283-EI	BZ, <b>JB</b> , JC	BZ, <b>JB</b> , BD	Active
010409-TP	BZ, <b>BD</b> , PL	BZ, <b>BD</b> , DV	Monitor
010441-EU	DS, <b>JB</b> , PL	DS, <b>JB</b> , DV	Litigation
010564-TP	BZ, <b>BD</b> , PL	BZ, <b>BD</b> , DV	Monitor
020640-SU	ALL, <b>PL</b>	ALL, <b>DV</b>	Active

Matilda Sanders

☺ 877-PCO

From: Janice Banka  
Sent: Wednesday, September 08, 2004 10:06 AM  
To: CCA - Orders / Notices  
Subject: Order to be issued today.

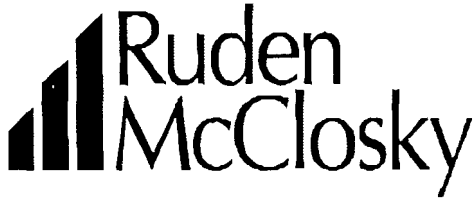
6

Docket No. 980876-WS  
File Name: 980876or.kef.doc  
Order Granting Motion for Extension of Time.  
Number of pages in order - 6.

Thanks "J"  
I couldn't get my regular form to work to send down this order. So sorry for the confusion.

Janice R. Banka  
Deputy Clerk  
Florida Public Service Commission  
Office of the General Counsel  
Economic Regulation Section  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
850-413-6210 (voice)  
850-413-6211 (fax)  
jbanka@psc.state.fl.us

2/0



215 SOUTH MONROE STREET  
SUITE 815  
TALLAHASSEE, FLORIDA 32301

(850) 412-2000  
FAX: (850) 412-2020  
MAGGIE.FREEDMAN@RUDEN.COM

980876 ✓  
050274 ✓  
050313 ✓  
020640 ✓

MEMORANDUM

TO: Division of Commission Clerk & Administrative Services **VIA FAX**  
413-7118

FROM: Maggie Freedman

DATE: October 7, 2005

Please change the fax number for Kathryn Cowdery, Esq. to (850) 412-1307 in all open dockets and for any other correspondence.

Your prompt attention would be appreciated.

Thank you very much.

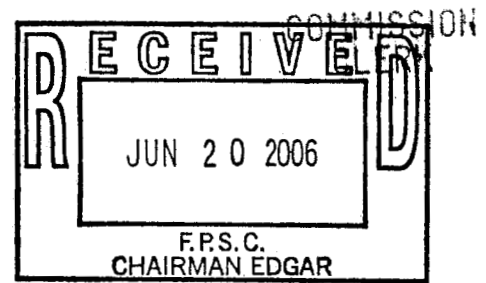
RECEIVED-PPSC  
03 OCT -7 PM 3:58  
COMMISSION  
CLERK

LDM

*Done  
10/08/05  
Kmp*

RECEIVED-FPSC.

06 JUN 21 AM 10:00



FLORIDA PUBLIC SERVICE COMMISSION

Chief Advisor to Chairman Edgar

*Roberta S. Bass*

2540 Shumard Oak Boulevard ♦ Tallahassee, Florida 32399-0854

Phone: (850) 413-6016 Fax: (850) 413-6017

E-mail: rbass@psc.state.fl.us

Kay,

Please place the  
attached in the  
correspondence side of  
Docket No. 980876-WS

Thanks,

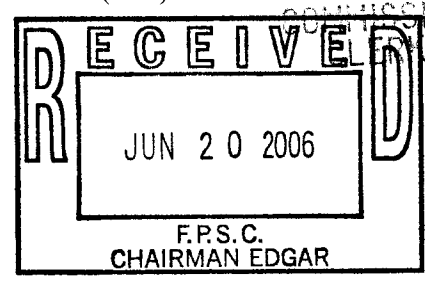
*Roberta*

RECEIVED-FPSC

The SMART GROWTH COALITION  
Of North Central Florida  
P.O. Box 279, Ft. McCoy, FL 32134 (352) 685-2434  
June 16, 2006

06 JUN 21 AM 10:00

Commissioner Lisa Polak Edgar  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Fl. 32399-0850



Dear Commissioner Edgar:

I am writing you on behalf of the Steering Committee of the Smart Growth Coalition of North Central Florida with a grave concern. Recently, we have learned that the commission approved a rate schedule submitted by the Avatar Corporation for a water utility the company wants to build on its properties in Marion County for a proposed development called Ocala Springs.

This action surprised us, though we do understand the PSC's responsibility in such matters. Nonetheless, we would like to inform you that Governor Bush and the Florida Department of Environmental Protection want to use state funds to purchase the Avatar land *to prevent* the corporation from building Ocala Springs. In fact, a state appraisal of the land is underway at this time. The main concern of these government officials—and thousands of Florida citizens—is that the Avatar project *could* add to the ongoing environmental degradation of Silver Springs and the quality and quantity of a Florida water resource. This property is listed on the DEP's "A List" for acquisition for spring protection.

Governor Bush recently presented a springs' protection award to the Marion County Commission because the commissioners refused to grant a different developer a land use change on its parcels that were also important to the protection of Silver Springs. The commission's decision set in motion a series of events that culminated in the state purchase of the property. Now the governor wants to add to the protection of Silver Springs by buying the Avatar property.

Numerous groups support the governor and the DEP. Among them are the Marion County Commission, the Silver Springs Basin Working Group, the Marion Audubon Society, the Sierra Club, the Smart Growth Coalition of North Central Florida, 1000 Friends of Florida, and The Florida Wildlife Federation.

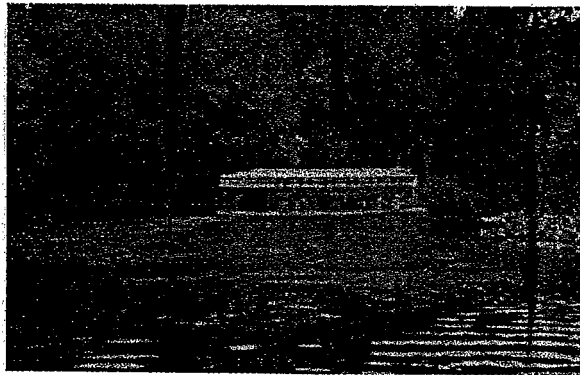
It is also bewildering to many of us living in the Ocala area that while we are under water *restrictions*, the St. Johns Water Management District and the PSC are facilitating Avatar's project to withdraw even vaster amounts of water from the aquifer. Water "cautionary areas" are already growing in Marion County.

