

# MERRITT ISLAND UTILITY COMPANY

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FPSC - COMMISSION CLERK

August 17, 2017

Office of Commission Clerk  
Florida Public Service Commission  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

***Re: Docket No. 20170142-SU - Application for amendment of Certificate 137-S for extension of wastewater service territory in Brevard County, by Merritt Island Utility Company, Inc. – First Response to Staff Deficiency Letter***

Dear Commission Clerk,

Merritt Island Utility Company (Merritt Island) has received the staff deficiency letter dated August 1, 2017. In addition Merritt Island's representative met with the FPSC staff on August 3, 2017 as requested.

Merritt Island is currently working on the response to the identified deficiencies. However, the utility would be remiss if it failed to respond to several of the staff's concerns brought up both at the meeting and in subsequent telephone conversations. The first concern Merritt Island has is the incorrect assertion that quarter section reference are not allowed in territory descriptions. This is simply incorrect and is inconsistent with past Commission practice. Quarter section descriptions have routinely been approved by the Commission. Below is a sampling of recent FPSC orders approving such:

<b><u>Order Number</u></b>	<b><u>Date</u></b>
PSC-16-0169-PAA-WU	April 28, 2016
PSC-14-0691-PAA-WU	December 15, 2014
PSC-14-0315-PAA-WS	June 13, 2014
PSC-14-0692-PAA-WU	December 15, 2014
PSC-14-0326-PAA-WS	June 25, 2014
PSC-14-0314-PAA-WS	June 13, 2014
PSC-14-0299-PAA-WS	June 11, 2014
PSC-14-0315-PAA-WS	June 13, 2014

In addition, it was also asserted that the utility should hire an outside surveyor in order to provide a correct territory description. At both the in person meeting and subsequently on a follow up telephone conversation, Merritt Island indicated that this would be a significant financial burden on the utility. This is a small wastewater only utility whose rates have not been revised since 2008. These costs would place a financial burden on the utility which would subsequently need to be passed onto the existing customers. As previously indicated, this is a correction of an error which occurred many years ago in previous transfer dockets at the Commission. At this time

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Merritt Island does not believe it is prudent to hire a surveyor without first attempting to satisfy staff's concerns with its existing outside contractor.

Further, as pointed out, the utility utilized the subdivisions' plat maps and territory descriptions which were obtained on the official Brevard County Clerk of Court's website. These recorded plat maps and descriptions *were certified and signed off* by a licensed certified surveyor at the time of recording. The utility believes these recorded certified plats are appropriate to utilize when compiling the service territory.

Merritt Island is also concerned with staff's reference to Rule 25-30.029(2)(b) stating that the rule requires a point of beginning description only. This is also incorrect. The rule specifically allows **either** a reference to sections, townships and range in Subsection (2)(b)1 **or** metes and bounds referenced in Subsection (2)(b)2. This is an either/or requirement of the rule. The rule states: "The description shall be provided in one of the following formats:".

Please include this letter and attachment in the above reference docket.

Respectfully Submitted,



Troy Rendell  
Manager of Regulated Utilities  
*// For Merritt Island Utility Company, Inc.*