

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

ORIGINAL
STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

SCANNED
REDACTED

Public Service Commission

September 12, 2003

Citizens First Bank
1129 Main Street
The Villages, Florida 32159

Re: Account Number
(Docket No. 960305-WS)

- Little Sumter Utility Company

Dear Sir or Madam:

As the Florida Public Service Commission's designated agent in such matters, and as a signatory on the above-referenced escrow account, I hereby authorize you to release a total of \$32,931.01 from the account to Little Sumter Utility Company. I have enclosed a copy of the Company's Request to Release Funds from Escrow, dated September 2, 2003, and a copy of Commission staff's authorization for release of the indicated amount pursuant to Commission Order No. PSC-96-1132-FOF-WS.

Please do not hesitate to call if you have any questions concerning this matter.

Sincerely,

Blanca S. Bayó

BSB/kf

Enclosure

cc: Rosanne Gervasi, Office of the General Counsel
Sonica Bruce, Division of Economic Regulation
John F. Wise, Treasurer, Little Sumter Utility Company

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

DOCUMENT NUMBER-DATE

086032 SEP 12 03

FPSC-COMMISSION CLERK

REDACTED



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

RECEIVED FTSC

SEP 12 AM 10:38

COMMISSION
CLERK

DATE: September 10, 2003
TO: Division of the Commission Clerk and Administrative Services (Bayó)
FROM: Sonica Bruce, Division of Economic Regulation
Rosanne Gervasi, Office of the General Counsel
RE: Request by Little Sumter Utility Company to Release Funds from Escrow Account

By Order No. PSC-96-1132-FOF-WS, issued in Docket 960305-WS on September 10, 1996, the Commission directed Little Sumter Utility Company to establish an escrow account that can only be used to fund conservation programs approved by the Southwest Florida Water Management District. The order required that a request to release funds from the escrow account be accompanied by an explanation of the specific use of the funds and documentation that the funds will be used to further a conservation program approved by the water management district.

On September 5, 2003, the utility filed the attached Request to Release Funds from Escrow. The utility expended \$134,320.23 on upgrades for its wastewater treatment facilities to provide the maximum amount of irrigation quality effluent as a source of irrigation to golf courses. The utility is requesting \$32,931.01 from the escrow account. Along with this request, the utility provided a copy of the Application and Certificate of Payment dated June 25, 2003.

Accordingly, the utility's request to release funds from the escrow account should be authorized. Pursuant to the escrow account, the bank will disburse funds to the utility upon written instructions from the Commission through the Director of the Division of the Commission Clerk and Administrative Services. Therefore, we request that you provide written instructions to Citizens First Bank to release \$32,931.01 from the escrow account to Little Sumter Utility Company.

CK:scb

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6. LSU has paid \$134,320.23 to Encore/Farner Barley, LLC (see attached check copy).
7. There is a sufficient amount of money in the conservation escrow bank account to make the payment of \$32,931.01. The bank statement as of August 31, 2003 indicates an adjusted balance of \$32,931.01.
8. I hereby certify that the improvements in the amount of \$134,320.23 have been completed and that the Contractor (Encore/Farner Barley LLC) has been paid in full.
9. Pursuant to the Escrow Agreement, the Bank shall disburse funds to LSU upon written instructions of the FPSC, Director of Division of Records and Reporting.
10. LSU will request additional releases for this Project as amounts are expended and as funds become available in the escrow account. The amounts available to be disbursed in the future based upon the current application is as follows:

Approved expenditure	\$134,320.23
Amount previously released	(27,339.62)
Release requested	<u>(32,931.01)</u>
Amount available for future release	\$ <u>74,049.60</u>

WHEREFORE, LSU requests the Director of Records and Reporting provides written instructions to the Bank to pay \$32,931.01 from the escrow account to Little Sumter.

