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Public Service Commission

February 28, 2011

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11 FEB 28 PM 4:32
COMMISSION
CLERK

Mr. D. Bruce May, Jr.
Holland & Knight
315 South Calhoun Street, Suite 600
Tallahassee, FL 32301

Re: Docket No. 100114-WS, Application for approval of transfer of Horizon Homes of Central Florida, Inc. and Five Land Group LLC's water and wastewater systems to Aqua Utilities Florida, Inc., and for amendment of Certificate Nos. 507-W and 441-S, in Sumter County.

Dear Mr. May:

Thank you for Aqua Utilities Florida, Inc.'s (AUF's) January 28, 2011 response to staff's previous request for information. Listed below is further information needed by staff.

1. **Asset Purchase Agreement (Agreement).**
 - a. Please confirm that there are no assets listed on page 11 of the Agreement.
 - b. Please provide pages 12 and 13 of the Agreement along with any and all attachments to the Agreement.
2. **Regulatory Approval Contingency.** Please provide a copy of any and all correspondence between AUF and the sellers (Horizon Homes of Central Florida, Inc., and Five Land Group LLC) with respect to unwinding the Agreement; including, but not limited to, AUF's September 30, 2009 letter to Horizon Homes of Central Florida, Inc.
3. **Proof of ownership.** Exhibits O and R contain legal descriptions of the entire service territory, rather than the water and wastewater plant sites. Please provide proof that the utility owns the land upon which the water and wastewater plants are situated, as required by Rules 25-30.036(3)(d) and 25-30.037(2)(q), Florida Administrative Code (F.A.C.).
4. **Consumptive Use Permit (CUP).** Has AUF notified the St. Johns River Water Management District of the change in ownership of Jumper Creek's CUP from Five Land Group LLC to AUF? If not, please indicate when this will be done.

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5. **Miscellaneous Service Charges (MSC).**
 - a. Please provide cost justification for AUF's proposed MSC for the Jumper Creek water system.
 - b. If AUF proposes to collect MSC for the Jumper Creek wastewater system, please provide the cost justification along with a proposed tariff sheet.
 - c. Are the proposed MSCs consistent with the uniform MSCs for AUF? If not, why?
6. **2010 Annual Report.** Please provide a copy of AUF's 2010 annual report for the Jumper Creek water and wastewater systems.
7. **Acquisition Adjustment.** Please clarify whether AUF wants this application to proceed under the current version of Rule 25-30.0371, F.A.C., which became effective on November 22, 2010, the earlier version of the rule in effect when the application was filed, or other options included in the initial application. Please explain the basis for your request.
8. Describe the economies of scale that the Jumper Creek customers will experience as a result of this acquisition.
9. Describe how the existing AUF customers will be affected by this acquisition.

If you have any questions regarding the information requested above, please feel free to contact me or a member of my staff, Patricia Brady at (850) 413-6686, or pbrady@psc.state.fl.us. If you have any engineering questions, please contact a member of my staff, Tom Walden at (850) 413-6950, or twalden@psc.state.fl.us. If you have any legal questions or concerns, please contact Erik Sayler, Esq., at (850) 413-6084, or esayler@psc.state.fl.us. Otherwise, to ensure timely processing of your application, please file your response to this request for information on or before **March 31, 2011**. You may respond by regular mail or e-mail, but please ensure that your response is filed directly with Ann Cole, Office of Commission Clerk.

Sincerely,



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

PD:pb

cc: Office of Commission Clerk