

Carlotta Stauffer

From: Carlotta Stauffer
Sent: Wednesday, December 24, 2014 10:20 AM
To: 'Weisberg, Susan'; Wisloh, Frank C
Cc: Rachel Arnold
Subject: RE: Escrow Agreement - Brevard Waterworks
Attachments: Escrow Agreement.pdf

Good Morning,
Attached is the fully executed agreement, which will also be mailed to you.
Thanks,
Carlotta

From: Weisberg, Susan [<mailto:Susan.Weisberg@td.com>]
Sent: Wednesday, December 24, 2014 9:21 AM
To: Carlotta Stauffer; Wisloh, Frank C
Cc: Rachel Arnold
Subject: RE: Escrow Agreement - Brevard Waterworks

Good Morning Carlotta,

Attached please find the updated escrow agreement with signatures dated. I look forward to receive the completed agreement with your signature.

Merry Christmas!

Susan L. Weisberg | Assistant Store Manager | NMLS ID # 627774 | Port Richey
TD Bank, America's Most Convenient Bank.
FL4-179-000 | 9550-1 US Highway 19, Port Richey, FL 34668
T: 727-846-1444 | F: 727-847-3827

From: Carlotta Stauffer [<mailto:CStauffe@PSC.STATE.FL.US>]
Sent: Wednesday, December 24, 2014 9:13 AM
To: Wisloh, Frank C
Cc: Weisberg, Susan; Rachel Arnold
Subject: Escrow Agreement - Brevard Waterworks

Good Morning, Mr. Wisloh,

I am ready to execute this escrow agreement but your signatures do not include a date. Would you please provide me an update with your signatures dated, and I will get it turned around quickly. Sorry I did not notice this before. Thanks for your help.

Happy Holidays!
Carlotta

Carlotta S. Stauffer
Commission Clerk
Florida Public Service Commission

2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
Carlotta.Stauffer@psc.state.fl.us
850.413.6728

From: Wisloh, Frank C [<mailto:Frank.Wisloh@td.com>]
Sent: Thursday, December 11, 2014 3:28 PM
To: Carlotta Stauffer
Cc: Wisloh, Frank C; Weisberg, Susan
Subject: Escrow Agreement - Brevard Waterworks

Carlotta,

Good afternoon!

We need another escrow agreement, this time for Brevard Waterworks. I have attached a copy signed by both Brevard Waterworks and myself. We will be opening the new account asap. Please sign off and return.

Thank you for your assistance.

Frank

Frank Wisloh

Store Manager | Port Richey | NMLS # 1022812

TD Bank, America's Most Convenient Bank

9550-1 US Highway 19

Port Richey, FL 34668

T- 727-846-1444

F- 727-847-3827

C – 813-440-9158

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Carlotta Stauffer

From: Carlotta Stauffer
Sent: Wednesday, December 24, 2014 8:57 AM
To: Charles Murphy; Kelly Thompson; Patti Daniel
Cc: Adam Teitzman
Subject: RE: Escrow Agreement Brevard Waterworks
Attachments: FW: Escrow Agreement - Brevard Waterworks

Thanks, Charlie, I was going to touch base with you today so you were ahead of me! I had it electronically (see attached). These come in to the Clerk's Office, and then we route to you all for approval to execute. I will handle.
Merry Christmas all!

From: Charles Murphy
Sent: Wednesday, December 24, 2014 8:52 AM
To: Kelly Thompson; Patti Daniel
Cc: Adam Teitzman; Carlotta Stauffer
Subject: Escrow Agreement Brevard Waterworks

Kelly,

I have a copy of a draft escrow agreement between Brevard Waterworks and a bank; however, I am not able to find an electronic version of this document or to find it in the docket file. I have reviewed it and find it to be identical to the agreement that was recently vetted and approved for Jumper Creek Utility in Docket No 140147, except that it is modified to reflect Brevard Waterworks and Docket No. 140186. Thus, I recommend that we accept the agreement and that Carlotta execute it on behalf of the Commission. One thing I do notice is that, although it has been executed by the president of the utility and a manager of the bank, it has not been dated by those folks. As part of finalizing this, we would want it dated.

Sorry that I can't find this electronically, it may have been given to me in hard copy. If we cannot locate an electronic version, or at least a clean hard copy, perhaps we can get another copy from Troy Rendell.

Charlie

Carlotta Stauffer

From: Hong Wang
Sent: Friday, December 12, 2014 8:37 AM
To: Charles Murphy; Adam Teitzman
Cc: Carlotta Stauffer; Rachel Arnold; Kelly Thompson
Subject: FW: Escrow Agreement - Brevard Waterworks
Attachments: 20141211133832099.pdf; ATT00001.htm

Attached for your approval is an escrow agreement received for Docket 140186. Please advise Carlotta when GCL has approved this agreement.

From: "Wisloh, Frank C" <Frank.Wisloh@td.com>
Date: December 11, 2014 at 3:27:33 PM EST
To: Carlotta Stauffer <CStauffe@PSC.STATE.FL.US>
Cc: "Wisloh, Frank C" <Frank.Wisloh@td.com>, "Weisberg, Susan" <Susan.Weisberg@td.com>
Subject: Escrow Agreement - Brevard Waterworks

Carlotta,

Good afternoon!

We need another escrow agreement, this time for Brevard Waterworks. I have attached a copy signed by both Brevard Waterworks and myself. We will be opening the new account asap. Please sign off and return.

Thank you for your assistance.

