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MARSHALL WILLIS, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

May 17, 2010

Robert J. Tamburro, Esq.
1437 Valor Street
Orlando, Florida 32810-4532

Re: Docket No. 100179-WS: Application for original certificates for proposed water and wastewater system, in Brevard County, and request for initial rates and charges, by Pinewood Village Mobile Home Park.

Dear Mr. Tamburro:

The above referenced application has been received and reviewed by my staff. This letter is a follow up to the telephone conversation we had on Thursday, May 13, 2010. This letter addresses the deficiencies found in the application and identifies additional information needed to clarify the application. All items must be addressed in order to process the application.

Deficiencies

1. Name of utility. Rule 25-30.033(1)(a) and (b), Florida Administrative Code (F.A.C.), requires the application to include the name of the utility and an indication of the type of business organization it is. The application indicated that the utility name is Pinewood Village Mobile Home Park, a limited liability company. However, the Division of Corporations with the Florida Secretary of State Office did not have that name listed under corporations or fictitious names. Please supply the correct registered name of the utility along with a statement of the type of business organization.
2. Territory description. Rule 25-30.033(1)(l), F.A.C., requires the application to include a description of the territory the utility is serving, using township, range, and section references, as specified in Rule 25-30.030(2), F.A.C. The territory description in your application is not in compliance with these rules. The territory description should include a point of beginning with a metes and bounds description or township, range, and section references so that the description can be verified with your system maps. A copy of Rule 25-30.030, F.A.C., and a sample territory description are enclosed for your reference. Please provide a complete territory description.

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3. **County map.** Rule 25-30.033(1)(n), F.A.C., requires a copy of the official county tax assessment map, or other map showing township, range, and section with a scale such as 1" = 200' or 1' = 400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. Such a map was missing from your application package. Please submit the required map.
4. **Property ownership.** Rule 25-30.033(1)(j), F.A.C., requires evidence that the utility owns or has long term continued use, such as a 99 year lease, of the land upon which the utility treatment facilities are located. The warranty deed provided shows the owner of the property to be Tamburro Properties, LLC. Please provide either a copy of a recorded warranty deed or other evidence of long term continued use of the land, such as a 99 year lease, in the name of the utility.
5. **Tariffs.** Rule 25-30.033(1)(k), F.A.C., requires an original and two copies of a sample tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. Copies of the model tariffs are available from the Commission website (www.psc.state.fl.us) by clicking on Utility Regulation, then on Water & Wastewater, and then on Water and Wastewater Application Packages, or from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Staff will be happy to assist you should you have any questions regarding preparing your tariffs.
6. **Noticing.** Rule 25-30.030, F.A.C., requires noticing to government officials, other utilities, and utility customers, and a published notice in a newspaper of general circulation in the territory proposed to be served. The proposed notice does not comply with the rule because it must contain a correct legal description. Please provide a notice that is consistent with the rule. Staff will be happy to assist you with drafting the notice once a correct legal description and the territory map are received.

Other Information Needed

1. Rule 25-30.033(1)(t), (u), (v), and (w), F.A.C., requires a cost study supporting all proposed rates and charges, including the base facility and gallonage charges and service availability charges. The cost study supporting your proposed rates and charges should include separate schedules for water and wastewater showing (1) the cost of the facilities, accumulated depreciation, contributions in aid of construction, and accumulated depreciation, (2) 12 months of operating expenses for 2009, and (3) capital structure. The information should be provided using the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA). You may want to refer to the sample cost study provided in the original certificate application package.
2. Please provide evidence of the cost of all water and wastewater plant improvements since you took over ownership of the utility.
3. Please provide a copy of the Department of Environmental Protection (DEP) monthly operating reports for water and DEP discharge monitoring reports for wastewater treatment for 2009.
4. Your utility books and records must be set up using the NARUC USOA. When do you expect to have the utility's books and records set up using NARUC USOA?

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5. Please provide all available meter readings. In addition, please provide an estimate of monthly water demand for the office, clubhouse, and irrigation usage.
6. The utility may request miscellaneous service charges for initial connects, normal and violation reconnections, and late fees. However these charges must be cost justified. A copy of a sample justification is attached for your reference.

The **original and four copies** of the responses to the deficiencies and other information requested in this letter should be filed with the Commission on or before **June 30, 2010**. When filing the response, please be sure to refer to the docket number and to direct the response to:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Also enclosed are documents which you need to become familiar with for operating regulated utilities. First is a copy of Chapter 367, Florida Statutes, which is the law regarding water and wastewater utility regulation. Second is Chapter 25-30, F.A.C., which includes the rules for operation. Third is Chapter 25-22, F.A.C., which details protocol for appearing before the Commissioners. Fourth is Chapter 25-09, F.A.C., which explains the construction and filing of tariffs. Fifth is the booklet prescribing the preservation of records of water and wastewater utilities. Finally, enclosed are copies of a leaflet "Your Water and Wastewater Service," which are to be available for your customers.

Should you have any questions concerning the information in this letter, please contact Stephanie Clapp at (850) 413-6997, Jay Williams at (850) 413-6447, or Lisa Bennett at (850) 413-6230.

Sincerely,



Patti Daniel
Public Utilities Supervisor
Bureau of Certification, Economics & Tariffs

pd/sc

Attachments

cc: Division of Economic Regulation (Clapp, Kaproth, Williams)
Office of the General Counsel (Bennett)
Office of Commission Clerk