Enclosed are a brochure and a sampling of news articles about the environmental problems that Silver Springs faces. The Associated Press article by written by Kelli Kennedy appears worldwide. We hope this information will help you make decisions that are best for the people and the environment of this state.

Sincerely,

John M. Dunn  
Member of the Steering Committee of the Smart Growth Coalition of North Florida

IS THIS THE  
END OF  
SILVER SPRINGS?



The  
SMART GROWTH  
COALITION  
Of North Central Florida

## De Friend of Florida:

Fabled Silver Springs near Ocala-- Florida's majestic number one First Magnitude Springs and the state's first attraction and home to the old Tarzan movies—is sick. Consider:

- Scientists from the Florida Department of Environmental Protection, the U.S. Geological Survey, The Florida Geological Survey, Florida Governor Bush's Springs Task Force, and an array of scientists have concluded that Silver Springs is now in a degraded condition, due to nitrates, pesticides, storm water and other pollutants.
- Preliminary studies show that over the past 50 years Silver Springs has experienced a 90% decline in fish population and a 170% increase in the kinds of algae that damage aquatic life, according to Dr. Bob Knight, a Florida wetlands ecologist.
- Former senior state biologist and springs expert, Jim Stevenson, has shown that a rise in the pollution level of Florida springs directly parallels population growth.
- A study prepared by a 16-member Florida Springs Task Force for the state's Department of Environmental Protection (DEP) stated that Silver Springs now suffers from a "decline in water quality" thanks to nutrients such as nitrates.

## Will things become worse?

The Avatar Properties Corporation is preparing to build homes for 22,000 residents, professional offices, retail space, "big box" stores and golf courses starting about one mile north of Silver Springs. The project will also sit on one of the most important water recharge areas vital to the health of the springs. This recharge area is made up of karst, or extremely porous limestone, that allows water and pollutants to quickly move down to underground water sources for the Springs. If developed, Avatar's 4,600 acres would drastically change the landscape and destroy habitat for species currently protected under state law such as the Florida black bear and the gopher tortoise. Much of this property is Sandhill Community, made up of Longleaf Pine and Turkey Oak. An estimated 90% of these trees have disappeared from Florida because of development. In addition, biologists say that hundreds of species of plants and animals live in the Sandhill Community and nowhere else. Costly new roads, schools, sewer lines, and other infrastructure spawned by the development could possibly trigger even more development on adjacent lands and forever change this area.



## Floridians everywhere want this land preserved.

- The Silver Springs Basin Working Group—a coalition of state agencies, businesses, and private organizations--say that state acquisition of the Avatar land is the single most important purchase that could be made to protect the spring. Florida's Department of Environmental Protection (DEP) has the Avatar properties as number one on its "A" acquisition list.
- Governor Jeb Bush wants this land purchased and preserved.
- The Marion County Board of Commissioners recently passed a springs protection resolution, and publicly urged the Governor and DEP to purchase Avatar properties.
- Long time state residents along with visitors from around the world who have experienced this Florida treasure want it to be set aside for future generations.

## What Can Be Done?

To its credit, Avatar has stated publicly that it is willing to spend millions of dollars on its development with new methods to mitigate any new influx of nitrate pollution. Sadly, however, Silver Springs can't take any more. A normal amount of nitrate is .02 milligrams per liter of water. Once a Florida spring reaches a level of 1.0, it experiences ecological decline. Silver Springs already has reached that danger point!

Avatar, meanwhile, has not ruled out negotiating the sale of its holdings to the state. That means there's still hope. There is no time to lose.



The  
SMART GROWTH  
COALITION  
Of North Central  
Florida

P.O. Box 279,  
Ft. McCoy, FL 32134  
(352) 685-2434

So, please---today—

- **Write to Governor Jeb Bush, The Capitol, 400 S. Monroe St. Tallahassee, FL 32399-1300** and ask him to continue negotiations with Avatar—and to use Eminent Domain if necessary to protect this land.
- **Also, write to Mr. Gerald Kelfer CEO, Avatar Properties Inc., 201 Alhambra Circle, Coral Gables, FL 33134.** Thank him for negotiating with the state and urge him to sell its Avatar holdings near Silver Springs for the common good.



Ocala.com

This is a printer friendly version of an article from [www.ocala.com](http://www.ocala.com)  
To print this article open the file menu and choose Print.

Article published Jan 19, 2006

## OCALA SPRINGS

### Residents speak out against project Water issues worry environmentalists

**RYAN CONLEY  
THE STAR-BANNER**

SILVER SPRINGS - Folks on both sides of the Ocala Springs development wedged into a Silver River Museum classroom Wednesday night, and calmly - for the most part - discussed the potential impact of the 9,700-home, mixed-use community on environmentally sensitive land.

Officials and consultants affiliated with the development team of Avatar Corp. of Coral Gables and DECCA of Ocala outlined extensive plans for the 5,000-acre property located north of the Silver Springs community, which was vested by local government officials in the 1970s.



Guy Marwick, center left, chairman of the Silver Springs Basin Working Group, raises concerns to DECCA chief Kulbir Ghumman, right, about the proposed Ocala Springs development Wednesday at the Silver River Museum.  
JANNET WALSH/STAR-BANNER

Outnumbering that group in the mix of about 100 people attending the meeting were environmentalists and area residents concerned with what an intense residential and commercial project could do to the delicately balanced natural water systems found in the area. And they expressed hope that a white knight - namely the state of Florida - could pull off a miracle and purchase the property before a single shovel is turned.

