

**SUNDSTROM  
& MINDLIN, LLP**

Attorneys | Counselors

FILED 1/31/2024  
DOCUMENT NO. 00436-2024  
FPSC - COMMISSION CLERK

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January 31, 2024

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Adam Teitzman, Clerk  
Florida Public Service Commission

**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. Teitzman:

This letter will serve as the response of the Applicant to the Florida Public Service Commission's "deficiency letter" issued in the above-referenced matter on January 22, 2024. I have outlined below the deficiency raised in the Commission's letter and the utility response.

1. **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 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 started from the center of a section. Rule 25-30.029(2)(b)2 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.

**Utility Response.** Attached in order to comply with this latest requirement are revised tariff sheets No. 3.1 for wastewater and 3.1 for water with a revised legal description to comply with the rule interpretation of the staff.

Also attached is a revised proposed customer notice which has been revised in the same manner in order to comply with the rule interpretation of staff.

Please let me know if you need anything further. I believe this fully complies with all the deficiencies noted by staff. We would like to move forward with the customer noticing at the earliest possible time so please contact us at your earliest convenience.

Sincerely,

**SUNDSTROM & MINDLIN, LLP**

  
F. Marshall Deterding  
Of Counsel

FMD/brf

Enclosures

cc: Orlando Wooten  
Jennifer Crawford  
Martin S. Friedman

DESCRIPTION OF TERRITORY SERVED

The following areas in Range 28 East, Township 28 South, Sections 5, 6, 7 and 8, Polk County, Florida;

The South ½ of Section 6;  
The North ½ of Section 7; and

In Sections 7 and 8 described as follows:

The Point of Beginning (POB) identified as the SE corner of the NW 1/4 of Section 7; from the POB run N 89°42'32" E a distance of 2,599.05 feet; to the NW corner of Section 8; thence N 89°50'22" E a distance of 1,320.00 feet; thence South a distance of 1,317.85 feet more or less; thence S 03°59'01" E a distance of 827.42 feet; thence N 89°54'04" W a distance of 1,378.88 feet; to the East line of Section 7; thence S 89°26'13" W a distance of 2,574.02 feet; thence N 00°37'09" W a distance of 2,152.99 feet; to the POB; and

In Section 5 described as follows:

Begin at the SW corner of Section 5, Range 28 E, Township 28 S; run N 00°13'39" E a distance of 2,641.87 feet to the POB; from the POB run N 00°05'32" W a distance of 660.00 feet; thence N 89°49'05" E a distance of 1,600 feet more or less; thence Southerly along the waters edge of Lake Polk a distance of 688 feet more or less; thence S 89°50'03" W a distance of 1,407 feet more or less to the POB; and

In Section 5 described as follows:

From the SW corner of Section 5, Range 28 E, Township 28 S, also the POB; run N 00°13'39" E a distance of 2,641.87 feet; thence N 89°49'05" W a distance of 971.87 feet; thence S 00°43'25" E a distance of 2,642.27 feet; thence S 89°50'03" W a distance of 994.74 feet to the POB; and

In Section 8 described as follows:

From the NW corner of Section 8, Range 28 E, Township 28 S, also the POB; run N 89°50'03" E a distance a 994.74 feet; thence S 00°02'32" W a distance of 2,634.51 feet; thence S 89°50'22" W a distance of 1,000.27 feet; thence N 00°09'45" E a distance of 2,634.45 feet to the POB.

DESCRIPTION OF TERRITORY SERVED

The following areas in Range 28 East, Township 28 South, Sections 5, 6, 7 and 8, Polk County, Florida;

The South ½ of Section 6;  
The North ½ of Section 7; and

In Sections 7 and 8 described as follows:

The Point of Beginning (POB) identified as the SE corner of the NW 1/4 of Section 7; from the POB run N 89°42'32" E a distance of 2,599.05 feet; to the NW corner of Section 8; thence N 89°50'22" E a distance of 1,320.00 feet; thence South a distance of 1,317.85 feet more or less; thence S 03°59'01" E a distance of 827.42 feet; thence N 89°54'04" W a distance of 1,378.88 feet; to the East line of Section 7; thence S 89°26'13" W a distance of 2,574.02 feet; thence N 00°37'09" W a distance of 2,152.99 feet; to the POB; and

In Section 5 described as follows:

Begin at the SW corner of Section 5, Range 28 E, Township 28 S; run N 00°13'39" E a distance of 2,641.87 feet to the POB; from the POB run N 00°05'32" W a distance of 660.00 feet; thence N 89°49'05" E a distance of 1,600 feet more or less; thence Southerly along the waters edge of Lake Polk a distance of 688 feet more or less; thence S 89°50'03" W a distance of 1,407 feet more or less to the POB; and

