



# Public Service Commission

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

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**DATE:** April 29, 1998  
**TO:** Division of Records and Reporting  
**FROM:** Division of Legal Services (Vaccaro) *mv*  
**RE:** Docket No. 980442-SU - Petition for waiver of Rule 25-30.110(3), F.A.C., Records and Reports, 25-30.110(6), Annual Reports, and 25-30.110(7), F.A.C., Delinquent Reports, by Pine Island Cove Homeowner's Association.

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Please file the attached letter dated April 27, 1998, in the docket file for the above-referenced docket.

TV/dr

cc: Division of Water and Wastewater (Hines)

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
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- SC
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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Tim Vaccaro  
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Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

sent via fax and Federal Express

April 27, 1998

RE: Pine Island Cove Homeowners' Association/Petition for Waiver of Penalty

Dear Mr. Vaccaro:

Further to our Petition dated March 19, 1998, please consider the information contained below as supplemental to our request for the waiver of penalty.

First, we would like to emphasize that we are requesting a temporary waiver only. This was a one-time failure to comply, based on factors we believed to be beyond our control. We will file future submissions in timely fashion.

Secondly, the name and address of the utility is Pine Island Cove Homeowners' Association, Inc., 7290 Ladyfish Drive, St. James City, FL 33956. Any communications should be addressed to the attention of the Board of Directors.

Thirdly, I would appreciate an opportunity to augment the information previously provided regarding the utility's potential connection to the sewer system of Lee County, Florida.

Lee County is under a Consent Order with the D.E.P. to replace the Matlacha sewage treatment plant with a new facility located elsewhere on Pine Island, no later than December 31, 1998. I was advised this morning by County staff that permitting has begun on the new facility, which will be built within a mile of Pine Island Cove, and that construction is anticipated to be complete prior to December, 1998, with the plant and associated facilities coming on-line in December. While Lee County Utilities is not requiring private package plant owners and users to connect with the County system immediately, it is our expectation that as utility regulations become stricter and as the Pine Island Cove package plant ages, connection with the County system is inevitable.

The connection rate will be \$1,168 per unit, if the Association chooses a bulk rate. In addition, there is a deposit of \$8.52 per unit (bulk rate). If the Association chooses to turn over operation and maintenance of the collection system to the County, the Association

Tim Vaccaro  
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would be required to bring its system up to County standards and grant easements across Association property as a precondition to the dedication. If the Association does not dedicate the system to the County, it would turn over the master lift station to the County and be required to install a force main to run from the property to the connection on Stringfellow Road. In either event, the Association would be incurring expenses estimated up to \$100,000, in addition to the costs to the individual Association member.

Finally, we will be attending the PSC meeting on May 19. Please advise if the date of our schedule appearance changes, so we can alter our reservations accordingly.

Thank you.

Sincerely,

  
Arne Dalton, Esquire

CC: Pine Island Cove Homeowners' Association, Inc.

AD/os