

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: November 17, 2011
TO: Diamond Williams, Commission Deputy Clerk I, Office of Commission Clerk
FROM: Thomas J. Waldon, Utilities System/Engineering Specialist, Division of Economic Regulation
RE: Docket No. 110216-WU; Application for amendment of Certificate No. 347-W to delete territory in Marion County by Marion Utilities, Inc.

Attached are two e-mails to be included in the docket file. The first e-mail dated October 13, 2011 states that the owner, Mr. Gupta, does not intend to charge the residents for water service, which will allow this water system to be exempt from PSC jurisdiction once the deletion is approved. The second e-mail dated November 15, 2011 provided a copy of the signed agreement between the owner of International Villas (who also owns the water plant serving that development) and Pro-Tech Water and Wastewater Services for contract operation of the water plant.

TW
attachments

DOCUMENT NUMBER-DATE

08451 NOV 17 =

FPSC-COMMISSION CLERK

Tom Walden

From: Rent [rent@desimonerentals.com]
Sent: Thursday, October 13, 2011 2:10 PM
To: Tom Walden
Subject: RE: International Villas

Owners are making final decisions regarding contractor to operate water system. Will advise as soon as we have a final determination. See owner's correspondence below.

Vicki Prendergast
Office Assistant
DeSimone Real Estate Services
Office: 352-622-3222
Fax: 352-622-1634
vicki@desimonerentals.com
www.desimonerentals.com

Hi Dale and Vicki,

I spoke with Mr. Gupta and he does not intend to charge the residents for water services. So he should be exempt from the PSC jurisdiction.

Yesterday I received a proposed contract via e-mail from Pro Tech Water Co. It's dated to begin service on November 1, 2011. I've printed out the contract and will discuss this with Mr. Gupta and his daughter.

Thank you for all you help in this matter.

Kathy Ortiz

From: Tom Walden [mailto:TWalden@PSC.STATE.FL.US]
Sent: Thursday, October 13, 2011 2:08 PM
To: rent@desimonerentals.com
Subject: FW: International Villas

From: Tom Walden
Sent: Thursday, October 13, 2011 12:31 PM
To: 'vicki@desimonerentals.com'
Subject: International Villas

Try to reply and if it bounces, call me back.

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FPSC-COMMISSION CLERK

11/17/2011

Tom Walden

From: Vicki Prendergast [vicki@desimonerentals.com]
Sent: Tuesday, November 15, 2011 9:08 AM
To: Tom Walden
Cc: Dale DeSimone
Subject: INTERNATIONAL VILLAS AND PRO-TECH AGREEMENT 11/2011
Attachments: International Villas-Pro Tech Agreement 11-2011.pdf

Dear Tom,

Attached is the signed agreement between the owner of International Villas and Pro-Tech.

Should you need further information, please do not hesitate to contact us.

Sincerely,

Vicki Prendergast
Office Assistant
DeSimone Real Estate Services
Office: 352-622-3222
Fax: 352-622-1634
vicki@desimonerentals.com
www.desimonerentals.com

11/17/2011



PRO-TECH
WATER AND WASTEWATER SERVICES
1203 S.W 12TH STREET, SUITE 1, OCALA, FLORIDA 34471
PHONE: (352) 236-2444 * FAX: (352) 236-2118

October 10, 2011

International Villa's
P.O. Box 1496
Ocala, FL 34478-1496
ATTN: Kathy Ortiz

RE: Revised Operation Agreement for Water System PWS#6424589

Dear Kathy:

Thank you for allowing us to bid on this system.

Originally we had received a request to bid on the water system and meter reading and bids were provided for both. Since then we were told that our services for the meter reading would not be necessary. On September 26, 2011, our team met with Tim of Marion Utilities (the current operating company until October 31st) to see and access your system. Our original plan of action included installing an Aqua Mag Meter and an industrial strength water softener. When we met with Tim, and actually saw the plant, it was discovered that you already had an Aqua Mag Meter in place. Also, the system in place was intended for a much larger community so because it's not used to full capacity, that's part of the problem. We discussed the best course of action in length last week. The two best options are purchasing a reverse osmosis system or getting annexed in to the city. Both can be costly. Least expensive would be annexing in to the city and that would still take some time. We would hope they would give you a break on impact fees. So, in the meantime, we would still be willing to take over the system operations, knowing it has some issues, and do our best. And unfortunately, it will take us more time, each time, we are out at the community. Therefore, please find the revised Operations Agreement for your review. Please have an authorized representative initial and sign where indicated. You may scan and e-mail the signed agreement to us at susanm@protechww.com or you may fax it to us at 352-236-2118. Please drop the originals in the mail to us, or make arrangements for us to pick them up. We will return an executed copy for your records. Please let me know should you have any questions.

We appreciate the opportunity to serve you.

