

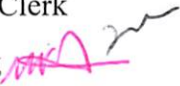
State of Florida



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: October 5, 2015
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Melinda Watts, Engineering Specialist, Division of Engineering 
RE: Docket No. 150102-SU-Application for increase in wastewater rates in Charlotte County by Utilities, Inc. of Sandalhaven. Application for staff-assisted rate case in Polk County by Alturas Utilities, L.L.C.

Please file the attached copy of Sandalhaven's request to DEP for extension of time in the above mentioned Docket File.

Thank you.

Melinda Watts

From: Patrick Flynn <PCFlynn@uiwater.com>
Sent: Wednesday, September 30, 2015 6:56 PM
To: Diane Loughlin
Cc: John Hoy; Mike Wilson; Scotty Haws; Melinda Watts
Subject: Sandalhaven Request for Time Extension
Attachments: Request for Extension Sept 28 2015.pdf; Easement sketch Sept 16 2015.pdf; FP&L Transformer location & cable routing June 8 2015.pdf; SCHEDULE A Request for time extension.pdf; Utility easements within Lemon Bay Conservancy envelope as of June 2015.pdf

Dear Diane,

Attached please find our request for a 32-day extension to the October 1 deadline to divert flow as described in the Consent Order. I am pleased to tell you that the easement document that has been the main focal point for the last 7 weeks was executed just today. I delayed in submitting this request until today in order for me to be comfortable in asking for only 32 days to complete the remaining tasks. Assuming the Department approves my request, November 2 will be the new deadline. It is my understanding that your office has the discretion to approve this request based on the facts presented.

We are poised to act promptly to complete the remaining tasks as I enumerated in my letter. Additionally, once those items are completed and the diversion occurs, we will move swiftly to complete the decommissioning of the plant within the allotted 60 days or sometime before the end of 2015.

Please let me know if you have any questions or need additional information. I will be in my office all day tomorrow and can be reached directly by dialing 321/972-0359.

Regards,
Patrick



Patrick C. Flynn

Vice President of Operations
200 Weathersfield Avenue
Altamonte Springs, FL 32714-4027
pcflyn@uiwater.com
Phone: (800) 272-1919, x1359
Fax: (407) 869-6961



September 30, 2015

Ms. Diane Loughlin
Environmental Specialist II
Florida Department of Environmental Protection
P.O.Box 2549
Ft. Myers, FL 33902-2549

RE: Sandalhaven WWTF
Facility ID# FLA014053
Consent Order Case No. 14-0536-08-DW
Request for time extension

Dear Ms. Loughlin:

Pursuant to the requirements stated in Paragraph 17 of the above referenced Consent Order ("Order"), Utilities, Inc. of Sandalhaven ("Utility") hereby provides written notice to the Florida Department of Environmental Protection ("DEP" or "Department") of our request for an extension of time to complete the diversion of flow as specified in Paragraph 8 of the Order. Specifically, the Utility requests an additional 32 days to complete the construction of the new facilities associated with the project including providing the Department with a Certificate of Completion before placement of the facilities into operation. Thereafter, the Utility will divert the wastewater flow currently treated at our Sandalhaven WWTP to Englewood Water District's facilities as described in Construction Permit No. 43770-155-DWC/CM.

The reason for the delay in completing the project is due to delays caused by FP&L, the electric utility that provides power to all of the Utility's facilities, in setting a transformer of sufficient size to supply adequate power to the upgraded Lift Station #4. In order to explain the sequence of events that resulted in this delay, I have attached "Schedule A" that lays out the chronology of our project activities over the last 12 months with special emphasis on FP&L's performance throughout the time period.

A larger transformer was required in order to provide adequate power to run twin 35 Hp submersible pumps in place of the original 5 Hp pumps at Lift Station #4. This is due to the much higher head conditions evident in pumping flow to EWD's plant compared to the current condition. In addition, covenants and restrictions associated with the Gasparilla Pines Blvd. corridor required the installation of underground cables and pad mounted transformers only. The use of power poles and overhead cables was not an option. FP&L's construction standard and design policy, therefore, required the placement of the new transformer in a non-exclusive utility easement, not within the road right-of-way.