Respectfully submitted on this
2nd day of September, 2003, by:

Little Sumter Utility Company
1100 Main Street
The Villages, FL 32159
(352) 753-6270

By: 

John F. Wise
Treasurer

Sonica Bruce

From: Wise, John [John.Wise@thevillages.com]
Sent: Wednesday, September 10, 2003 10:27 AM
To: 'sbruce@psc.state.fl.us'
Subject: Little Sumter Utility Co. - Conservation Escrow Account

Little Sumter Utility Co ("LSU") has included an Application and Certificate for Payment dated June 25, 2003 in its Request to Release Funds from Escrow dated August 4, 2003 and September 2, 2003. The current payment due on the Application and Certificate for Payment was \$134,320.23. LSU has paid the \$134,320.23 to the contractor. LSU requested \$27,339.62 of the amount paid to the contractor be released from the escrow in its Request to Release Funds from Escrow dated August 4, 2003. This amount was released based upon a letter from the PSC dated August 27, 2003. LSU has requested an additional \$32,931.01 be released from the escrow in its Request to release Funds from Escrow dated September 2, 2003. LSU will continue to request funds be released from the escrow until all of the amounts paid to the contractor of \$134,320.23 have been returned to LSU from the escrow account.

APPLICATION AND CERTIFICATE OF PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 3 PAGES

TO: Little Sumter Utility Company
1100 Main Street
The Villages, FL 32159

PROJECT: LSU WWTP Expansion- Phase 3A & 3 B

APPLICATION NO: Ten (10)

Distribution to:

☒ OWNER

☐ CONTRACTOR

FROM: Encore/Farmer, Barley, LLC
P.O. Box 771599
Winter Garden, FL 34777-1599

VENDOR # 564130

PERIOD TO: 06/25/03

INVOICE # 10

AMOUNT 134,320.23

AP DATE 6-25-03 / 7-18-03

ACCOUNT # SC9030702.1052.0400

CONTRACT DATE: 09/18/02

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

CHANGE ORDER SUMMARY			
Change Orders approved in previous months by Owner		Additions	Deductions
TOTAL		933,000.00	
Approved this month			
Number	Date Approved		
TOTALS		933,000.00	-
Net change by Change Orders		933,000.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$	606,000.00
2. Net change by change Orders	\$	933,000.00
3. CONTRACT SUM TO DATE (Line 1+or- 2)	\$	1,539,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	680,311.85
5. TOTAL RETAINAGE: 10%	\$	68,031.19
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$	612,280.67
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	477,960.44
8. CURRENT PAYMENT DUE	\$	134,320.23
9. BALANCE TO FINISH (Line 3 less Line 6)	\$	926,719.34

CONTRACTOR: Encore/Farmer, Barley, LLC

By: Ritchie Singletary

Date: 06/25/03

State of: Florida County Of: Orange

Subscribed and sworn to before me this 25th day of June, 2003.

Notary Public: Victoria Green-Naragon



VICTORIA GREEN-NARAGON
Commission # 000176136
Expires 3/8/2007
Bonded through
(800-432-4254) Florida Notary Assn., Inc.

CERTIFICATE FOR PAYMENT

In accordance with the Contract documents, based on on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED

\$ 134,320.23

(Attach explanation if amount certified differs from the amount applied for.)

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certification is attached

In tabulations below, amounts are stated to the nearest dollar.

Use Column 1 on Contracts where variable retainage for line items may apply

APPLICATION NUMBER: Ten (10)