Sincerely,

Susan McLaughlin
COMMERCIAL SALES DIVISION

PRO-TECH
Water/Wastewater System Operations Agreement

This agreement is made and entered into on the 1st day of ^{November} ~~September~~, 2011, by and between Pro-Tech Water and Wastewater and the Owner of the system identified herein, for the operation of the facilities described below:

Name of System:	<u>International Villa's</u>	System Owner:	<u>Avi Gupta</u>
Physical Street Address:	<u>5000 SW 21 Place</u>	On-site Contact Name:	<u>Dale Desimone</u>
City/State/Zip:	<u>Ocala, FL 34474</u>	On-site Phone:	<u>352-622-3222</u>
Nearest intersection:	<u>College Road & SW 21 Place</u>	Alt. Phone/Cell:	
Billing Address:	<u>P.O. Box 1496</u>	Billing Contact Name:	<u>Dale Desimone</u>
City/State/Zip:	<u>Ocala, FL 34478-1496</u>	Billing Phone:	<u>352-622-3222</u>
E-mail:	<u>dale@desimonerentals.com</u>	Billing Fax:	
PWS ID #:	<u>6424589</u>	Permit Number:	

Monthly Operations. The following is a price breakdown by days per week and an explanation of our duties to operate your treatment facility:

\$ 475.00 per month for 3 visits per week on non-consecutive by a state-certified operator as required by the Florida Department of Environmental Protection.

This fee includes required plant operation and monitoring the water system, as required by your Florida DEP operating permit, as well as basic preventive maintenance.

Quarterly Sampling. The Florida DEP requires quarterly bacteriological samples—one from the well and two from the distribution lines. These samples will be collected and submitted for you, and they are not considered part of your monthly fee. These samples will be collected and submitted for you if required.

Chlorine. It is the responsibility of the owner of this system to provide chlorine. Pro-Tech may provide the chlorine for an additional fee if needed.

Additional samples. The Florida DEP also requires an annual Nitrate/Nitrite sample along with other periodic chemical testing. These samples will be collected as they come due per DEP rules and will be charged at prevailing rates. All samples will be analyzed by a state-certified laboratory. All water sampling analysis results will be forwarded to DEP by the lab, with a copy provided to Pro-Tech for filing with the Monthly Operating Reports (MOR) and/or Discharge Monitoring Reports (DMR).

Reporting. As part of our service, a monthly operating report will be sent to Florida DEP and a copy will be sent to you for your files. Please maintain all report forms in your files for future reference.

Required on-site documentation. The Florida DEP has strict requirements for onsite documentation. In order to remain in compliance, information must be produced during a

routine DEP inspection. Pro-Tech will confirm that all required information is on-site at the time we initiate operations for your system. If we are required to reproduce these manuals or reports, administrative fees will be imposed on your account. KEO Owner's initials

Emergency Service. We provide 24-hour emergency service at an additional cost of \$80.00 per hour. This charge is for all call-out work that is beyond preventive maintenance performed by our operator during their regular visits. A minimum 1-hour charge applies.

Repairs. Repairs and maintenance on your system beyond normal preventive maintenance must be authorized by the Owner in writing. Please contact our maintenance supervisor to inquire about our optional pre-authorization agreement, a separate agreement which allows Pro-Tech to perform work within limits established in advance by the Owner, which may speed the repair process. Major repairs may require a 50% deposit.

Consulting. Consulting services provided at an additional cost of \$80 per hour including DEP & Compliance issues consulting.


Billing. Invoices are sent on the 1st of the month. Payment is due upon receipt. If the account becomes delinquent, the Owner is responsible for paying associated late fees. If a check is returned for NSF, the Owner is responsible for paying any resulting NSF plus resulting late fees.

Termination. Either party may terminate this contract with 30 days written notice, except in the case of non-payment. In the event that your account becomes delinquent, Pro-Tech reserves the right to discontinue service immediately.

I understand that if my account becomes delinquent, Pro-Tech Water and Wastewater is no longer obligated to maintain compliance at my facility, and may discontinue the submission of bacteriological reports and/or monthly operating reports, as well as discontinue service. I further understand that upon being notified of the termination of this agreement, the Florida DEP is entitled to levy fines for failure to submit required reports in a timely manner. The fine for failure to submit bacteriological reports is \$2,000.00 per incident; the fine for failure to submit monthly operating reports is \$500.00 per incident. I understand that in the event my account becomes delinquent, I will be responsible for any fines levied against my facility.

Name changes. If the facility changes names or ownership, it is the responsibility of the system Owner to notify Pro-Tech Water and Wastewater as well as the Florida DEP. It is the responsibility of the Owner to complete the required DEP forms.

I understand that in return for the above-mentioned monthly fee, Pro-Tech Water and Wastewater will perform the operation(s) listed above in order to maintain compliance with Florida DEP rules. By my signature below, I indicate my acceptance of the above terms and conditions.


System Owner or Authorized Representative
Katherine E. Ortiz
Printed Name

11/4/11
Date

Sean P. Flynn, President

Date