

STATE OF FLORIDA



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DIVISION OF ENGINEERING
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Public Service Commission

December 6, 2023

Mr. Martin S. Friedman
Dean, Mead & Dunbar
420 S. Orange Ave., Ste. 700
Orlando, FL 32801
mfriedman@deanmead.com

VIA EMAIL

Mr. F. Marshall Deterding
Sundstrom & Mindlin, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
mdeterding@sfflaw.com

Re: Docket No. 20220142-WS - Joint application of Grenelefe Resort Utility, Inc., NC Real Estate Projects, LLC, and Grenelefe Resort Utilities Development, LLC, for authority to transfer assets and Certificate Nos. 589-W and 507-S, in Polk County, from Grenelefe Resort Utility, Inc. to NC Real Estate Projects, LLC

Dear Mr. Friedman and Mr. Deterding:

Staff has reviewed the Utility's response to the deficiency letter dated October 26, 2023, and request that the Utility correct the following deficiencies. Staff notes that the first two deficiencies below were not identified previously.

- 1. Fictitious Name.** Rule 25-30.037(2)(f)2., Florida Administrative Code, (F.A.C.), requires the utility's/buyer's fictitious name and registration number for the fictitious name. Currently, NC Real Estate, LLC is requesting approval for NC Real Estate Projects, LLC d/b/a Grenelefe Utility. Please provide documentation of NC Real Estate's authorization to operate as Grenelefe Utility.
- 2. Financial Statements.** Rule 25-30.037(2)(1)1., F.A.C., requires a detailed financial statement (balance sheet and income statement), audited if available, of the financial condition of the applicant, that shows all assets and liabilities of every kind and character. While the Utility has filed the balance sheet for Mr. Frederick Scott House, the Rule also requires an income statement be filed as well. Please provide the current income statement of Mr. Frederick Scott House. The income statement may be filed confidentially.

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3. Legal Description. Rule 25-30.037(2)(n), F.A.C., requires a legal description of the proposed service area in compliance with Rule 25-30.029(2)(b)2., F.A.C., which requires that all points of beginning must be in reference to a section corner or a subsection corner. The legal description provided includes a portion of the service area described as starting from the center of a section. Rule 25-30.029(2)(b)2., F.A.C., states that a transfer of a regulated entity must meet the current rule requirements. Please provide a revised legal description of the service area with all points of beginning in compliance with this rule.

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 **Monday, January 8, 2024**, 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 Orlando Wooten by phone at (850) 413-6686 or email at owooten@psc.state.fl.us for technical questions, or Austin Watrous by phone at (850) 413-6904 or email at awatrous@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

s/Orlando Wooten

Orlando Wooten
Engineering Specialist
Division of Engineering

OW:da

cc: Office of Commission Clerk (Docket No. 20220142-WS)