In June, I directed our design engineer to research the county property records to determine whether any utility easements had been established previously that would support the installation of the transformer. The result of that effort is depicted on the attached "Non-exclusive utility easements within Lemon Bay Conservancy parcel as of June 2015".

FP&L initially informed the Utility's electrical engineer and Utility's contractor that the requested transformer would be placed in an existing FP&L utility easement adjacent to the south boundary of the right-of-way (see attached "FP&L transformer location and cable route, June 8, 2015"). At that time, FP&L's construction timeline was consistent with the contractor's project schedule. On

a Utilities, Inc. company Utilities, Inc. of Sandalhaven

Ms. Diane Loughlin
Sandalhaven WWTF ID# FLA014053
Consent Order Case No. 14-0536-08-DW

August 10, FP&L initiated the installation of the new transformer and concrete pad on Lemon Bay Conservancy (LBC) property across from Goldfinch Lane. However, at that time LBC informed FP&L's work crew to cease work until such time as an easement was established to allow the placement of the transformer on LBC's property, and until then FP&L was not authorized to do any work at that site. Immediately thereafter, FP&L entered into negotiations with LBC to establish such an easement.

During this process, Tropical Storm Erika began tracking toward south Florida resulting in FP&L shifting into storm preparation mode and thus postponing any progress on the easement during the week of August 24.

Finally, on September 30, FP&L and LBC executed the easement documents so that FP&L can proceed with the installation of the transformer (see attached "Easement sketch, September 16, 2015"). Please bear in mind that FP&L is not the Utility's contractor or agent. FP&L is the sole source of energy necessary to place the new facilities into operation, but Utility has no control over the timing of FP&L's work. The Utility was at the mercy of FP&L's work schedule with respect to the completion of our project.

In an effort to minimize the delays caused by the above mentioned activities, the Utility, through its contractor and subcontractors, has proceeded to complete the construction of the remaining facilities. In fact, our contractor was well ahead of schedule up through August other than the issues with FP&L noted above and the delivery of the emergency generator that is scheduled to arrive and be set in October.

Now that the easement has been established, the following tasks are to be completed within the next 32 days:

- a. FP&L will set the transformer on its pad and pull conductors to it.
- b. EESI's electrician will extend a 4" conduit approximately 50 LF to the transformer pad.
- c. EESI's electrician will pull the four conductors through the conduit and land the conductors on both ends.
- d. FP&L will energize the transformer.
- e. Charlotte County Building Department will inspect and approve the electrical work.
- f. FP&L will set the electric meter.
- g. EESI will schedule equipment startup
- h. Our engineer will submit the Certification of Completion to your office.
- i. Upon receipt of the Department's approval, Utility staff will schedule the diversion of the flow to EWD.

You had indicated to me previously that your office would act expeditiously to review and act on the submittal of the Certification of Completion. It is my understanding that it should be directed to Gary Maier's attention for swift action.

Once the diversion has been completed, we will initiate the decommissioning of the Sandalhaven WWTP in conformance with the plan previously approved by the Department and as described in Paragraph 7 of the Order.

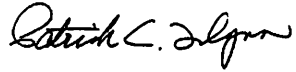
Kindly notify me that my request for a time extension has been received and approved. In the meantime, we will complete the above remaining tasks as rapidly as possible in order to reach a conclusion to the project.

If you should have any questions or need additional information, please do not hesitate to contact me at (800) 272-1919, extension 1359 or via email at pcflyn@uiwater.com.

Ms. Diane Loughlin
Sandalhaven WWTF ID# FLA014053
Consent Order Case No. 14-0536-08-DW

