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DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

November 20, 2019

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

VIA EMAIL & US MAIL

Re: Docket No. 20190185-WS - Application for authority to transfer assets of exempt entity in Sumter County by the City of Wildwood to South Sumter Utility Company, LLC.

Dear Mr. Friedman:

Florida Public Service Commission (Commission) staff has reviewed the application for transfer (application) submitted on behalf of the City of Wildwood (Seller or Utility) and South Sumter Utility Company, LLC (Buyer) on September 25, 2019. After reviewing this information we find the application to be deficient. The specific deficiencies are identified as:

- 1. Permits.** Rule 25-30.037(2)(r), Florida Administrative Code (F.A.C.), requires that the applicant provide: (1) a copy of the utility's current permits from the Florida Department of Environmental Protection (DEP) and the water management district (WMD); (2) a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report; (3) a copy of all of the utility's correspondence with the DEP, county health department, and the WMD, including consent orders and warning letters, and the utility's responses to the same, for the past five years. Please provide all permits, from both the DEP and the WMD, pertaining to the water treatment plant built in 2018 that will provide service to the proposed area. Along with permits, please provide the most recent sanitary survey/compliance inspection/secondary standards report pertaining to the water treatment plant built in 2018 that will provide service to the proposed area. Also, please provide all of the utility's correspondence with the DEP, county health department, and the WMD, including consent orders and warning letters, and the utility's responses to the same, within past five years pertaining to the water treatment plant built in 2018 that will provide service to the proposed area.
- 2. Filing Fee.** Rule 25-30.037(3)(a), (F.A.C.), requires that the applicant remit a combined filing fee pursuant to Rules 25-30.020(2)(b) and (c), F.A.C., which state:

(2)(b) For an application for extension or deletion of territory filed pursuant to Section 367.045, F.S., the amount of the fee shall be as follows:

1. For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, \$100;
2. For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, \$200;
3. For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, \$500;
4. For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, \$1,000;
5. For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, \$1,750;
6. For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, \$2,250.

(2)(c) For an application for transfer or change in majority organizational control filed pursuant to Section 367.071, F.S., the amount of the fee shall be as follows:

1. For applications in which the utility to be transferred has the capacity to serve up to 500 ERCs, \$750;
2. For applications in which the utility to be transferred has the capacity to serve from 501 to 2,000 ERCs, \$1500;
3. For applications in which the utility to be transferred has the capacity to serve from 2,001 to 4,000 ERCs, \$2,250;
4. For applications in which the utility to be transferred has the capacity to serve more than 4,000 ERCs, \$3,000.

On September 27, 2019, the Utility paid a filing fee in accordance to Rule 25-30.020(2)(b)5., F.A.C., please remit the appropriate filing fee for Rule 25-30.020(2)(c)3., F.A.C., as well.

3. **Funding.** Rule 25-30.037(2)(1)2., F.A.C., requires that the applicant should provide a list of all entities, including affiliates, upon which the buyer is relying to provide funding to the utility. Additionally, the applicant should provide copies of any financial agreements between the listed entities and the utility, as well as proof of the listed entities' ability to provide funding, such as financial statements. Although the Utility provided a letter from Holding Company of the Villages, Inc. (The Villages) detailing its commitment to provide the financial support necessary to the applicant, it did not provide proof of The Villages' ability to provide funding. Please provide proof of The Villages' ability to provide funding, such as financial statements.
4. **Noticing.** Rule 25-30.037(3)(b), F.A.C., requires that the applicant provide proof of noticing of the service area proposed to be served pursuant to Rule 25-30.030, F.A.C. Rule 25-30.030(5), F.A.C., requires that notice be provided to certain governmental entities and utilities, customers and property owners, and published in a newspaper of general circulation. On November 13, 2019, the Utility provided an affidavit of mailing the notice issued pursuant to Rule 25-30.030(5)(a), F.A.C. Please issue the notices

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required by Rules 25-30.030(5)(b) and (c), F.A.C., and submit the corresponding affidavits pursuant to Rule 25-30.030(6), F.A.C.

Your application will not be deemed filed until the deficiencies identified in this letter have been corrected and the filing fee paid. These corrections and the filing fee should be submitted no later than December 20, 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 Ms. Kerri Johnson by phone at (850) 413-6836 or email Kerri.Johnson@psc.state.fl.us for technical questions, or Ms. Bianca Lherisson by phone at (850) 413-6630 or email BLheriss@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,



Kerri Johnson
Engineering Specialist

KJ:jp

cc: Office of the Commission Clerk (Docket No. 20190185-WS)