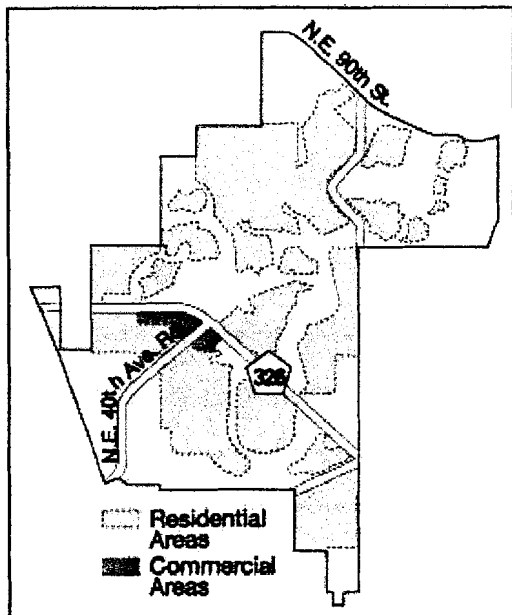
Originally organized weeks ago as a small informational session between the developer and local environmentalists, the meeting grew by word of mouth - and an alleged mass e-mailing - into a public forum, which caught the Avatar-DECCA team a little off-guard.

"I felt like Guy and I had always had a pretty open relationship," said DECCA president Kulbir Ghumman with a wry chuckle - referring to local environmentalist Guy Marwick, who helped organize the session. "I joked with him after the meeting that we kind of got ambushed."

Marwick, a board member of the locally based Smart Growth Coalition,

admitted that the gathering was bigger than he anticipated.

"What happened was that people that knew about the meeting invited friends, and it just got bigger," said Marwick, who moderated the proceedings. "But I don't feel badly. I just didn't want it to get out of hand, and I think everything was mostly civil."



**OCALA SPRINGS**

Avatar Corp. and DECCA are planning a community of almost 10,000 homes on East County Road 326 between Anthony and Silver Springs. The development will sit on 5,000 acres and construction is scheduled to begin early to mid-2007.

RYAN KNIGHT/STAR-BANNER

The exception to the rule was the comments by Marion County resident Bill Glass, a veteran of the local political scene.

"I'm mostly pro-growth, but I will tell you now that this plan is bad," he said, staring down the developers.

"I brought my granddaughter Amanda to witness this first hand," he continued - and then motioning, he added, "Amanda come over here, I don't want you to be close to any of them anymore. I'll wait to talk to the county commissioners."

The developers in December unveiled a high-tech proposal to control potentially polluted water run-off into the nearby springs and aquifer - a plan that would include lining 75 retention pond areas totaling 400 acres. Sanford-based

engineer Nicolas Andreyev, who designed the system - which is estimated to cost Avatar-DECCA an additional \$40 million to \$50 million in development costs - claimed the implemented plan would actually release less nitrates into the aquifer than current levels produced by farming on the land.

"Then maybe we should stop all farming, and turn all the land into residential homes," one crowd member responded sarcastically.

What was often lost in the broad scope of discussions was that the land is indeed vested - and in theory, the Avatar-DECCA group doesn't have to go to the expense that it is proposing. The group says it has no intention of approaching the 12,000 homes it has the right to build, and has reduced the amount of commercial square footage from the 1.5 million allowed to just more than 970,000.

"We are trying to be that good corporate citizen," Dennis Getman, executive

vice president and general counsel for Avatar, told the Star-Banner after the meeting. "We've hired the best consultants we can find and are willing spend the extra dollars. And we want to hear everyone's suggestion. But we know that we can't please everyone."

The loudest cheer of the night came when Michael Bascom of the Florida Department of Environmental Protection said the property was "at the top of the list" for possible acquisition by the Forever Florida program, which has purchased 1.75 million acres of land since its implementation in 2000.

"We are still working with Avatar to purchase all or part of the land," he told the assembled throng.

But Getman told the Star-Banner that there were no active negotiations, noting that the company had only received a letter of interest from the state last month.

"We ended our last negotiations with the state two years ago," he said. "We both worked hard, but the results weren't fruitful."

When asked if the company would listen to a new state offer, Getman said, "We never close the door."

County Commissioner Andy Kesselring, who attended the meeting, said thoughts of any last-ditch effort by the state to buy the land might just be wishful thinking.

"Just think what a vested lot is worth in Florida today," he said.

---

*Ryan Conley may be reached at [ryan.conley@starbanner.com](mailto:ryan.conley@starbanner.com) or (352) 867-4123.*

---

**CURRENT ISSUE**

- COVER STORY
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- TOPRANK FLORIDA
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**FEATURE STORIES**

**IN THIS SECTION:**

Threat from Below | Sprawling Contradiction | Turnaround Towns

**Florida Trend Archives**

- DECEMBER 2001 ISSUE

**Threat from Below**

**Fertilizer-related nutrients and diminished water flow are threatening Florida's once-pristine springs.**

*By John M. Dunn*

Few people know Silver Springs like Guy Marwick. After all, he and his buddies spearheaded the grass-roots effort to persuade state officials to buy 1,200 acres at the headwaters of the springs to protect it from development. Ten years ago, he was the prime mover in getting the Silver River Museum and Environmental Education Center built — a facility at the Silver River State Park near the springs. As the museum's director, Marwick has guided thousands of school kids on boat trips down the crystalline Silver River, which flows from Silver Springs.



Recently, several local and state lawmakers have also come aboard. What they see distresses them. "It's hard to look at a beautiful waterway and see death coming," says state Rep. Nancy Argenziano of Crystal River.

What's tarnishing Silver Springs, Marwick tells his audiences, is "an insidious threat creeping up from the very aquifer itself." The hazard is an ever-growing infusion of nitrate — a major ingredient in fertilizers — that keeps percolating into the porous 1,200 square miles of the Silver Springs Groundwater Basin. Eventually, the nitrate flushes into subterranean recharge waters and emerges dissolved in the mighty gush of Silver Springs — stimulating the growth of algae and tarnishing water quality.

"A normal amount of nitrate is .02 milligrams per liter of water," explains senior state biologist and the state's top defender of springs, Jim Stevenson. "But once you reach 1.0, you experience ecological decline." And that, he adds, is the current reading at Silver Springs. The springs now pump out up to 820 tons of nitrate every year.

Silver Springs isn't the only spring with the problem. A recent study prepared by a 16-member Florida Springs Task Force for the state's Department of Environmental Protection reveals that most of Florida's 600 springs now suffer from a "decline in water quality" thanks to "nutrients such as nitrate." In fact, 10 of the state's 33 first-magnitude springs — those with a flow rate of at least 100 cubic feet per second — have nitrate levels that rival or surpass those of Silver Springs. Nitrate levels at Fanning Springs in nearby Levy County, for example, are over four times higher.

