



Deer Creek RV Golf & Country Club, Inc.

42749 Highway 27, Davenport, Florida 33837
PH: (863) 424-2839 FX: (863) 424-3336

January 13, 2020

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Docket No. 20190071-WS – Application for a Staff-Assisted Rate Case in Polk County by
Deer Creek RV Golf & Country Club, Inc.

Commission Clerk,

The purpose of this correspondence is to provide updated information related to Deer Creek's (Utility) effort to recover uncompensated service revenues from a business entity in its certificated service area. The Utility provide information in a letter filed with the Commission Clerk for the docket file referenced above on October 22, 2019. (Document No. 09523-2019)

On October 28, 2019, the Utility had the meter tested by a representative of the Florida Rural Water Association (FRWA). Test results indicated that the irrigation meter was operating within the industry standard of plus or minus 10 percent variance. The actual variance was approximately 6.5 percent slow. (Attachment A)

On November 5, 2019, the Utility met with representatives of Century Retail in an effort to resolve the outstanding issues. Two areas of concern were addressed, (1) The establishment of a new customer account by Century Retail for continuing potable water service at Deer Creek Commons, and, (2) The outstanding balance for uncompensated service for the prior 12-month period. The only issue resolved at the meeting was Century Retail's decision not to establish a new customer account and its desire to be disconnected from the utility's potable water system. The Utility sent a confirmation email to Century Retail on November 6, 2019, to memorialized the discussions of the November 5, 2019, meeting. On the same day, Century Retail replied by email to the Utility confirming its desire to terminate all future service. (Attachment B)

The meter was removed on December 31, 2019, with a final reading of 18388400 (Attachment C). There has been no usage recorded since October 9, 2019, other than 400 gallons which was used when the meter was tested by the FRWA on October 28, 2019.

A demand for payment, authorized by the Board of Directors for Deer Creek RV Golf & Country Club, Inc. in a Board meeting held on December 17, 2019. The letter was sent by the Utility's attorney on January 7, 2019, (Attachment D).

If you have any questions, please do not hesitate to contact me at (863)-424-2839.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Hernandez". The signature is written in black ink and is positioned above the printed name and title.

Jennifer Hernandez

Utility Supervisor

Deer Creek RV Golf & Country Club, Inc.

Attachments

ATTACHMENT A

FLOW METER ACCURACY RECORD
FLORIDA RURAL WATER ASSOCIATION
2970 WELLINGTON CR. W. STE. 101
TALLAHASSEE, FLORIDA 32308

SYSTEM NAME: Deer Creek RV Golf & County Club
SYSTEM ADDRESS: 42749 Highway 27 County: Polk
Davenport Fl. 33837

SITE CONTACT/PHONE Doug Keesling Phone: 863-424-2839

PWS. ID # 653-5676 LOCATION: Irrigation Meter

Test performed @ 46 - 115 GPM PUMP INFO: _____

METER MODEL: Master Meter SERIAL NUMBER ON METER: 2911580

Pipe info@ test site: material 2" Galvanized Pipe Sch 40

DISCHARGE PIPE DIAMETER: od / wt OD 2.375 / WT 0.154

Transducer Spacing 1.290 inch

Transducer distance from meter upstream/downstream 1' - 1'

METHOD OR EQUIPMENT USED FOR TEST: Fuji

DATE OF THIS METER TEST: 10/28/19

INITIAL METER READING AT START OF TEST: 18388200

FINAL METER READING AT END OF TEST: 18388400 Total Gals. 200

INITIAL READING ON CALIBRATED TEST METER: _____

FINAL READING ON CALIBRATED TEST METER: 213 Total Gals. 213

AVERAGE % OF ERROR BETWEEN FLOWMETER TESTED AND CALIBRATED TEST METER: 6.5 % Slower

COMMENTS: Meters need to be repaired or replaced if the meter is 10 % + or - between flowmeter tested and Calibrated test meter.

