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DIVISION OF ENGINEERING
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Public Service Commission

December 14, 2023

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

VIA EMAIL

Re: Docket No. 20230114-WS - Application for certificates to provide water and wastewater service in Volusia County, by Applegate Utility, LLC.

Dear Mr. Deterding:

Staff has reviewed Applegate Utility, LLC's (Applegate or Utility) response to Staff's Deficiency Letter dated November 13, 2023. After reviewing this information, we find the application still to be deficient. The specific deficiencies are identified as:

- Filing Fee.** Rule 25-30.020(2)(a), Florida Administrative Code (F.A.C.), states that all applications for an original certificate filed pursuant to Section 367.045, Florida Statutes (F.S.), shall pay a filing fee based on a utility's existing or proposed capacity. Regarding Applegate's response to Staff's Deficiency Letter, the filing fee is not calculated based on the number of customers, but instead on the existing capacity. Therefore, the required filing fees are \$1,500 for water service and \$750 for wastewater service, for a total filing fee of \$2,250. The Utility paid a filing fee of \$1,500. Please remit the remaining filing fee balance of \$750.
- DEP Compliance.** Rule 25-30.034(1)(j)(3), F.A.C., states the applicant shall provide a copy of the utility's most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report. In Applegate's response to Staff's Deficiency Letter, the Utility's most recent DEP secondary standards drinking water report was provided; however, no compliance inspection report was included. Please provide the Utility's most recent DEP compliance inspection report.

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 Friday, January 12, 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 Emily Knoblauch by phone at (850) 413-6632 or email eknoblau@psc.state.fl.us for technical questions, or Timothy Sparks by phone at (850) 413-6216 or email tsparks@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

Emily Knoblauch

Emily Knoblauch
Engineering Specialist
Division of Engineering

EK:da

cc: Office of Commission Clerk (Docket No. 20230114-WS)