Vul  
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longest-running theme park, however, gives it a higher profile. Though passengers on its glass-bottom boats still gaze down through what appears to be beautiful, clear water, the springs are unquestionably declining.

"We're losing the color of the palette of the springs," says Marwick. "Much of the beauty of the whiteness of the sandy bottom that once glistened with mussel shells is now covered with algae. The eel grass also has a heavy coat of algae. Many aquatic plants are missing from the river that were once here 10 years ago."

Gone too are the mullet, striped bass, eels, channel catfish and manatees — though their disappearance may have more to do with the presence of upstream Rodman Dam in Putnam County.

Silver Springs' location makes it especially vulnerable to contamination. For one, the region's aquifer lies close to the land surface. In addition, the area has a lot of sinkholes, caves and other cavities created by dissolved limestone that allow polluted water to seep quickly into the aquifer.

Researchers calculate that the average age of the water bubbling at Silver Springs is about 20 years. That means some of what's coming up represents human abuse that's decades old. Nobody is exactly sure where today's nitrate comes from, but most suspect runoff from highways, farms, golf courses, yards and water retention ponds.

If all this isn't bad enough, Silver Springs, like so many other springs, has another big problem: "Its water flow is also at a 67-year record low," says Trudy Phelps, a hydrologist with the U.S. Geological Survey. "Its peak flow was 1,200 cubic feet per second; the average is 899; but in June, it was 350." The ongoing drought and increased water consumption from a growing population are to blame.

More troubles could be on the way. For one thing, bottled water companies are increasingly helping themselves to Florida's diminishing spring water. They can do this, says Argenziano, because they are exempt from the state's "local source first legislation," which restricts the direct removal of water from its source. "It's time to close that loophole," she says.

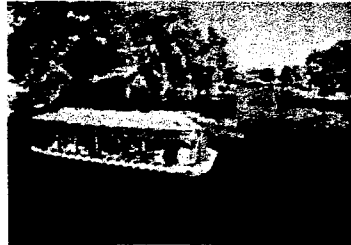


Meanwhile, many local governments in Florida's big, urban areas keep prowling for new water sources. Most recently, Wayne Harris, an appointee of Gov. Jeb Bush to the Alafia River Basin Board, stirred things up with his proposal to establish a statewide water conservation and distribution plan. Part of his plan calls for skimming off water at Silver Springs and transporting it through aqueducts along I-75 to storage areas created out of old phosphate pits. Though the idea has generated criticism, some state legislators are interested.

### In search of a solution

The Florida Springs Task Force wants to protect and restore Florida's springs instead of tapping them. However, the group says without new funding to do the necessary research, monitoring, restoration and acquisition of water recharge basins, "We won't save Florida's springs." To raise the \$4.42 million needed to get the job done, the task force recommends, among other things, a 25-cent increase on auto tags, a fertilizer tax and federal help.

Florida's troubled springs have caught the attention of Bush. Last year, he helped push through the Florida Springs Initiative, which provides \$2.5 million meant to aid the state's springs. About a third of the \$92,000 earmarked for Silver Springs will help finance an ongoing Geological Survey study that seeks to pinpoint the nitrate sources. "But with a topography like the Silver Springs Groundwater Basin, it could be hard to point fingers," says Geological Survey hydrologist Phelps. "In one respect, it's too late to do much about the nitrate already in the aquifer anyhow."



Even if the study does reveal the origins of nitrate sources, taking corrective action could prove tough. Local governments, for instance, can curtail the use of fertilizers on public lands, but they may have to rely on persuasion to reduce private use. Only one real solution exists, says Argenziano, who sits on the House Environmental Protection Committee. "At some point, we'll have to mandate that you can't use this kind of fertilizer — and that's something hard to do politically."

As bleak as the situation is, Floridians have no alternative but to try to save Florida's springs, says Steve Specht, spokesman for the Silver Springs attraction, whose owner, Jacksonville-based SmartParks, leases the site from the state. "We can't keep going the way we've been going. If we do, we'll all be to blame, and we'll all pay the consequences."



#### ALSO IN THIS SECTION:

Threat from Below | Sprawling Contradiction | Turnaround Towns



### Pollution threatens Florida landmark Silver Springs

By Michael Browning  
Palm Beach Post Staff Writer

Saturday, April 15, 2006

SILVER SPRINGS — The water here is still as clear as air, magically transparent.

In a tremble of lucent crystal, reflecting the blue sky and the green forest around it, cataracts of cold fresh water — 72 degrees Fahrenheit, year-round — fountain up in the very middle of Marion County and flow to the Oklawaha River in an amazing, unstinting, inexhaustible flood, seemingly pure as glass.



Audio slideshow: The plight of Silver Springs

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It rushes from blue-white limestone vents 55 million years old, as old as the Himalayas in India, at the rate of 516 million gallons a day.

Silver Springs is the third-largest of Florida's 720 known springs and the largest above-ground spring in the state.

It is also Florida's oldest tourist attraction. Harriet Beecher Stowe, author of *Uncle Tom's Cabin*, visited it in 1872 and swooned.

"There is nothing on earth like it," Stowe exclaimed. She and her fellow passengers were "inebriated with enthusiasm and wild with inherent raptures." Former President Ulysses S. Grant toured the place in 1880. Many of the Johnny Weissmuller Tarzan movies were made here, along with Lloyd Bridges' TV series *Sea Hunt*, the water was so wonderfully clear.

But today the purity of these waters is an illusion.

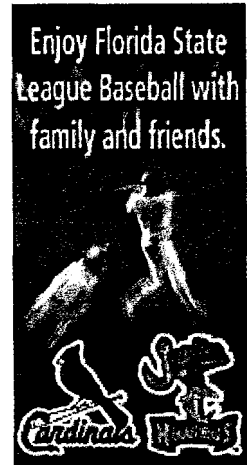
In a few decades of heated development, Silver Springs has been drawn into the orbit of burgeoning Ocala and now the springs are overcharged with nitrates. From thou-

sands of lawns strewn with Scott's Turf Builder, from thousands of septic tanks, and from tens of thousands of human abdomens, nitrates seep into the 1,200-square mile recharge basin of Silver Springs.