Frank

Frank Wisloh

Store Manager | Port Richey | NMLS # 1022812

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ESCROW AGREEMENT

THIS ESCROW AGREEMENT is made by and between TD Bank N.A. (the "Bank"), the FLORIDA PUBLIC SERVICE COMMISSION, ("FPSC") and BREVARD WATERWORKS, INC., a Florida corporation (the "Utility"), upon the following terms, conditions and considerations:

WITNESSETH:

WHEREAS, by the action of the FPSC in Docket No. 140186-WU, Order No. PSC-14-0683-PCO-WS, issued December 10, 2014, the FPSC granted the Utility's request for interim monthly water service rates, and

WHEREAS, the Bank has agreed to hold such funds in an interest bearing Escrow Account,

NOW, therefore, in consideration of Ten Dollars and the mutual covenants herein, the parties agree as follows:

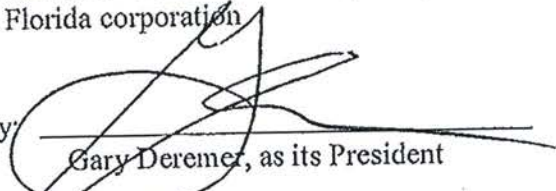
1. The foregoing representations are true and correct.
2. The Utility and FPSC shall open a joint interest bearing Escrow Account. The amount of interim monthly water and wastewater service rates collected subject to refund shall be deposited by the Utility in the Escrow Account and in accordance with the requirements of the FPSC Order issued in Docket No. 140186-WU.
3. The balance in the Escrow Account shall bear interest at the Bank's prevailing money market rate which is currently .05% Annual Percentage Yield, which is a variable rate. Utility shall pay all fees required to maintain the Escrow Account.
4. In the event a refund is required, the Utility is authorized to withdraw funds from this Escrow Account for the purpose of paying said refunds with interest and undertaken in accordance with Rule 25-30.360, Florida Administrative Code. If a refund to the customers is required, all related interest earned on the Escrow Account shall be distributed to the customers, and if a refund to the customers is not required, the interest earned on the Escrow Account shall revert to the utility. As stated below, any such withdrawals of funds shall be contingent upon approval of the FPSC through the Office of Commission Clerk.
5. The Utility shall provide the FPSC a report by the 20th day of each month indicating the monthly and total collected subject to refund.
6. The FPSC's Clerk of the Office of Commission Clerk and the Utility shall be signatories to the Escrow Account. Signature cards executed by the FPSC Clerk of the Office of Commission Clerk and the Utility shall designate the appropriate

authorized signature of each. No withdrawals of funds shall occur without the prior approval of the FPSC through the Office of Commission Clerk.

7. The Bank shall forward regular monthly statements (including images of cancelled checks) to the Utility and shall mail a copy of the monthly statement to the FPSC.
8. The balance of the funds remaining in the Escrow Account shall be disposed of in accordance with the FPSC's final order immediately after issuance and the Escrow Account closed thereafter.
9. The Utility shall indemnify and hold the Bank harmless from any claim, demand or loss suffered by the Bank, and the cost thereof including court costs and attorney fees for negotiation, trial, and appeal.
10. This Escrow Account is established pursuant to the FPSC Order No. PSC-14-0683-PCO-WS, for the benefit of the Utility's customers.
11. The information concerning the Escrow Account shall be made available from the Bank to the FPSC and its representatives at all times.
12. This Escrow Account is established by the direction of the FPSC for the purposes set forth in its order requiring such account. Pursuant to Cosentino v. Elson, 263 So. 2d 253 (Fla 3rd DCA 1972), escrow accounts are not subject to garnishment.

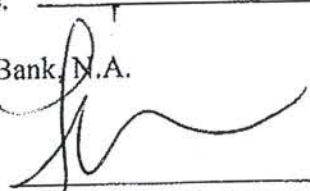
THIS ESCROW AGREEMENT shall become effective and binding upon all parties upon the date it becomes fully executed.

BREVARD WATERWORKS, INC.,
A Florida corporation

By: 
Gary Deremet, as its President

Date: _____

TD Bank, N.A.

By: 
Frank Wisloh, Store Manager, AVP

Date: _____

FLORIDA PUBLIC SERVICE COMMISSION

By: _____
Carlotta S. Stauffer, Commission Clerk
Office of Commission Clerk

Date: _____

STATE OF FLORIDA

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN



OFFICE OF COMMISSION CLERK
CARLOTTA S. STAUFFER
COMMISSION CLERK
(850) 413-6770

Public Service Commission

October 6, 2014

Gary Deremer
c/o 4939 Cross Bayou Blvd.
New Port Richey, FL 34652-3434

Re: Docket No. 140186-WU

Dear Mr. Deremer:

This will acknowledge receipt of the Application for staff-assisted rate case in Brevard County by Brevard Waterworks, Inc., which was filed in this office on September 29, 2014, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6199.

Please note as well that the Commission's Statement of Agency Organization and Operations requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this requirement by advising us of any changes as they occur.

A handwritten signature in blue ink that reads "Carlotta S. Stauffer".

Carlotta S. Stauffer
Office of Commission Clerk

Crystal Card

From: Tom Ballinger
Sent: Wednesday, October 01, 2014 10:34 AM
To: Crystal Card
Cc: Jim Dean; Andrew Maurey; Lisa Harvey
Subject: RE: Management Notification of New Docket No. 140186-WS

Good morning Crystal. This docket should have ECO as the OPR Division. Let me know if you need anything else from me.

Tom Ballinger
Director, Division of Engineering
Florida Public Service Commission
(850) 413-6680

From: Crystal Card
Sent: Monday, September 29, 2014 11:07 AM
To: CMS New Docket Opened
Subject: Management Notification of New Docket No. 140186-WS

This is to notify you of a new docket assignment. Click the following link to view: [05470-14](#)
The OPR for this docket is ENG.