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STATE OF FLORIDA



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

Public Service Commission

February 4, 2011

Mr. Michael G. Cooke
Ruden McClosky
215 S. Monroe Street
Suite 815
Tallahassee, FL 32301

RECEIVED-PPSC
11 FEB 10 AM 8:14
COMMISSION
CLERK

Re: Docket No. 110022-WU - Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., Hacienda Village

Dear Mr. Cooke:

Staff has reviewed the above-referenced filing on behalf of Hacienda Village (Utility) and determined that the following information is necessary to meet the requirements of Commission rules and to clarify the application.

Deficiencies

- 1. Land Ownership.** Exhibit E contains a warranty deed dated December 2002 that transferred the specified property to MHC Hacienda Village, L.L.C. Pursuant to Rule 25-30.033(1)(j), Florida Administrative Code (F.A.C.), please provide a copy of the agreement executed by MHC Hacienda Village, L.L.C., that permits the certificated utility's long-term continuous use of the land on which the water facility is located, such as a 99-year lease.
- 2. Legal Description.** Staff is unable to determine whether the legal description provided in Exhibit I matches the service territory depicted on the maps provided in Exhibits J and K. As a result, staff is also unable to determine whether the proposed legal notice describes the requested service territory. Pursuant to Rules 25-30.030 and 25-30.033(1)(l), F.A.C., please provide a complete legal description of the territory that includes a reference to township(s), range(s), land section(s) and county, as well as a complete and accurate description of the territory using either the sections format or the metes and bounds format.
- 3. Territory Maps.** Rule 25-30.033(1)(n), F.A.C., requires that the application include a 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. The maps submitted in Exhibits J and K do not display the territory using the scale as specified by the rule, do not meet the metes and bounds or quarter sections requirement, and do not provide a defined reference point of beginning. Staff is unable to determine whether the legal description provided in Exhibit I matches the service area depicted on the maps. Please provide a territory map that meets these rule requirements and clearly illustrates the territory border using a bold line with sufficient contrast for easy reading.
- 4. Notice of Application.** Pursuant to Rule 25-30.030, F.A.C., the Utility must provide notice of the application to those parties named on the list provided by the Commission and to each customer of the systems to be certificated. The notice must also be published in a newspaper of general circulation in the territory, as prescribed by this rule. Attached, please find the Commission's list of parties to be noticed. Please submit to the Commission the affidavits required by Section 367.045(1)(e), Florida

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Internet E-mail: contact@psc.state.fl.us

Statutes (F.S.), with a copy of the notice attached. Please note that the legal notice must be revised to reflect the correct complete legal description, as addressed in Item 2 above.

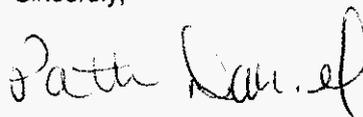
Additional Information

5. **Land Ownership.** Please explain the relationship between Equity LifeStyle Properties, Inc. (ELP), and MHC Hacienda Village, L.L.C.
6. **Provision of Wastewater Service.** Exhibit C states that the Utility is currently providing potable water service. However, Exhibit A states that water and wastewater services have been provided to the service area for many years. Please clarify whether wastewater service is currently provided to the area by HV Utility Systems, LLC, a wastewater utility owned and operated by ELP and located in the community of Hacienda Village, as stated in Exhibit F.
7. **Customer Class.** It is staff's understanding that Hacienda Village has 505 residential lot connections. Exhibit J, Schedule No. A-1, indicates that a general service customer class is also being served. Please confirm whether the office, pool, and two clubhouses are the Utility's only general service customers and whether each of these connections is individually metered.
8. **Annual Gallons Sold.** Schedule No. B-10 of Exhibit H indicates the estimated annual gallons sold as 22,945,000 gallons. Please provide documentation that shows how this figure was determined.
9. **Tariff – Description of Territory Served.** Please update Original Sheet No. 3.1 of the Water Tariff to reflect the correct legal description of the proposed service territory, as addressed in Item 2 above.
10. **Tariff – Customer Bill.** Rule 25-30.335, F.A.C., provides that a utility cannot consider a customer delinquent in paying his or her bill until the 21st day after the utility has mailed or presented the bill for payment. Rule 25-30.320, F.A.C., provides that service may be discontinued after five working days written notice is mailed to the customer, separate and apart from any bill for service. For clarity, you may wish to include this language on your customer bill.

Should you have any questions concerning the above-referenced items, please feel free to contact Ms. Melissa Jones-Alexis, of my staff, by phone at (850) 413-6997 or mjonesal@psc.state.fl.us. To ensure timely processing of your application, the above-referenced documents and statements should be filed on or before March 4, 2011. Please ensure that your transmittal references Docket No. 110022-WU and that it is mailed directly to:

Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Sincerely,



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

PD:mkja

cc: Division of Economic Regulation (Jones-Alexis, Walden)
Office of the General Counsel (Williams)
Office of Commission Clerk (Docket No. 110022-WU)