NAME OF PERSON COMPLETING TEST/ FORM: Moises Villalpando

COMPANY NAME: FLORIDA RURAL WATER ASSOCIATION

DAYTIME TELEPHONE: (850)668-2746

SIGNATURE: Moises Villalpando

DATE: 10/28/19

ATTACHMENT B



Jeff Small <jeffsmall@ocboa.net>

Irrigation Meter on the South Side of the Commercial Building

3 messages

Jennifer Hernandez <deercreekutilities@artemislifestyles.com>

Wed, Nov 6, 2019 at
10:12 AM

To: Braxton Bone <Braxton@centuryretail.com>

Cc: mike caruso <mikecaruso43@gmail.com>, edgar riley <jrileydeercreek@gmail.com>, Jeff Small <jeffsmall@ocboa.net>

Good Morning Mr. Bone,

The purpose of this correspondence is to memorialize and confirm the discussions of our November 5, 2019, meeting that was held at our office in Davenport, FL. In attendance were representatives of Century Retail, LLC, with legal counsel (Manager of Dear Creek Crossing - DCC), Board Members (Board) with legal counsel for Deer Creek RV Golf & Country Club, Inc. and the staff with regulatory counsel for Deer Creek Utilities (DCU).

Discussions were centered around two major issues. 1) The outstanding bill(s) for water and wastewater service, and, 2) Whether DCC would become an active customer and continue to receive potable water service from DCU.

Issue 1 was left at an impasse.

In Issue 2, DCC relayed that they did not wish to be a customer of DCU going forward. To that end, DCC was informed by DCU and the Board that the 2" service meter that serves the common irrigation system at DCC would be removed and that the potable service line would be capped. DCU relayed to DCC some general information of what would be required to reestablish service at a future point in time. DCU will store the 2" meter in its original condition until all issues in this matter are resolved. If we misunderstood and you do not wish to have the 2" meter removed and the service disconnected please let us know by close of business Friday November 8, 2019.

In other discussions, DCC disclosed that they were in the process of having the irrigation system tested to quantify the amount of water that was being used by the irrigation system. DCU looks forward to receiving a copy of the results of such a test.

Related to DCC initiative to test the irrigation system, DCU and the Board would like to have the water delivery system, at the 2" meter, professionally certified as to its design, configuration and operation. DCU believes that this certification is necessary to definitively determine how the system is operating and whether it is operating as designed. DCU anticipates that such a certification of the water delivery system will require access to the service lines (potable, well & irrigation) in the vicinity of the 2" meter. DCU and the Board are seeking DCC permission to access the service lines on the DCC side of the meter for this certification, should it be necessary. DCU will provide DCC a copy of the certification when completed.

DCU and the Board look forward to a timely reply to our request for access and to a speedy resolution to all of the outstanding issues in this matter.

Jennifer Hernandez

Utility Manager

deercreekutilities@artemislifestyles.com

Deer Creek RV Golf & Country Club, Inc.

Office: (863) 424-2839, Ext. 103 Fax: (863) 424-3336



Kissimmee | Champions Gate | Palm Coast

Braxton Bone <Braxton@centuryretail.com>

Wed, Nov 6, 2019 at 10:34 AM

To: Jennifer Hernandez <deercreekutilities@artemislifestyles.com>

Cc: mike caruso <mikecaruso43@gmail.com>, edgar riley <jrileydeercreek@gmail.com>, Jeff Small <jeffsmall@ocboa.net>, Mike Workman <mworkman@cclmlaw.com>

Hi Jennifer,

I can confirm we are agreeable to the removal of the 2 inch meter referenced in Issue 2 of your email below.

As for the rest of your email, I will have to get back to you at a later time.

Very truly yours,

Braxton Bone

VP/Property Manager

(863) 647-1581, ext 205



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[Quoted text hidden]

Jennifer Hernandez <deercreekutilities@artemislifestyles.com>

Wed, Nov 27, 2019 at
10:25 AM

To: Braxton Bone <Braxton@centuryretail.com>

Cc: mike caruso <mikecaruso43@gmail.com>, edgar riley <jrileydeercreek@gmail.com>, Jeff Small <jeffsmall@ochoa.net>, Mike Workman <mworkman@cclmlaw.com>

Good Morning Braxton,

This is just a follow up email. I was wondering if we were able to find out anymore information in reference to the email that was sent back on November 6, 2019. ?

Thank you and have a Happy Thanksgiving.

Jennifer Hernandez

Utility Manager

deercreekutilities@artemislifestyles.com

Deer Creek RV Golf & Country Club, Inc.

Office: (863) 424-2839, Ext. 103 Fax: (863) 424-3336

ATTACHMENT C



Curb stop lock cap

Remove...