Sincerely,

UTILITIES, INC. OF SANDALHAVEN



Patrick C. Flynn,
Vice President of Operations

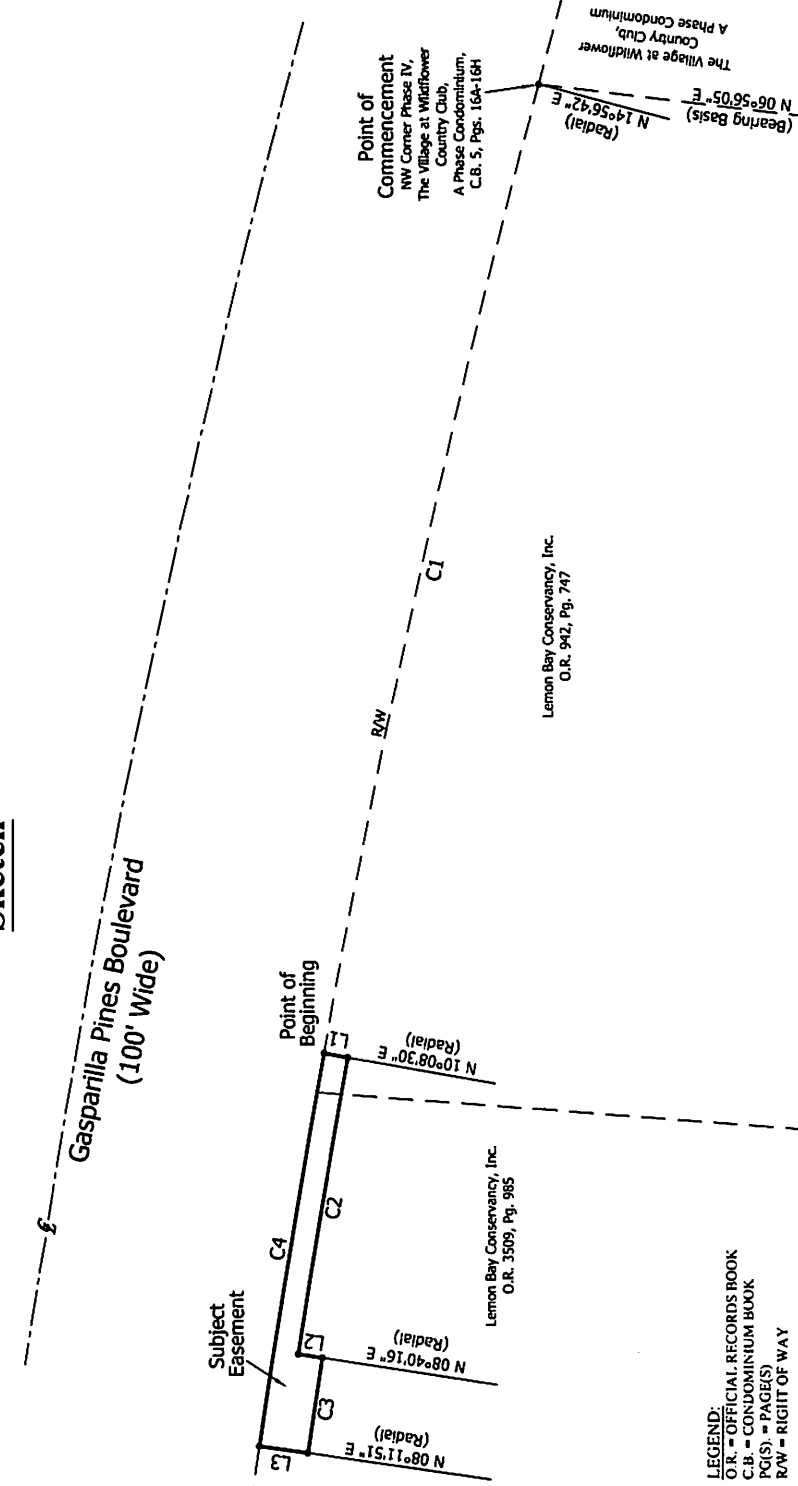
EC: John Hoy, President
Mike Wilson, Regional Manager
Scotty Haws, Compliance & Safety Manager
Melinda Watts, Florida Public Service Commission

SCHEDULE A

Utilities, Inc. of Sandalhaven
 Consent Order OGC No. 14-0536-08-DW
 September 30, 2015