Today, the magically transparent water is being fertilized, invisibly.

#### Pollution gushes from multiple sources

A glass-bottom boat trip at Silver Springs 45 years ago was like an airship ride over a brilliant emerald forest of eelgrass. The sheer depth, the clarity of the water, the vibrancy of the vegetation was unmooring. Depths of 80 feet looked as clear as if they were only inches distant.



Today it's like voyaging over a dark wheat field of eddying brown mucus.

The eelgrass is choking under thick, slimy strings of algae, algae that grows and grows, fertilized by the nitrates. The algae is so bad, it eddies up in viscous, thready, cloud-like clumps when disturbed by the backwash of the glass-bottom boat's engine.

Median nitrate levels in 13 of Florida's first-magnitude springs are 20 times higher today than they were 35 years ago, according to a recently published statewide study, "Springs of Florida," by the Florida Geological Survey. A group of prop statues set up on the bed of the springs for an episode of the 1960s TV show, *I Spy*, starring Robert Culp and Bill Cosby, has to be cleaned often, so rapidly do they become cloaked in oozing algae.

The sun still sparkles on the surface. But beneath, what was green vegetation is now goo.

Hydrologists call this "point-to-point pollution." It is the most difficult sort of contamination to control because it comes not from one central source, like a paper mill or a chemical plant, but from thousands of lawns, garages, manure patties, septic tanks and leaky crankcases.

Florida gains 85 new residents every day, nearly 600 a week, and every one comes with intestines and kidneys, as well as a couple of cars and, usually, a dog.

The porous karst limestone surrounding these springs almost instantly transmits whatever is poured into it, or onto it, into the spring recharge area. This is why a proposed new housing development called Ocala Springs has pitched all of Marion County into a conniption fit.

A Coral Gables-based developer, Avatar Properties Inc., wants to build 10,000 new homes for 22,000 people on 5,000 acres of land it bought in the 1970s about a mile north of Silver Springs. Avatar was far-sighted enough to realize that even the boondocks around Ocala would be very desirable real estate, eventually.

Now, thanks to the 30-year-old vesting that grandfathered Avatar's land into a virtual developer's heaven of permit-free zoning, a whole retiree village — complete with 1.5 million square feet of shopping malls, supermarkets, offices and big box stores — may soon sit atop the prime recharge area for Silver Springs. Construction is to begin in 2008.

"It's very disheartening," said Jim Stevenson, a former Department of Environmental Protection biologist who retired after 38 years and was chairman of the Florida Springs Task Force. "I first saw Silver Springs in the 1940s when I was 10 years old. There has been an awful change there.

"Silver Springs has the largest recharge area of any spring in Florida, 1,200 square miles. What you have to understand is that all spring water is local. Whatever rain falls in the recharge area, that's what comes out of the spring."

Stevenson noted that there are practically no natural springs left south of Interstate 4 because of development.

"You've destroyed all your springs down in South Florida," he said.

Florida's Department of Environmental Protection maintains it has made a "good-faith offer" to Avatar, promising to buy the land at 100 percent of its appraised 2006 value. Avatar turned down the offer. Protecting Silver Springs is a "top priority," the state says. Florida already has spent \$31 million to acquire land around Rainbow Springs some years ago to protect those springs.

"If you can't save Silver Springs, you can't save any of them," gloomily predicted Guy Marwick, former curator of the Silver River Museum and a member of the Smart Growth Coalition of North Central Florida.

"Where Avatar wants to build is a natural sandhill community. You have deep, well-drained sands. A finger of their property comes within a mile of the springs. The majority of it is within the two-year travel line of water from rainfall to the springs vent."

While declining to be interviewed about Ocala Springs specifics, Dennis J. Getman, executive vice president and general counsel of Avatar Properties Inc., said his company has a very good environmental record and was taking extraordinary precautions to ensure that the development did not impair the water quality of Silver Springs, including a "state of the art" storm-water runoff system.

## **Advocates hope developer sells to state**

Horrified as they are by the Ocala Springs project, local environmentalists seem wary of offending Avatar, lest the developer break off negotiations with the state to sell the land.

"Avatar isn't as bad as some developers. They've actually planned a better subdivision than most. But it's totally in the wrong place," Marwick said. "But what we are hoping is that the Department of Environmental Protection will make them an offer they can't refuse and buy up all or most of the property."

"When they bought that property in the 1970s, I doubt if they paid more than \$100 an acre for it. Now they could make millions if they sold out to the state. It could be a win-win situation for everyone."

"AVATAR LAND: TIME IS MONEY," said a headline in the March 26 *Ocala Star-Banner*, urging the state to get a move on.

"Anyone in the land game in Marion County these days knows time really is money. The more time it takes to close a deal, the more money it's going to cost. Now we're confident the people at Florida Forever, the state's long-term program to acquire and protect environmentally important lands, understand this principle fully. We are less confident, however, they are acting accordingly when it comes to the Avatar property."

"If built, Ocala Springs will forever change east Ocala and potentially destroy Silver Springs.... It (has become) apparent DEP hasn't met face to face with Avatar's representatives recently and actually talked turkey. When it comes to land hereabouts, time is money," the *Star-Banner* scolded.

On its side, the DEP maintains "negotiations with Avatar Properties Inc. are still continuing and remain a high priority," spokeswoman Sarah Williams said. "We bought 300 acres near Silver Springs last year and are hopeful we can acquire more to protect the springs."

Getman said the door was still open as far as negotiating with the state was concerned.

"If the Florida Department of Environmental Protection were to make a fair and reasonable offer to buy the land, the offer would be presented to Avatar's board of directors and would receive serious consideration from the board," Getman said.

Even if the state buys out Avatar, the future of Silver Springs, as well as the state's hundreds of other springs, is far from assured. Beset by explosive growth, Florida's once-solitary diamonds of purest water are darkening daily before our eyes.

It is the old conundrum of Paradise: Glimpsed, it glows. Seized, it vanishes.

Ocala.com

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Article published May 13, 2006

**OUR OPINION**

**The clock's running on Avatar deal**

From here on out, the Avatar Corp. and Silver Springs will be inextricably linked. An important and poignant question remains, though: Will history paint the Coral Gables-based developer as villain or savior of the granddaddy of Florida's 700 freshwater springs?