In Section 5 described as follows:

From the SW corner of Section 5, Range 28 E, Township 28 S, also the POB; run N 00°13'39" E a distance of 2,641.87 feet; thence N 89°49'05" W a distance of 971.87 feet; thence S 00°43'25" E a distance of 2,642.27 feet; thence S 89°50'03" W a distance of 994.74 feet to the POB; and

In Section 8 described as follows:

From the NW corner of Section 8, Range 28 E, Township 28 S, also the POB; run N 89°50'03" E a distance a 994.74 feet; thence S 00°02'32"W a distance of 2,634.51 feet; thence S 89°50'22" W a distance of 1,000.27 feet; thence N 00°09'45" E a distance of 2,634.45 feet to the POB.

WS-15-0116

FREDERICK SCOTT  
HOUSE  
ISSUING OFFICER

MANAGING MEMBER  
TITLE

**NOTICE OF APPLICATION FOR AUTHORITY TO TRANSFER WATER AND  
WASTEWATER CERTIFICATES OF AUTHORIZATION TO ANOTHER REGULATED  
UTILITY**

NOTICE IS HEREBY given on the \_\_\_th day of \_\_\_\_\_, 2023, pursuant to Section 367.071, Florida Statutes, of the Application for Transfer of the Utility Assets of Grenelefe Resort Utility, Inc. and Certificate Nos. 589-W and 507-S to NC Real Estate Projects, LLC d/b/a Grenelefe Utility, providing water and wastewater service to the following described territory in Polk County, Florida:

That following areas in Range 28 East, Township 28 South, Sections 5, 6, 7 and 8, Polk County, Florida:

The South ½ of Section 6;

The North ½ of Section 7; and

In Sections 7 and 8 described as follows: The Point of Beginning (POB) identified as the SE corner of the NW ¼ of Section 7; from the POB run N 89°42'32" E a distance of 2,599.05 feet; to the NW corner of Section 8; thence N 89°50'22" E, a distance of 1,320.00 feet; thence South a distance of 1,317.85 feet more or less; thence S 03°59'01" E a distance of 827.42 feet; thence N 89°54'04" W a distance of 1,378.88 feet; to the East line of Section 7; thence S 89°26'13" W a distance of 2,574.02 feet; thence N 00°37'09" W a distance of 2,152.99 feet; to the POB; and

In Section 5 described as follows: Begin at the SW corner of Section 5, Range 28 E, Township 28 S; run N 00°13'39" E a distance of 2,641.87 feet to the POB; from the POB run N 00°05'32" W a distance of 660.00 feet; thence N 89°49'05" E a distance of 1,600 feet more or less; thence Southerly along the water's edge of Lake Marion a distance of 688 feet more or less; thence S 89°50'03" W a distance of 1,407 feet more or less to the POB; and

In Section 5 described as follows: From the SW corner of Section 5, Range 28 E, Township 28 S also the POB; run N 00°13'39" E a distance of 2,641.87 feet; thence N 89°49'05" W a distance of 971.87 feet; thence S 00°43'25" E a distance of 2,642.27 feet; thence S 89°50'03" W a distance of 994.74 feet to the POB; and

In Section 8 described as follows: From the NW corner of Section 8, Range 28 E, Township 28 S also the POB; run N 89°50'03" E a distance of 994.74 feet; thence S 00°02'32" W a distance of 2,634.51 feet; thence S 89°50'22" W a distance of 1,000.27 feet; thence N 00°09'45" E a distance of 2,634.45 feet to the POB.

The development served is Grenelefe Resort Community. The Applicant is NC Real Estate Projects, LLC d/b/a Grenelefe Utility, 3425 Turnberry Drive, Lakeland, Florida 33803; email: [jason@roninassets.com](mailto:jason@roninassets.com). The utility is not requesting any change to its rates, classifications, charges, rules and regulations in the application. The application title is: Joint Application to Transfer the Assets of Grenelefe Resort Utility, Inc. and Certificates NO. 589-W and 507-S in Polk County, Florida to NC Real Estate Projects, LLC d/b/a Grenelefe Utility and the Docket No. is 20220142-WS.

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the last date this Notice was mailed or published, with a copy to F. Marshall Deterding, Esquire, Sundstrom & Mindlin, LLP, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301. The objection must state the grounds for the objection with particularity.

NC Real Estate Projects, LLC d/b/a Grenelefe Utility