ATTACHMENT D



SAXON | GILMORE

SAXON GILMORE & CARRAWAY, P.A.
Attorneys and Counselors at Law

201 E. KENNEDY BLVD., SUITE 600
TAMPA, FLORIDA 33602
phone 813.314.4500
fax 813.314.4555
www.saxongilmore.com

Direct Dial: 813.314.4503
Email: fcarraway@saxongilmore.com

January 7, 2020

VIA EMAIL AND REGULAR U.S.P.S

Mike Workman
Clark, Campbell, Lancaster & Munson, P.A.
500 South Florida Avenue, Suite 800
Lakeland, FL 33801
mworkman@cclmlaw.com

Re: Deer Creek Crossing Irrigation
Our File Number: 000030.02000

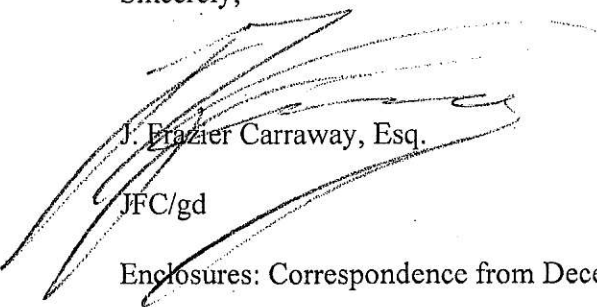
Dear Mr. Workman,

On November 6, 2019 my client wrote your client requesting permission to examine the water delivery system at the two-inch meter to determine how it is designed and operating and to have it professionally certified. Your client never responded.

We followed up with you on December 5, 2019. You never responded. Our letter is attached hereto.

If we do not have a satisfactory response by close of business January 15, 2020, we will file suit to collect the unpaid bills and we will use the discovery procedures through the court to get permission to perform the inspection.

Sincerely,



J. Frazier Carraway, Esq.

JFC/gd

Enclosures: Correspondence from December 5, 2019

cc: Jennifer Hernandez; deercreekutilities@artemislifestyles.com



SAXON | GILMORE

SAXON GILMORE & CARRAWAY, P.A.
Attorneys and Counselors at Law

201 E. KENNEDY BLVD., SUITE 600
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www.saxongilmore.com

Direct Dial: 813.314.4503
Email: fcarraway@saxongilmore.com

December 5, 2019

VIA EMAIL AND REGULAR U.S.P.S

Mike Workman
Clark, Campbell, Lancaster & Munson, P.A.
500 South Florida Avenue, Suite 800
Lakeland, FL 33801
mworkman@cclmlaw.com

Re: Deer Creek Crossing Irrigation
Our File Number: 000030.02000

Mr. Workman,

Our clients' communications have stopped working and we wanted to reach out to you to try to move this matter forward.

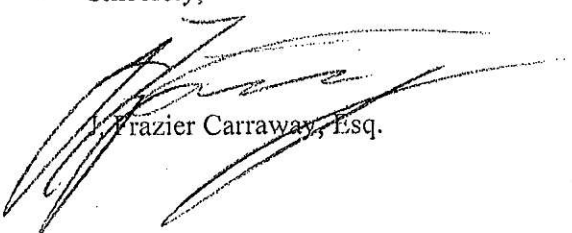
On November 6, 2019 my client wrote your client. In that email my client sought to confirm that your client wanted the two-inch meter removed as we understood in our meeting on November 5, 2019. My client also requested permission to examine the water delivery system at the two-inch meter to determine how it is designed and operating and to have it professionally certified. We anticipate that access to the service lines on your client's side of the matter might be necessary for the certification. A copy of the certification will be provided to your client upon completion. A copy of that email is attached hereto as Exhibit "A".

Your client responded that day to confirm that he wanted the two-inch meter removed. Regarding access for the certification, he stated: "I will have to get back to you at a later time".

We have not heard back from Mr. Bone since November 6, 2019 and he did not respond to our email on November 27, 2019.

Will your client allow us access to certify the design, configuration and operation of the water system in the vicinity of the two-inch meter?

Sincerely,



Frazier Carraway, Esq.

December 5, 2019

Page 2

JFC/gd

Enclosures: Exhibit "A"

cc: Jennifer Hernandez; deercreekutilities@artemislifestyles.com