Avatar owns some 5,200 acres just a mile or so north of Silver Springs. It is pursuing plans, in partnership with Oak Run developer Kulbir Ghuman, to build nearly 11,000 homes, three shopping centers and a golf course. If completed, it would create an entire new city called Ocala Springs.

One doesn't have to be hydrologist to recognize that Ocala Springs' proximity to Silver Springs will pose a tremendous, and likely fatal, threat to Marion County's most renowned natural asset and tourist attraction. The spring is already visibly degraded from the toxic runoff from years of dramatic population growth across the Silver Springs Basin, which encompasses the middle one-third of Marion County from Summerfield to McIntosh. If 11,000 new residences are built so close by, environmentalists justifiably fear the impact will be final and irreversible.

That's why we continue to urge the state, through its Florida Forever land preservation program, to acquire the Avatar land. The Florida Department of Environmental Protection, which oversees Florida Forever, attempted to do just that in 2003, only to have its offer rejected by the Avatar board or directors.

With Avatar and Ghuman pressing forward with their plans, time remains of the essence, economically and environmentally. So it is encouraging that DEP told us progress is finally being made on a potential purchase of the land. A DEP spokesman said Friday that the agency is currently appraising 4,471 acres of the Avatar land, and "by mid- to late summer, the state hopes to make an offer on the complete parcel."

"The state is committed to preserving as much of this property as possible, through purchase of the title or a conservation easement," DEP stated in an email.

That DEP is thinking in terms of part of the land or a conservation easement suggests that it is looking at all options because of concern about the cost of purchasing the whole parcel. That Avatar would seek in excess of \$100 million

is not unthinkable.

We beseech DEP to continue pressing the case for buying the Avatar land and, in turn, saving Silver Springs. Avatar has indicated it will implement new technology to minimize stormwater and other runoff threats to Silver Springs, but there is no way to stop it all. Even a little bit from 11,000 households will, over time, quickly amount to high volume. Water that seeps into the ground at some points of the Avatar property is but two days away from reaching the springs, some environmentalists claim.

**As** we have said before, time is money. The longer it takes to reach a deal, the more the Avatar land will be worth and the more Avatar will require to cover its pre-development expenses.

Silver Springs is too important historically and environmentally to gamble that it can survive a developmental monolith like Ocala Springs. Common sense tells us that if massive development across the sprawling springshed is leading to pollution of the springs, then massive development a stone's throw from the mouth of the spring will only worsen an already disastrous situation.

We're glad to see DEP is finally taking steps to purchase the Avatar site. Once the appraisal is done, we are certain the asking price will be immense. Whether Florida Forever, which has limited funding each year to preserve lands from Pensacola to Pine Key, can adequately accommodate the sort of price tag we expect Avatar to demand is uncertain. Therefore, we encourage our legislators to get involved in this project now to ensure the Avatar deal doesn't fall by the wayside again. The first time we had some time. Time is no longer on ours or the spring's side.

Saving Silver Springs from pollution is already a challenge as growth continues unabated. If the state cannot acquire the Avatar land and Ocala Springs proceeds as planned, the idea of saving the springs will be almost hopeless.

How this bit of future history will be written depends on DEP remaining vigilant and forging a deal with Avatar. The price will undoubtedly be high. But what will be saved is priceless.

# Silver Springs endangered

By JOHN DUNN

**T**he fabled Silver Springs near Ocala — Florida's majestic, No. 1, first-magnitude springs and the state's first attraction, and home to the old Tarzan movies — is sick. Consider:

- Scientists from the Florida Department of Environmental Protection, the U.S. Geological Survey, the Florida Geological Survey, Gov. Jeb Bush's Springs Task Force and an array of scientists have concluded that Silver Springs is now in a degraded condition, due to nitrates, pesticides, stormwater and other pollutants.

- Preliminary studies show that over the past 50 years Silver Springs has experienced a 90 percent decline in fish population and a 170 percent increase in the kinds of algae that damage aquatic life, according to Dr. Bob Knight, a Florida wetlands ecologist.

- Former senior state biologist and springs expert, Jim Stevenson, has shown that a rise in the pollution level of Florida springs directly parallels population growth.

- A study prepared by a 16-member Florida Springs Task Force for the state's Department of Environmental Protection stated that Silver Springs now suffers from a "decline in water quality" thanks to nutrients such as nitrates.

Many Floridians fear that conditions at the springs could become even worse if Miami-based Avatar Corporation follows through with its plan to build homes for 22,000 residents, professional offices, retail space, "big box" stores and golf courses starting about one mile north of Silver Springs. Part of the development also would sit on one of the most important water recharge areas vital to the health of the springs. This recharge area is made up of karst, or extremely porous limestone, that allows water and pollutants to quickly move down to underground water sources for the springs.

New development also would drastically change the landscape and destroy habitat for species currently protected under state law such as the Florida black bear and the gopher tortoise. Much of this property is "sandhill community," a habitat made up of longleaf pine and



News-Journal file/PETER BAUER

Alligators sun themselves at Silver Springs, which is threatened by growth-related pollution.

turkey oak. An estimated 90 percent of these trees have disappeared from Florida because of development. In addition, biologists say that hundreds of species of plants and animals live in the sandhill community and nowhere else. Costly new roads, schools, sewer lines and other infrastructure spawned by the development could possibly trigger even more development on adjacent lands and forever change this area.

Floridians who understand this situation want this land preserved. For instance, the Silver Springs Basin Working Group — a coalition of state agencies, businesses, and private organizations — says that state acquisition of the Avatar land is the single most important purchase that could be made to protect the spring. The state Department of Environmental Protection has the Avatar properties as No. 1 on its "A" acquisition list. Gov. Bush also wants this land purchased and preserved. The Board of Commissioners in Marion County — where Silver Springs is located — recently passed a springs protection resolution and publicly urged the governor and DEP to purchase Avatar properties.

Long-time state residents, along with visitors from around the world who have experienced this Florida treasure, want it to be saved for future generations. After all, Silver Springs Park already belongs to the people of Florida and currently is being leased to an entertainment-

based company. One day it could be added to Silver River State Park that is adjacent to the springs. Why should this public resource not be protected?