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
02/08/2011 - 04/08/2011**

<u>UTILITY NAME</u>	<u>MANAGER</u>
<u>PASCO COUNTY</u>	
ALLEN LAFORTUNE AND OTIS FONDER (WU556) 36645 SUNSHINE ROAD ZEPHYRHILLS, FL 33541-1182	ALLEN LAFORTUNE (813) 782-6929
AQUA UTILITIES FLORIDA, INC. (WS883) 2228 CAPITAL CIRCLE N.E., SUITE 1A TALLAHASSEE, FL 32308-4306	TROY RENDELL (850) 575-8500
CRESTRIDGE UTILITY CORPORATION (WU049) 4804 MILE STRETCH DRIVE HOLIDAY, FL 34690-4358	JUDY RIVETTE (727) 937-6275
HOLIDAY GARDENS UTILITIES, INC. (WU109) 4804 MILE STRETCH DRIVE HOLIDAY, FL 34690-4358	JUDY RIVETTE (727) 937-6275
HV UTILITY SYSTEMS, L.L.C. (SU866) % EQUITY LIFESTYLE PROPERTIES, INC. TWO NORTH RIVERSIDE PLAZA, SUITE 800 CHICAGO, IL 60606-2682	KENNETH KROOT (312) 279-1652
KEMPLE WATER COMPANY (WU132) 37502 MARCLIFF TERRACE ZEPHYRHILLS, FL 33541-8451	RICHARD KEMPLE (813) 782-2972
L W V UTILITIES, INC. (WU135) 7552 CONGRESS STREET, SUITE 4 NEW PORT RICHEY, FL 34653-1106	JAMES C. WEEKS (727) 849-9389
LABRADOR UTILITIES, INC. (WS851) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027	PATRICK C. FLYNN (407) 869-1919 EXT 1359
MAD HATTER UTILITY, INC. (WS155) 2348 RADEN DRIVE LAND O' LAKES, FL 34639-5136	LARRY G. DELUCENAY (813) 949-2167 OR -5977
NI FLORIDA, LLC (SU915) 10913 METRONOME HOUSTON, TX 77043-2201	MARSHA RULE (850) 681-6788
ORANGELAND WATER SUPPLY (WU179) 2109 OVERVIEW DRIVE NEW PORT RICHEY, FL 34655-4131	FRED J. SNELL (727) 372-8330

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02/08/2011 - 04/08/2011**

UTILITY NAME

MANAGER

PASCO COUNTY

ORANGEWOOD LAKES SERVICES, INC. (WS180)
7602 CONGRESS STREET, SUITE 4
NEW PORT RICHEY, FL 34653-1107

ALFRED G. HEILER
(727) 849-9555

PARADISE LAKES UTILITY, L.L.C. (WS446)
2348 RADEN DRIVE
LAND O' LAKES, FL 34639-5136

JANICE L. DELUCENAY
(813) 949-2167

SILVER FOX UTILITY COMPANY LLC D/B/A TIMBERWOOD UTILITIES (WS896)
4436 BRYNWOOD DRIVE
NAPLES, FL 34119-8412

DAVID BOLLINGER
(239) 593-6749

UTILITIES, INC. OF FLORIDA (WU372)
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN
(407) 869-1919 EXT 1359

UTILITIES, INC. OF FLORIDA (SU640)
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN
(407) 869-1919 EXT 1359

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
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UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, PASCO COUNTY
38053 LIVE OAK AVENUE
DADE CITY, FL 33525

DEP SOUTHWEST DISTRICT
13051 N. TELECOM PARKWAY
TEMPLE TERRACE, FL 33637-0926

MAYOR, CITY OF DADE CITY
P. O. BOX 1355
DADE CITY, FL 33526-1355

MAYOR, CITY OF NEW PORT RICHEY
5919 MAIN STREET
NEW PORT RICHEY, FL 34652

MAYOR, CITY OF PORT RICHEY
ATTN: CITY CLERK
6333 RIDGE ROAD
PORT RICHEY, FL 33668-6746

MAYOR, CITY OF SAN ANTONIO
32819 PENNSYLVANIA AVENUE
P. O. BOX 75
SAN ANTONIO, FL 33576-0075

MAYOR, CITY OF ST. LEO
P. O. BOX 2479
ST. LEO, FL 33574-2479

MAYOR, CITY OF ZEPHYRHILLS
5335 8TH STREET
ZEPHYRHILLS, FL 33540-5133

MIKE WELLS, PASCO COUNTY PROPERTY APPRAISER
14236 6TH STREET, SUITE 101
P. O. BOX 401
DADE CITY, FL 33526-0401

PASCO COUNTY ADMIN., 7530 LITTLE ROAD
PUBLIC WORKS UTILITY BUILDING
NEW PORT RICHEY, FL 34654

S.W. FLORIDA WATER MANAGEMENT DISTRICT
2379 BROAD STREET
BROOKSVILLE, FL 34609-6899

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02/08/2011 - 04/08/2011**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTRE BLVD., SUITE 100
PINELLAS PARK, FL 33782

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(VALID FOR 60 DAYS)
02/08/2011 - 04/08/2011**

UTILITY NAME

MANAGER

STATE OFFICIALS

OFFICE OF PUBLIC COUNSEL
111 WEST MADISON STREET
SUITE 812
TALLAHASSEE, FL 32399-1400

OFFICE OF COMMISSION CLERK
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850