APPLICATION DATE: 06/25/03

PERIOD TO: 06/25/03

PROJECT NO.: 293

A	B	C	D	E	G		H
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		TOTAL COMPLETED AND STORED TO DATE	% COMPLETE	BALANCE TO FINISH
			FROM PREVIOUS APPLICATION	THIS PERIOD			
1	Engineering & Permitting	\$145,000.00	\$145,000.00	\$0.00	\$145,000.00	100.0%	\$0.00
2	General Conditions	\$100,000.00	\$35,000.00	\$10,000.00	\$45,000.00	45.0%	\$55,000.00
3	Sitework	\$35,000.00	\$16,450.00	\$1,750.00	\$18,200.00	52.0%	\$16,800.00
4	70-ft. Diameter Clarifier	\$320,000.00	\$112,000.00	\$112,000.00	\$224,000.00	70.0%	\$96,000.00
5	Scum Pumps & Control Panel	\$30,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$30,000.00
6	Mixed Liquor Splitter Box	\$28,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$28,000.00
7	Yard Piping & Clarifier Piping	\$335,000.00	\$127,300.00	\$33,500.00	\$160,800.00	48.0%	\$174,200.00
8	Metals	\$40,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$40,000.00
9	Coatings	\$48,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$48,000.00
10	Electrical	\$175,000.00	\$5,250.00	\$0.00	\$5,250.00	3.0%	\$169,750.00
11	Instrumentation & SCADA	\$80,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$80,000.00
12	New Filter No. 5 Equipment	\$90,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$90,000.00
13	New Filter No. 5 Concrete	\$33,000.00	\$11,880.00	\$1,320.00	\$13,200.00	40.0%	\$19,800.00
14	Effluent Pumps Upgrade (3 larger pumps)	\$50,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$50,000.00
15	Emergency Generator Upgrade share	\$25,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$25,000.00
16	O & M Manuals Revisions	\$5,000.00	\$0.00	\$0.00	\$0.00	0.0%	\$5,000.00
	Stored Materials		\$78,187.15	-\$9,325.30	\$68,861.85		
	TOTALS	\$1,539,000.00	\$531,067.15	\$149,244.70	\$680,311.85	44.2%	\$858,688.15

06/25/03

Little Sumter Utility Company
1100 Main Street
The Villages, FL 32159

PROJECT:
LSU WWTP Expansion - Phase 3A & 3 B

Application No.: Ten (10)

STORED MATERIAL LOG

ITEM NO	VENDOR	DESCRIPTION	INVOICE NO	INVOICE AMOUNT	PREVIOUSLY RECEIVED	RECEIVED THIS MONTH	PREVIOUSLY INSTALLED	INSTALLED THIS MONTH	BALANCE TO INSTALL
1	National Waterworks	Piping Materials	9081864	\$ 1,930.28	\$ 1,930.28	\$ -	\$ -	\$ 1,930.28	\$ -
2	Hughes Supply, Inc	Piping Materials	S104003456.001	\$ 6,855.20	\$ 6,855.20	\$ -	\$ -	\$ 6,855.20	\$ -
3	Hughes Supply, Inc	Piping Materials	S104010142.001	\$ 5,553.33	\$ 5,553.33	\$ -	\$ 5,553.33	\$ -	\$ -
4	Hughes Supply, Inc	Piping Materials	S104021245.001	\$ 1,079.63	\$ 1,079.63	\$ -	\$ 539.81	\$ 539.82	\$ 0.00
5	Hughes Supply, Inc	Piping Materials	S104011674.001	\$ 24,241.32	\$ 24,241.32	\$ -	\$ 4,848.26	\$ -	\$ 19,393.06
6	Hughes Supply, Inc	Piping Materials	S104025110.001	\$ 8,714.44	\$ 8,714.44	\$ -	\$ 871.44	\$ -	\$ 7,843.00
7	Hughes Supply, Inc	Piping Materials	S104002408.003	\$ 18,545.94	\$ 18,545.94	\$ -	\$ -	\$ -	\$ 18,545.94
8	R & R Rebar	Rebar	13093	\$ 319.81	\$ 319.81	\$ -	\$ 319.81	\$ -	\$ -
9	R & R Rebar	Rebar	13149	\$ 6,686.34	\$ 6,686.34	\$ -	\$ 6,686.34	\$ -	\$ -
10	Hughes Supply, Inc	Piping Materials	S104083434.001	\$ 10,936.41	\$ 10,936.41	\$ -	\$ 5,468.20	\$ -	\$ 5,468.21
11	Hughes Supply, Inc	Piping Materials	S104083434.002	\$ 240.75	\$ 240.75	\$ -	\$ -	\$ -	\$ 240.75
12	Hughes Supply, Inc	Piping Materials	S104083434.003	\$ 1,483.02	\$ 1,483.02	\$ -	\$ -	\$ -	\$ 1,483.02
13	Hughes Supply, Inc	Piping Materials	S104083434.004	\$ 8,588.30	\$ 8,588.30	\$ -	\$ 1,861.80	\$ -	\$ 6,726.50
14	R & R Rebar	Rebar	13292	\$ 9,161.37	\$ 9,161.37	\$ -	\$ -	\$ -	\$ 9,161.37
15									\$ -
16									\$ -
17									\$ -
18									\$ -
19									\$ -
20									\$ -
21									\$ -
22									\$ -
23									\$ -
24									\$ -
25									\$ -
26									\$ -
27									\$ -
28									\$ -
TOTALS				\$ 104,336.14	\$ 104,336.14	\$ -	\$ 26,148.99	\$ 9,325.30	\$ 68,861.85

