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Public Service Commission

October 15, 2019

Martin S. Friedman, Esquire
Dean & Mead Law Firm
420 S. Orange Avenue, Suite 700
Orlando, FL 32801
mfriedman@deanmead.com

VIA EMAIL & US MAIL

Re: Docket No. 20190147-WS - Application for certificates to provide water and wastewater service in Brevard County by River Grove Utilities, Inc.

Dear Mr. Friedman:

Staff reviewed River Grove Utilities, Inc.'s (River Grove or Utility) September 16, 2019 response to staff's August 16, 2019 deficiency letter. After reviewing this information we find the application is still deficient. The specific deficiencies are identified as:

1. **Legal description.** Rule 25-30.033(1)(j)1., Florida Administrative Code (F.A.C.), requires that the applicant provide a legal description of the territory proposed to be served, in the format prescribed in Rule 25-30.029, F.A.C. In its August 2, 2019, draft notice review letter, staff requested that the legal description submitted by the Utility be amended to comply with the format prescribed in Rule 25-30.029, F.A.C. River Grove's response to staff's August 16, 2019 deficiency letter corrected the references to the county from Flagler County to Brevard County in the legal description. However, the description must still be amended so that it identifies a point of beginning which is referenced from either a section corner or a subsection corner.
2. **Legal description.** Additionally, staff notes that the legal description currently relies on government lots to describe the Point of Beginning. Rule 25-30.029(2)(b), F.A.C., states in part, "The description... shall not rely on references to government lots, recorded plats or lots, tracts, or other recorded instruments." Amending the legal description to reference the Point of Beginning from a section or subsection corner may or may not, by itself, alleviate reliance on government lots. Please ensure that the legal description, in its entirety, does not rely on recorded instruments.
3. **System map.** Rule 25-30.033(1)(j)2., F.A.C., requires that the applicant provide a detailed system map showing the proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided. The map shall be of sufficient scale and detail to enable correlation with the description of the territory. The system maps provided in River Grove's September 16, 2019 response to staff's August 16, 2019 deficiency letter still need some changes to ensure clarity. Please do the following:

October 15, 2019

- a. Utilities most often provide separate system maps for the water system and the wastewater system. If River Grove chooses to provide the schematics for both systems on one map, the line styles for the mains and the symbols for system components should be unique and defined in the map legend.
 - b. For clarity, the lines used to depict the water mains on the water system map and the wastewater mains on the wastewater system map should be distinct from the lines used to depict roads, railroads, houses, buildings, township/section/range boundaries, county boundaries, boundaries for bodies of water, etc. This can be done by using different line styles and colors. It is customary for utility system maps to use blue lines for water mains and green lines for wastewater mains.
 - c. It appears that the water distribution system contains fire hydrants, but there is no symbol in the legend defining them as such. Please ensure that all system components are defined in the legend.
4. **Notice of Application.** Rule 25-30.030(6), F.A.C., states that all applications requiring noticing shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk. Staff reviewed the draft notice of application filed as Attachment 11 in River Grove's September 16, 2019 response to staff's August 16, 2019 deficiency letter. River Grove's draft notice is hereby approved. Staff will transmit the list of entities required by Rule 25-30.030(2), F.A.C., via a separate email. Once the notices have been distributed in accordance with Rule 25-30.030(5), F.A.C., please provide affidavits of noticing.

Your application will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **November 14, 2019**, to the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Should you have any questions concerning the information in this letter, please feel free to contact Mrs. Melinda Watts by phone at (850) 413-6952 or email at mwatts@psc.state.fl.us for technical questions, or Mr. Kurt Schrader by phone at (850) 413-6234 or email at kschrade@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,



Melinda Watts
Engineering Specialist

MW:jp

cc: Office of Commission Clerk (Docket No. 20190147-WS)