To its credit, Avatar has stated publicly that it is willing to spend millions of dollars on its development with new methods to mitigate any new influx of nitrate pollution. Sadly, however, Silver Springs can't take any more. A normal amount of nitrate is .02 milligrams per liter of water. Once a Florida spring reaches a level of 1.0, it experiences ecological decline. Silver Springs already has reached that danger point!

Avatar has not ruled out negotiating to sell its holdings to the state. That means there's still hope — but there's not much time.

You can help by writing to Bush (The Capitol, 400 S. Monroe St. Tallahassee, FL 32399-1300) and asking him to continue negotiations with Avatar — and to use eminent domain if necessary to protect this land.

Or by writing to Gerald Kelfer (CEO, Avatar Properties Inc., 201 Alhambra Circle, Coral Gables, FL 33134). Thank him for negotiating with the state and urge him to sell its Avatar holdings near Silver Springs for the common good.

*Dunn of Ocala is a member of the Smart Growth Coalition of North Central Florida, a grassroots organization trying to preserve some of our state from the bulldozer.*

## Orlando Sentinel

<http://www.orlandosentinel.com/news/local/state/orl-springs3006may30,0,3997912.story?coll=orl-news-headlines-state>

# Pollution, homes loom over Silver Springs

## Legendary clear, bubbling water faces potential ruin, environmentalists say

Kelli Kennedy  
the Associated Press

May 30, 2006

SILVER SPRINGS -- Hovering over a patch of murky water and tangled swamp trees, a dozen tourists peer through the floor of a glass-bottom boat, hoping to glimpse a passing turtle, a bowfin or maybe even the mysterious creature from the black lagoon.

But the once crystalline water that made Silver Springs the state's first tourist attraction is now clouded by a thick brownish sludge. The algae, a byproduct of burgeoning nitrate levels, cling to the eelgrass, making it difficult to glimpse underwater life.

Now environmentalists fear the pollution will get even worse.

They say that if the state doesn't act quickly, a new development that will house 22,000 residents will raise nitrate levels even higher, polluting the springs irrevocably.

"It's very depressing. This is one of the largest springs in the world and perhaps the best known, and to see it in decline like this is very disheartening," said Jim Stevenson, a former biologist with the Department of Environmental Protection and chairman of the Florida Springs Task Force.

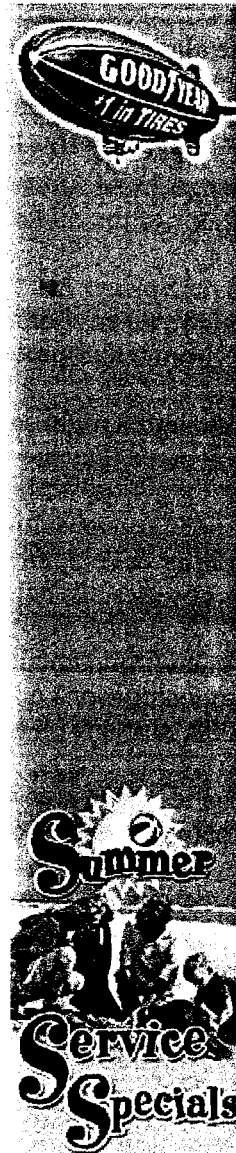
Long before tourists flocked to Walt Disney World, they made their pilgrimage to marvel at the pristine spring near Ocala that pumps about 516 million gallons a day to the Ocklawaha River. Silver Springs is the state's third largest spring and the largest aboveground spring.

As a child, environmentalist Guy Marwick used to swim and canoe in the cool water, which stays 72 degrees year round. He remembers the spring's glory days, when the site was a haven for Hollywood filmmakers and National Geographic specials.

Six Tarzan movies were filmed there, along with parts of the Creature from the Black Lagoon, The Yearling featuring Gregory Peck, and the 1960s television series Sea Hunt starring Lloyd Bridges.

<http://www.orlandosentinel.com/news/local/state/orl-springs3006may30,0,5165097.print.story?...> 6/7/06

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At the springs, the only survivor from that period is a mammoth algae-strewn statue -- a leftover prop from the '60s TV show I Spy. Grounded at the mouth of the cave, where water spews from the recharge basin, the prop has to be scrubbed every few weeks to keep the fast-growing gunk under control.

The algae covering isn't just ugly to look at -- environmentalists say it's choking the spring's vegetation, contributing to the demise of the ecosystem.

"It's sickening. It's just very sad to see what used to be white snail shell and sand. It's a dramatic change," said Marwick, an activist with the Smart Growth Coalition of North Central Florida and former curator of the Silver River Museum. "We've seen several plants all but disappear."

Silver Springs has also seen about a 95 percent decline in its fish population since the 1950s, said Bob Knight, an environmental scientist for the St. Johns River Water Management District and the state environmental-protection agency.

Although Knight said nitrate levels are almost three times what they were in the 1950s, he's not convinced they are the sole cause of the fish deaths -- but they're certainly having an effect.

Knight knows halting development is unrealistic in Florida's popular real estate market. He advocates smarter development -- stricter stormwater rules from the county and more stringent nutrient removal in wastewater discharge on a state level.

But environmentalists say there's no way the 4,436-acre development that Avatar Properties Inc. is proposing won't adversely effect Silver Springs. The Coral Gables group's project, set to break ground in 2008, also sits on a vital recharge area for the springs -- about one mile away at the closest point.

The recharge area is made of extremely porous limestone, which soaks up nitrate-polluted rainwater like a sponge, Stevenson said.

According to state officials, the Avatar property is on the "A list" of the Florida First Magnitude Springs Project.

"We are currently working with Avatar, and it is something that we are very interested in acquiring," said Sarah Williams of the environmental-protection agency. "It's a priority project."

If the state can't afford to buy the entire parcel of land, Avatar has indicated "they are open to selling parts of it," Williams said.

The state offered to pay \$22 million for the land in 2004, but Avatar rejected the deal. But it is willing to consider a better offer.

"If the amount was correct then the company would sell. If not we would continue on with our development and permit of the project to build a community up there," said Avatar attorney Dennis Getman.