Date	Activity
10/8/14	Consent Order OGC No. 14-0536-08-DW executed
12/1/14	Submitted application for construction permit
12/8/14	DEP issued Construction Permit 43770-155-DWC/CM
2/17/15	Bids solicited
3/20/15	Bid opening
4/13/15	Contract awarded to EESI, issued Notice to Proceed, 150 days to substantially complete the project
5/11/15	Electrical engineer and EESI in contact regarding layout of transformer to serve LS 4 with 277/480V 3-phase power
6/8/15	Kimley-Horn located a warranty deed covering ingress/egress to the parcel containing the existing transformer. No reference was made to FP&L.
6/9/15	FP&L confirmed it would supply 277/480V, 3-phase power as requested.
6/10/15	FP&L informed the electrical engineer and EESI that the transformer's location would be placed in an existing easement
6/11/15	FP&L identified the capital cost to place the transformer and provided a layout of the electrical facilities
7/15/15	Kimley-Horn provided a sketch showing the location of existing Utility easements within Lemon Bay Conservancy's property
8/10/15	FP&L initiated the installation of the transformer on the south side of Gasparilla Pines Blvd. opposite Goldfinch Dr. LBC shut down the work in the absence of any documentation supporting the existence of a recorded utility easement
8/12/15	FP&L agent met LBC board member on site, title search generated no FP&L easement documentation
8/18/15	FP&L submitted draft easement documents to LBC
8/23/15	LBC board indicated willingness to grant an easement to FP&L subject to specific requirements
8/27/15	Meeting between FP&L agent and LBC board member postponed due to FP&L's preparation for approaching T.S. Erika
9/3/15	FP&L and LBC reached verbal agreement on easement language and content, transformer location and other specifics
9/11/15	FP&L was to flag the area of the transformer site, not done
9/16/15	FP&L agent on vacation, second agent submitted easement documents to LBC
9/22/15	EESI requested a work schedule from FP&L, no response
9/25/15	EESI repeated the request. FP&L was waiting on delivery of easement sketch to provide LBC prior to execution of easement.
9/29/15	Utility and EESI requested work schedule from FP&L, no response
9/30/15	FP&L submitted the surveyor's site plan and LBC provided FP&L with the executed easement documents.

Sketch

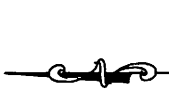


LEGEND:
 O.R. = OFFICIAL RECORDS BOOK
 C.B. = CONDOMINIUM BOOK
 PG(S). = PAGE(S)
 R/W = RIGHT OF WAY

SURVEY NOTES:

- BEARINGS ARE BASED ON THE FLORIDA WEST STATE PLANE COORDINATE SYSTEM NAD 83 (2011 ADJ) WITH THE WEST LINE OF THE VILLAGE AT WILDFLOWER COUNTRY CLUB, A PHASE CONDOMINIUM, BEING N 06°56'05" E.
- MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
- THIS IS NOT A SURVEY.
- ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER.
- COPYRIGHT 2015, JEFFREY D. STOUTEN, P.S.M. ALL RIGHTS RESERVED. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF JEFFREY D. STOUTEN, P.S.M.
- NOT VALID WITHOUT SHEET 2 OF 2.

Sketch to Accompany Description
Subject Parcel
 A Tract of Land Lying in Section 27,
 Township 41 South, Range 20 East



SCALE
 1" = 30'

THIS IS NOT A SURVEY

STOUTENCRAMER
 PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922
 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
 Phone: (239) 673-9541 Fax: (239) 424-8181
 www.stoutencramer.com