CITIZENS FIRST BANK

903 Avenida Central
The Villages, FL 32159
(352) 753-9515

REDACTED

LITTLE SUMTER UTILITY COMPANY
ESCROW ACCOUNT
HOLD-DELIVER TO VILLAGES ACCOUNTING

STATEMENT DATE

08/31/03

ACCOUNT NO.

*** CHECKING *** BUSINESS MMA
ACCOUNT NUMBER

CYCLE-031
BEGINNING RATE 0.25000

PREVIOUS STATEMENT BALANCE AS OF 07/31/03	27,339.62
PLUS 4 DEPOSITS AND OTHER CREDITS	32,931.01
LESS 0 CHECKS AND OTHER DEBITS	.00
CURRENT STATEMENT BALANCE AS OF 08/31/03	60,270.63 (A)
NUMBER OF DAYS IN THIS STATEMENT PERIOD	31

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
08/08	DEPOSIT		17,276.78
08/22	DEPOSIT		6,686.93
08/29	DEPOSIT		8,958.01
08/31	INTEREST PAYMENT		9.29

*** BALANCE BY DATE ***

07/31	27,339.62	08/08	44,616.40	08/22	51,303.33	08/29	60,261.34
08/31	60,270.63						

PAYER FEDERAL ID NUMBER 59-3018034
INTEREST PAID YEAR TO DATE 953.05

TO REPORT LOST OR STOLEN ATM AND DEBIT CARDS AFTER
NORMAL BANKING HOURS, PLEASE CALL 800-264-5578

Balance 8.31.03

less release dated 8.27.03

Adjusted balance

\$60,270.63 (A)

< 27,339.62 >

\$ 32,931.01

REDACTED

NOTE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Payee: 564130 ENCORE/FARNER BARLEY LLC Check No. - 3978
LITTLE SUMTER UTILITY COMPANY Check Date - 07/11/03
 1100 Main Street
 The Villages, FL 32159

00021 07103328

Check Date: Stub 1 of 1

INVOICE NO.	INVOICE DATE	DESCRIPTION	GROSS	DISCOUNT	AMOUNT PAID
10	062503	LSU WWTP EXPANSION PH 3A & 3B	134,320.23		134,320.23
3	062503	LSU WWTP EXPANSION PH 3	285,783.60		285,783.60
			420,103.83		420,103.83

LITTLE SUMTER UTILITY COMPANY
 1100 Main Street
 The Villages, FL 32159

63-1400/831
 Citizens First Bank
 1128 Main Street
 The Villages, FL 32159

DATE 00003978 AMOUNT

000000042010383

PAY

564130 07/11/03 \$***420,103.83

FOUR HUNDRED TWENTY THOUSAND ONE HUNDRED THREE AND 83/100 *****
 TO ENCORE/FARNER BARLEY LLC

THE
 ORDER
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NON-NEGOTIABLE

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