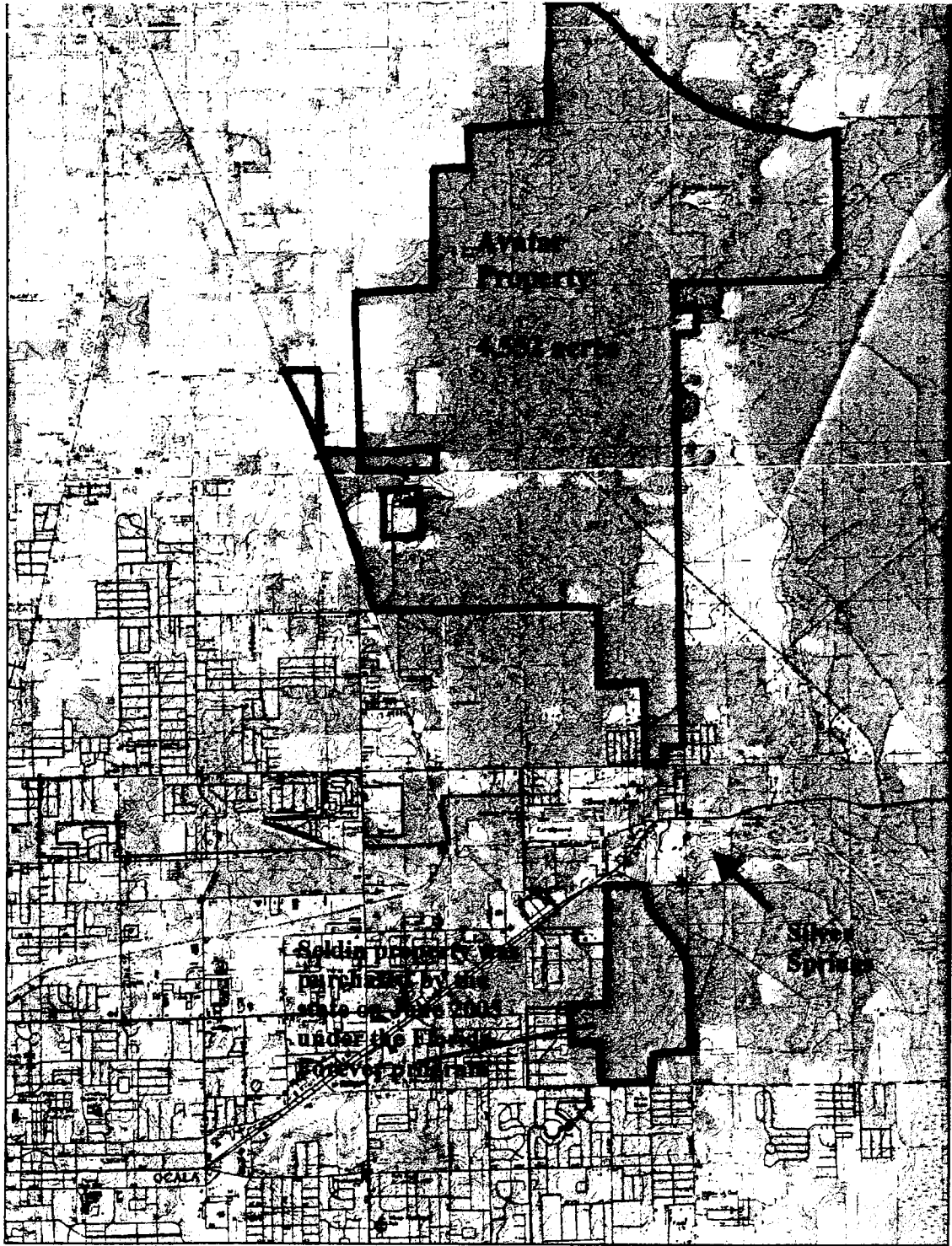
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Matilda Sanders

*PSC-06-0531-PAA-WS*

**From:** Janice Banka  
**Sent:** Monday, June 26, 2006 9:42 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

*14*

**Date and Time:** 6/26/2006 9:41:00 AM  
**Docket Number:** 980876-WS  
**Filename / Path:** 1999 & earlier/980876or.kef.doc

*attach's online.*

Notice of Proposed Agency Action Order Approving Rates and Charges, with attachments.

Number of pages in order - 14.

Thanks "J"

Janice R. Banka  
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*3/0*

*Clerk for  
Marion County.*

Matilda Sanders

*PSC-06-0536A-PAA-WS*

**From:** Janice Banka  
**Sent:** Friday, July 07, 2006 12:13 PM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 7/7/2006 12:12:00 PM  
**Docket Number:** 980876-WS  
**Filename / Path:** 1999 & earlier/980876ao.kef.doc

Amendatory Order.

Thanks "J"

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*3/10*  
*+ 1 clerk*  
*Marion W.*

Matilda Sanders

*PSC-06-0625-CD-WS*

**From:** Janice Banka  
**Sent:** Thursday, July 20, 2006 9:30 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 7/20/2006 9:28:00 AM  
**Docket Number:** 980876-WS  
**Filename / Path:** 1999 & earlier/980876co.kef.doc

*2*

Consummating Order.

Number of pages in order - 2.

Thanks "J"

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*310*

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**Public Service Commission**  
**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** December 27, 2006

**TO:** Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

**FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

**RE:** DOCKET NO. 980876-WS & 060749-WS, AGENDA HELD 12/19/06.

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Re:

APPLICATION FOR CERTIFICATES TO OPERATE A WATER AND WASTEWATER UTILITY IN MARION COUNTY BY OCALA SPRINGS UTILITIES INC.

REQUEST FOR APPROVAL OF TRANSFER OF OCALA SPRINGS UTILITIES INC. IN MARION COUNTY TO BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND OF STATE OF FLORIDA, AND FOR CANCELLATION OF CERTIFICATE NOS. 604-W AND 520-S.

DOCUMENT No: 11756-06, 12/26/06

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

A handwritten signature in cursive script, appearing to be "Oh", positioned above a horizontal line.

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Matilda Sanders

*PSC-07-0022 FOF-WS*

From: Janice Banka  
Sent: Monday, January 08, 2007 10:11 AM 4  
To: CCA - Orders / Notices  
Subject: Order / Notice Submitted

Date and Time: 1/8/2007 10:10:00 AM  
Docket Number: 980876-WS & 060749-WS  
Filename / Path: 1999 & earlier/980876or.kef.doc

Final Order Approving Transfer.

Number of pages in order - 4.

Thanks "J"

*5/11*

Janice R. Banka  
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Ocala*