PREPARED FOR: Florida Power & Light Company

SECTION 27, TOWNSHIP 41S, RANGE 20E

DATE

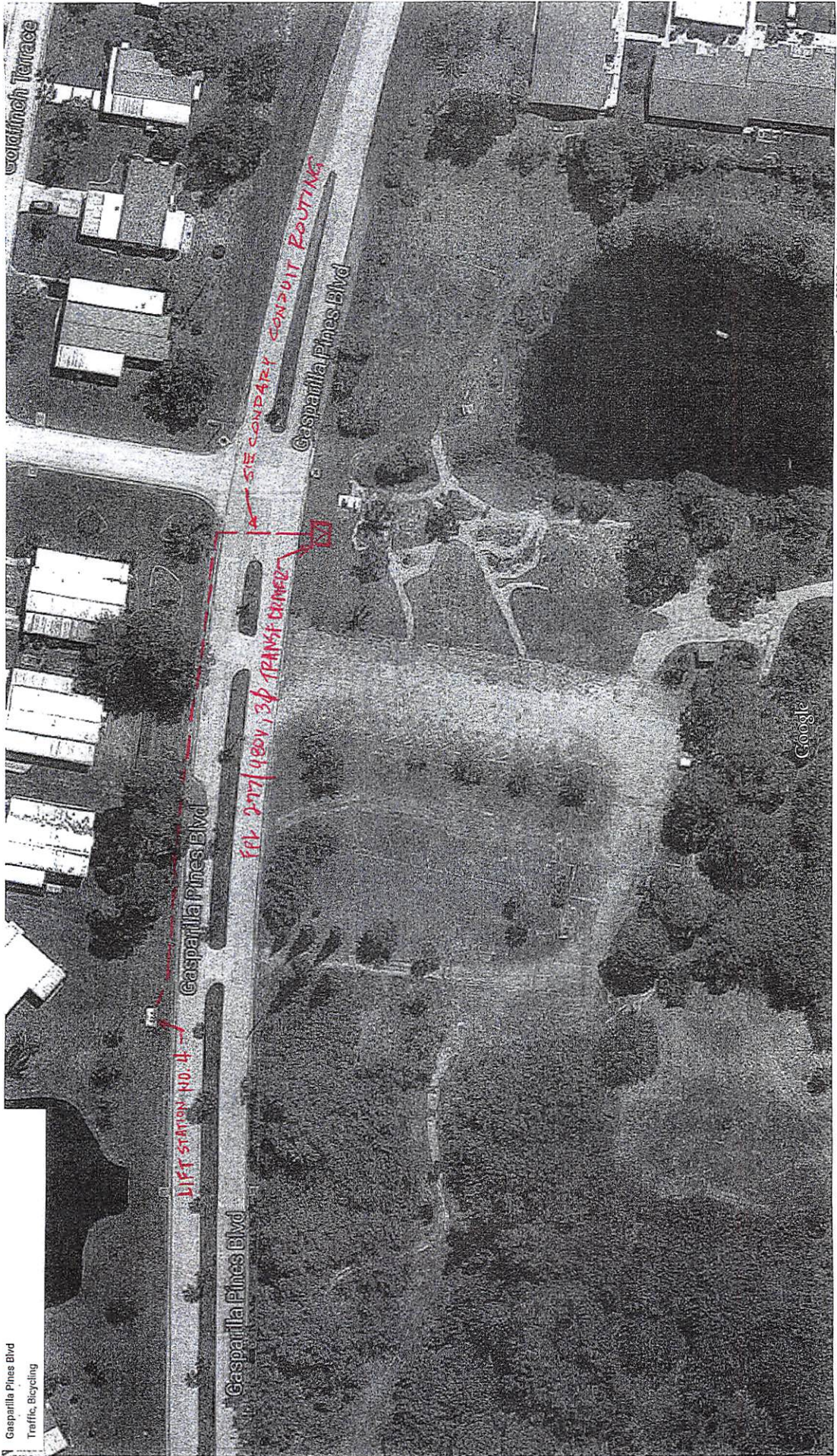
REVISION

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented herein, made under my direction on September 9th, 2015 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17, Florida Administrative Code, pursuant to Section 372.027 Florida Statutes.

JEFFREY D. STOUTEN (FOR THE FIRM)
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.65894
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 RUBBED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2430.00'	4°08'12"	203.72'	N 77°27'44" W	203.66'
C2	2425.00'	1°28'13"	62.23'	N 80°35'37" W	62.23'
C3	2420.00'	0°28'25"	20.00'	N 81°33'56" W	20.00'
C4	2430.00'	1°56'38"	82.44'	S 80°49'50" E	82.44'

LINE	BEARING	DISTANCE
L1	S 10°08'30" W	5.00'
L2	S 08°40'16" W	5.00'
L3	N 08°11'51" E	10.00'

