

**Ruth Nettles**

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**From:** Trina Collins [TCollins@RSBattorneys.com]  
**Sent:** Wednesday, January 09, 2008 3:14 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** rbaxley@a-mproperties.com; Cheryl Bulecza-Banks; Martin Friedman; Trina Collins  
**Subject:** Filing in Docket No.: 070417-WS; Anglers Cove West, Ltd.'s Application for Staff Assisted Rate Case in Polk County, Florida  
**Importance:** High  
**Attachments:** PSC Clerk 03 (Comments to Staff Report).ltr.01-09-2008(2).pdf

- a. Martin S. Friedman, Esquire  
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- b. Docket No.: 070417-WS; Anglers Cove West, Ltd.'s Application for Staff Assisted Rate Case in Polk County, Florida - Filing Comments to Staff Report.
- c. Anglers Cove West, Ltd.
- d. 3 pages.
- e. Letter to Commission Clerk - 2 pages; Letter to Commission Clerk from Jim D. Lee, CPA - 1 page.

DOCUMENT NUMBER-DATE

00244 JAN-9 8

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January 9, 2008

E-FILE

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

RE: Docket No.: 070417-WS; Anglers Cove West, Ltd.'s Application for Staff Assisted Rate  
Case in Polk County, Florida  
Our File No.: 42034.01

Dear Ms. Cole:

Consultants for Anglers Cove West, Ltd., have had an opportunity to review the preliminary Staff Report filed in this docket. Although there were numerous inaccuracies in the Report, several are material and are addressed herein.

The Staff Report imputes as CIAC the value of the collection and distribution systems. However, in this case the collection and distribution systems were not written off, but have been capitalized. Enclosed is the statement from the Utility's CPA to that effect. Since this is a rental mobile home community, the developer would not have had any lots sales against which to write off the cost of the collection and distribution systems. In an identical situation, this Commission in Order No.: PSC-96-0062-FOF-WS issued January 12, 1996, stated as follows:

The utility does not have any records which indicate whether or not the utility has collected any CIAC or written off the lines to cost of goods sold. The mobile home park is strictly a rental community and the owner still owns all of the lots within the park. Therefore, CIAC shall not be imputed for the mobile home park.

More recently this Commission in Order No. PSC-04-1120-PAA-WU issued November 9, 2004, reaffirmed that when the developer does not sell the mobile home lots but leases them to homeowners, the imputation of CIAC is inappropriate.

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Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
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Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/tlc  
Enclosure

cc: Mr. Ron Baxley (w/enclosure) (via email)  
Ms. Cheryl Bulecza-Banks, Division of Economic Regulation (w/enc.) (via email)

M:\1 ALTAMONTE\ANGLERS COVE WEST, LTD\PSC Clerk 03 (Comments to Staff Report).ltr.wpd

**Jim D. Lee, Certified Public Accountant**

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January 7, 2008

Florida Public Service Commission  
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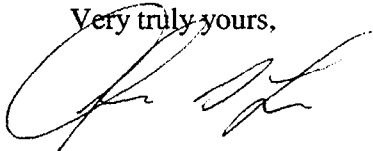
Re: Docket No.: 070417-WS, Anglers Cove West, Ltd. Application for Staff Assisted Rate  
Case in Polk County, FL

Dear Sir or Madam:

I understand that in connection with the above proceeding the Commission Staff has recommended the imputation of CIAC in the amount equal to the cost of the collection and distribution systems within the mobile home community.

The tax returns were available to you auditors, and they do not disclose that the collection and distribution systems were written off. Since the partnership owns the land, these costs have been capitalized as part of basis.

Very truly yours,



Jim D. Lee  
Jim Lee, CPA

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