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TALLAHASSEE, FL 32399-0850

# Public Service Commission

April 15, 2011

RECEIVED-FPSC  
11 APR 19 AM 8:55  
COMMISSION  
CLERK

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

**Re: Docket No. 110023-WS - Application for certificates to provide water and wastewater service in Lake County by Equity LifeStyle Properties, Inc., Mid-Florida Lakes Utility**

Dear Mr. Cooke:

Staff has reviewed MFL Utility Systems, L.L.C.'s (MFL Utility or Utility) March 18, 2011, filing in response to staff's February 10, 2011, notice of deficiencies in the above-referenced docket. We have determined that the following items remain deficient. Please submit the following requested documentation in order to meet the requirements of Commission rules and to clarify the application.

## Deficiencies

- 1. Legal Description.** Rules 25-30.030 and 25-30.033(1)(l), Florida Administrative Code (F.A.C.), require that the Utility 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. Although we received a revised legal description in Exhibit 2 of the Utility's March 18, 2011, filing, it appears to be erroneous. Staff believes that in the second paragraph, in line 17, the ninth word should read "northeast" rather than "southeast." Line 19 should read "north line of the said east half of the northeast quarter of ...." Please review these two instances and provide confirmation from the Utility's surveyor that these revisions are correct. Please submit a corrected legal description.
- 2. Territory Maps.** Rule 25-30.033(1)(n), F.A.C., addresses the required submission of a territory map. Staff's February 10, 2011, notice of deficiencies requested that MFL Utility provide a territory map that meets the scale requirement and clearly illustrates the territory border using a bold line with sufficient contrast for easy reading. Although we received a revised territory map in the Utility's March 18, 2011, filing, the map has been sufficiently reduced in size so as to make the print illegible. Please submit one regular-sized copy of the map from Indian River Survey, Inc., who prepared the drawing.
- 3. 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

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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. Staff believes that the legal description requires corrections, as addressed in Item 1 above. Attached, please find the Commission's list of parties to be noticed. Please submit a sample notice with the corrected legal description. Please submit to the Commission the affidavits required by Section 367.045(1)(e), Florida Statutes (F.S.), with a copy of the notice attached.

**Additional Information**

4. **Tariffs.** The Utility will need to update its Water and Wastewater Tariffs to reflect the name of the new corporate entity under which the utility will operate, MFL Utility. This may be deferred to a later date, as staff deems appropriate.

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](mailto:mjonesal@psc.state.fl.us). To ensure timely processing of your application, the above-referenced documents and statements should be filed on or before May 16, 2011. Please ensure that your transmittal references Docket No. 110023-WS 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*  
by MKJA

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 (Young)  
Office of Commission Clerk (Docket No. 110023-WS)