

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: October 31, 2016

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Adam R. Hill, Engineering Specialist II, Division of Engineering

RE:  Docket No. 160058-WS - Application for approval of transfer of Sun River Utilities, Inc. water and wastewater systems and Certificate Nos. 611-W and 527-S in Charlotte and DeSoto Counties to North Charlotte Waterworks, Inc.

Please place the attached email sent from Troy Rendell to Adam Hill, providing information on the attempt to secure a proper land lease, in the docket file.

From: [Troy Rendell](#)
To: [Adam Hill](#)
Subject: RE: North Charlotte - Transfer
Date: Tuesday, October 25, 2016 7:46:50 AM

Originally we believed the meeting went well. The landowners understood the need to have the long term lease and the benefits to them as future developers. We agreed to send a draft land lease to them for review and approval. They agreed to review and get back to us. I sent them the draft land lease on October 3, 2016. On October 4, 2016, one of the partners indicated that the managing partner was out of the country for a couple of weeks but would review upon his return.

I sent two follow up e-mails since then to request a status of their review and/or approval. I still have not heard back from them. They had indicated to us to e-mail them the draft – but we have not received any reply other than the one where he was out of the country.

The other alternatives would be to (a) pursue legal action through an attorney to begin a condemnation process of the property; or (b) to abandon the utility and let the Charlotte county address the abandonment.

We are holding off on both of the alternative due to (i) the cost involved for 55 customers; (ii) the health considerations of the customers water supply; (iii) the capital expenditures already incurred by the utility to make the necessary repairs and replacements; and (iv) the utility is currently working with DEP to address concerns at the plant.

We are in the process of replacing one of the storage tanks at the water plant – this would be lost costs if we can't get recovery. I might suggest putting the case out another couple of months to see if we hear back from the landowners.

Thanks for your cooperation and patience.

From: Adam Hill [mailto:AHill@PSC.STATE.FL.US]
Sent: Monday, October 24, 2016 7:50 PM
To: 'Troy Rendell'
Subject: RE: North Charlotte - Transfer

Troy-

Please update us on the following matters-

1. What was the result of the September 27th meeting?
2. Have you had any other meetings with the land owners since then?
3. What is the current status of the land lease?
4. If you have not been able to acquire a 99-year lease or equivalent, what is your next scheduled meeting or current course of action?

Thank you!