


State of Florida



Public Service Commission

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

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

DATE: August 28, 2014
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Melinda Watts, Engineering Specialist, Division of Engineering 
RE: DN 140145-SU - Application to transfer assets and Certificate No. 550-S from Utility Corporation of Florida, Inc. to South Highlands Investment Corporation in Highlands County.

Please file the attached letter referencing acknowledgment of Notice of Permit Revision in the above mentioned docket file.

Thank you.



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**
SOUTH DISTRICT
P.O. BOX 2549
FORT MYERS, FL 33902-2549

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

NOTICE OF PERMIT REVISION

Electronic Mail

In the Matter of a Permit Revision for:

Michael Tellschow
President
Utility Corporation of Florida, Inc.
100 Clubhouse Lane
Sebring, FL 33876
Email: mtellshow@hotmail.com

Highlands County - DW
Spring Lake Golf & Country Club WWTP
Permit Number: FLA014315
Administrative Order Number: AO-070-SD
File Number: FLA014315-005
Expiration Date Extension

Dear Mr. Tellschow:

In response to the submittal from Aaron Bowles, P.E., on behalf of Utility Corporation of Florida, Inc., dated April 30, 2014, and received on May 2, 2014, this is notification of a revision to the above referenced permit. The Department hereby revises permit number FLA014315 to incorporate changes, pursuant to §403.087 of the Florida Statutes, as follows:

- * The expiration date of permit number FLA014315 is hereby changed from July 24, 2014, **to April 24, 2018.**

- * The following condition number 10 is hereby added to Section VIII of permit FLA014315:
 10. Utility Corporation of Florida, Inc., shall be responsible for operation and maintenance of the on-lot facilities associated with the Septic Tank Effluent Pump (STEP) collection/transmission systems.
[Rule 62-604.400(4), F.A.C.].

All other language and conditions of the permit (FLA014315) and its associated administrative order (AO-070-SD) shall remain unchanged. Any additional or future requests for permit/administrative order revision must be submitted to the Department using the appropriate application forms accompanied by the appropriate application processing fee. This letter must be attached to the referenced permit and becomes a permanent part thereof.

The Department's agency action shall become final unless a timely petition for an administrative proceeding (hearing) is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for an administrative hearing are set forth below.

A person whose substantial interests are affected by the Department's permitting decision may petition for an administrative hearing in accordance with the provisions of Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions filed by the permit applicant ("permittee") or by any of the parties listed below must be filed within fourteen (14) days of receipt of this written notice. Petitions filed by any person other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of the written notice, whichever occurs first. However, pursuant to Section 120.60(3), F.S., any person who has asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under Sections 120.569 and 120.57, F.S. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts upon which the Department's action is based must contain the following information:

- (a) the name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department's permit identification number, and the name of the county in which the subject matter or activity is located;
- (b) a statement of how and when each petitioner received notice of the Department's action;
- (c) a statement of how each petitioner's substantial interests are affected by the Department's action;
- (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) a statement of facts that the petitioner contends warrant reversal or modification of the Department's action;
- (f) a concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

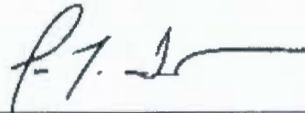
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under §120.573, F.S., is not available for this proceeding.

This action is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above provisions. Upon the timely filing of a petition this order will not be effective until further order of the Department. Any party to this order has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty (30) days from the date when this order is filed with the clerk of the Department.

Executed in Fort Myers, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



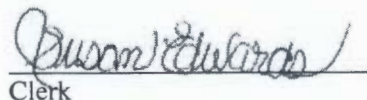
Jon M. Iglehart
Director of District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT REVISION and all copies were mailed or emailed before the close of business on May 8, 2014, to the listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department clerk, receipt of which is hereby acknowledged.


Clerk

May 8, 2014
Date

JMI/GM/se

Copies furnished to:

Michael Tellschow, mtellshow@hotmail.com
Thomas Quinn, tquinn63@embarqmail.com
Stacy Gordon, stacyg@mbveng.com
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Barbara Skates, DEP
Deanna Newburg, DEP
Narrisa Pannell, DEP
Gary Maier, DEP