

NORTH CHARLOTTE WATERWORKS, INC.

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FPSC - COMMISSION CLERK

May 18, 2017

Office of Commission Clerk
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Re: Docket No. 160058-WS - North Charlotte Waterworks, Inc, application for approval of transfer of Sun River Utilities, Inc. in Charlotte and DeSoto Counties, Florida – Letter to Landowners

Dear Commission Clerk,

Please include the attached letter in the above referenced docket.

Respectfully Submitted,



Troy Rendell
Manager of Regulated Utilities
//For North Charlotte Waterworks, Inc.



LAW OFFICES OF
JOHN M. LEROUX, P.A.

Eminent Domain • Inverse Condemnation • Property Rights

May 18, 2017

U.S. PRIORITY MAIL

Khalil Saab
Waterfront Homes of Charlotte, LLC
3407 Torrey Rd.
Flint, MI 48507

Re: Long-term Land Lease for North Charlotte Waterworks, Inc.

Dear Mr. Saab:

I am working with North Charlotte Waterworks to obtain the necessary real estate interests to continue the operation of the utility facilities currently operating on land owned by Waterfront Homes of Charlotte, LLC. As you know, the water treatment and wastewater treatment plants were originally developed and permitted by MSM Utilities, LLC. As a condition of that permit, the operator was required to provide documentation of the utility's right to access the land by obtaining outright title, necessary easements or a recorded lease of 99 years.

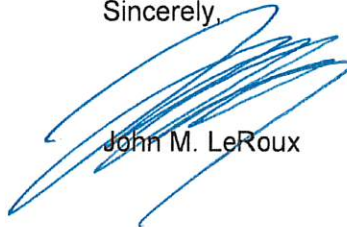
When the utility was transferred to Sun River Utilities, Inc., the lease was modified to terminate three years after that transfer. That modification violates the term of the permit and is contrary to the public policy of ensuring the long-term stability necessary to provide continuous, safe water and wastewater treatment service to the public served by the utility. We believe this change may be set aside, with the original lease term re-established.

A second option is the acquisition of the necessary real estate interests through the use of the power of eminent domain. As a utility provider of water and wastewater treatment, we have the authority and power to acquire through condemnation these necessary interests pursuant to Florida Statutes §188.06. The costs associated with the acquisition will be passed to existing and future customers in our franchise area through approved rate adjustments.

The third, and preferable, method is to reach an agreement with you to provide the long-term leasehold interests with a provision for the eventual relocation of the existing facilities if necessitated by the future development of your property. The existing facilities are adequately sized to accommodate a large portion of any development of your property and could be planned out as development progresses.

We would welcome the opportunity to meet with you to discuss these options and any questions or concerns you may have. We look forward to working with you towards a resolution that ensures the continued provision of water and wastewater treatment service to our customers and the successful future development of your property.

Sincerely,



John M. LeRoux

JML/tsa

cc: Troy Rendell