

STATE OF FLORIDA

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DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

May 27, 2016

Mr. Howard E. Adams
Pennington P.A.
P.O. Box 10095
Tallahassee, FL 32302-2095

Re: Docket No. 160095-SU - Application for amendment of Certificate No. 162-S to extend territory in Duval County by Commercial Utilities/A Division of Grace & Company, Inc.

Dear Mr. Adams:

Staff reviewed the two draft notices provided with the application for amendment of the service territory for Commercial Utilities/A Division of Grace & Company, Inc. (CU). The longer of the two notices, to be mailed to customers pursuant to Rule 25-30.030(5)(b), Florida Administrative Code (F.A.C.), shall hereinafter be referred to as the mailed notice. Likewise, the shorter of the two notices, to be published in a local newspaper pursuant to Rule 25-30.030(5)(c), F.A.C., shall hereinafter be referred to as the published notice.

To obtain Commission approval of its notices, CU should make the following changes to its mailed and published notices:

1. Rule 25-30.030(3)(c), F.A.C., requires that the notice be titled, "Notice of Application for Amendment to Certificate of Authorization To Extend Wastewater Service Area." Please amend the mailed and published notices accordingly.
2. Rule 25-30.030(4)(b), F.A.C., requires that the notice contain the name, address, telephone number, and, if available, email address, and fax number of the applicant. Please amend the mailed and published notices to include the email address and fax number of the applicant.
3. Rule 25-30.030(4)(c), F.A.C., requires that the notice include the common name of developments served by the utility. Please amend the mailed notice to include this information.
4. Rule 25-30.030(4)(d), F.A.C., requires that the notice include the application docket number and title. Please amend the mailed and published notices to contain this information, as provided in the subject line of this letter.

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5. Rule 25-30.030(4)(g), F.A.C., requires that the notice include a statement that the utility is not requesting any changes to its rates, classifications, charges, rules, and regulations in the application. Please amend the mailed and published notices to include this statement.
6. Rule 25-30.030(4)(h), F.A.C., requires that the notice include a statement that any objections to the application must be filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days after the last date that the notice was mailed or published. Both the mailed and published notices contain this statement. However, the notices also state that a copy of the objection must be mailed to CU's attorney and must state the grounds for objection with particularity. The rule does not provide a utility with authority to place this level of burden on persons wishing to file an objection to an application. CU may request that a courtesy copy be provided to its attorney, but it may not require it. Additionally, it may not require that the objection be stated in a certain way. Please amend the mailed and published notices accordingly.

Please make the changes noted in items 1 through 6 above and submit the corrected mailed and published notices to the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, referencing Docket No. 160095-SU, no later than May 19, 2016. If you have any questions, please contact me by telephone at (850) 413-6952, or by email at mwatts@psc.state.fl.us.

Sincerely,



Melinda Watts
Engineering Specialist III
Division of Engineering

MW:tj

cc: Office of Commission Clerk (Docket No. 160095-SU)