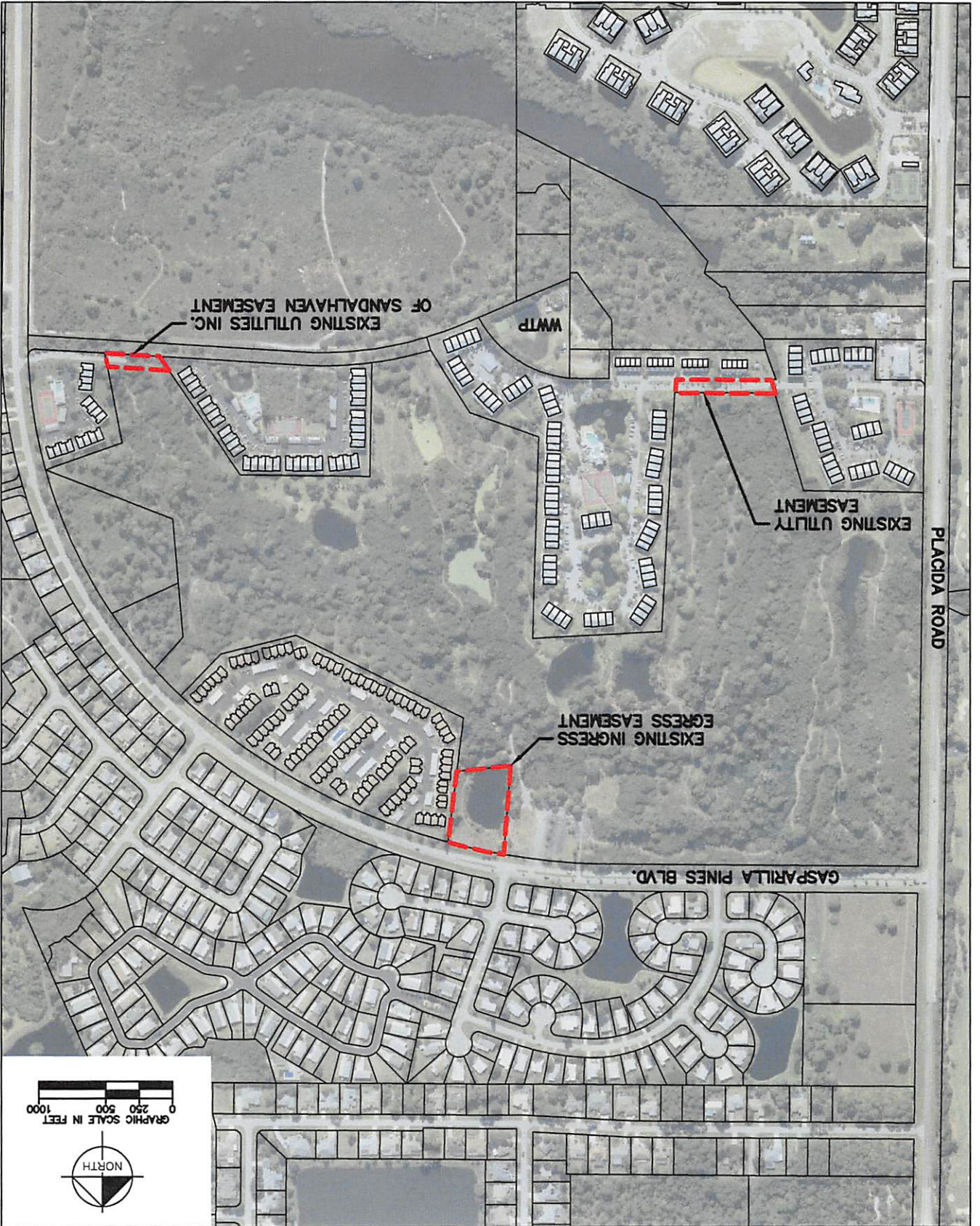


FP&L Transformer location & cable route June 8, 2015

SANDALHAVEN LIFT STATION NO. 4

UTILITIES INC. OF SANDALHAVEN

Kimley-Horn
© 2015 KIMLEY-HORN AND ASSOCIATES, INC.
655 N FRANKLIN STREET, SUITE 150, TAMPA, FL 33602
PHONE: 813-820-1460
WWW.KIMLEY-HORN.COM CA 0000696



Non-exclusive utility easements within Lemon Bay Conservancy parcel as of June 2015

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Names of and engineer references on this document without written authorization and adoption by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.