

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date: October 12, 1999

Docket No. 991575-TI

1. Division Name/Staff Name: Communications/T.Williams
2. OPR: T.Williams
3. OCR: _____

4. Suggested Docket Title: Request to cancel Interexchange Telecommunication Service Certificate No.3127 by WINSTAR GATEWAY NETWORK, INC. effective September 8, 1999.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:
- Documentation is attached.
- Documentation will be provided with the recommendation.

I:\PSC\RAR\WP\ESTDKT.
PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
12411 OCT 12 99
FPSC-RECORDS/REPORTING



RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
CMU
Williams

99 SEP -8 AM 9:30

September 7, 1999 MAIL ROOM

Bianca S. Bayo, Director
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399

Re: WinStar Gateway Network, Inc. Notice of Discontinuance of Service,
Request for Cancellation of Certificate of Public Convenience and
Necessity No. 3127 and Withdrawal of Tariff

TI099

Dear Ms. Bayo:

WinStar Gateway Network, Inc., formerly known as Communications Gateway Network, Inc., hereby notifies the Commission of its intent to discontinue service to its residential long distance customers as of 11:59 p.m. on September 30, 1999. In accordance with the rules of the Federal Communications Commission, notice of this discontinuance was provided to WinStar Gateway Network, Inc.'s customers via notification letters sent in four batches on February 9, 10, 12 and 16, 1999, respectively. A representative copy of the notice is attached for your reference.

In association with its cessation of operations, WinStar Gateway Network, Inc. requests, as of October 30, 1999, cancellation of Certificate of Public Convenience and Necessity No. 3127 issued to it by the Commission on October 8, 1992 in Docket No. 920757-TI and withdrawal of its current tariff.

WinStar Gateway Network, Inc.'s current mailing address is: 8585 North Stemmons Freeway, Suite 1100 South, Dallas, Texas 75249.

WinStar Gateway Network, Inc. did not collect deposits from its customers, therefore, no deposits are on account. Customers will receive a final bill in October 1999.

Please direct any questions concerning this matter to the undersigned at 202-530-7654.

Sincerely,

Kimberley A. Bradley
Sr. Director, Regulatory Affairs

RECEIVED & FILED

FPSC-BUREAU OF REGULATORY AFFAIRS

WinStar Communications, Inc.

DOCUMENT NUMBER-DATE

10809 SEP-8 99



February __, 1999

Re: Interstate Long Distance Rate Increase and Discontinuance Notification

Dear WinStar Gateway Network, Inc. Customer:

WinStar Gateway Network, Inc. ("WGNI") is exiting the residential long distance service business. WGNI has begun efforts to phase out its current service offerings over the next several months, during which its customers will have an opportunity to select new providers. The planned date of WGNI's discontinuance of residential long distance service to all points it serves is September 30, 1999. Our records indicate that you currently receive residential long distance service from WGNI. If you are no longer a WGNI customer, please disregard this letter. Your account will automatically be placed in an inactive status.

During the interim period before WGNI discontinues service, WGNI must raise its interstate long distance rates in order to cover its costs. Please be advised that on March 1, 1999, WGNI will raise its residential interstate long distance rates to \$0.28 per minute. You may wish to select a new long distance service provider prior to this rate increase.

If you decide to remain with WinStar Gateway Network, Inc., your interstate long distance rates will be raised to \$0.28 per minute, beginning March 1, 1999.

Also, please be advised that the Federal Communications Commission will normally authorize WGNI's proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address your comments to the Federal Communications Commission, Washington, D.C. 20554, referencing the □ 63.71 Application of WinStar Gateway Network, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you, including any inability to acquire reasonable substitute service.

If you have any questions, please call WGNI's Customer Satisfaction Team at 800-569-0010. Thank you for allowing WinStar Gateway Network, Inc. to provide your long distance service in 1998, and best wishes for the New Year.

Your WinStar Gateway Network, Inc. Customer Satisfaction Team.

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-

RECEIVED-FPSC
01 JAN -6 AM 11:42
RECORDS AND REPORTING

DATE: JANUARY 6, 2000
TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)
FROM: DIVISION OF COMMUNICATIONS (GILCHRIST) *JD*
DIVISION OF LEGAL SERVICES (KEATING) *BN*
RE: REQUEST FOR CANCELLATION OF INTEREXCHANGE
TELECOMMUNICATIONS CERTIFICATE
AGENDA: 01/18/00 - CONSENT AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE
SPECIAL INSTRUCTIONS: NONE

Please place the following Request for Cancellation of Interexchange Telecommunications Certificate on the consent agenda for approval.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CERT. NO.</u>	<u>Eff. Date</u>
991575-TI	WinStar Gateway Network, Inc.	3127	09/08/99
991857-TI	Access Network Services, Inc.	3512	12/06/99
991858-TI	LDS Ventures, Inc. d/b/a Long Distance Savers, Inc.	3128	12/06/99
991784-TI	TeleKey, L.L.C.	4833	11/29/99

DOCUMENT NUMBER-DATE
00212 JAN-68
FPSC-RECORDS/REPORTING

Original

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of certificates to provide interexchange telecommunications services.

WinStar Gateway Network, Inc.
Access Network Services, Inc.
LDS Ventures, Inc. d/b/a Long
Distance Savers, Inc.
TeleKey, L.L.C.

DOCKET NO. 991575-TI ✓
DOCKET NO. 991857-TI
DOCKET NO. 991858-TI

DOCKET NO. 991784-TI

ORDER NO. PSC-00-0134-PAA-TI
ISSUED: January 20, 2000

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING INTEREXCHANGE
TELECOMMUNICATIONS CERTIFICATES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

The entities listed below have complied with the provision of Rule 25-24.474(2), Florida Administrative Code, by providing adequate notice in writing of their request for cancellation of their Interexchange Telecommunications (IXC) certificates and by

DOCUMENT NUMBER-DATE

00814 JAN 20 8

FPSC-RECORDS/REPORTING

submitting their Regulatory Assessment Fees (RAFs) for 1998. Accordingly, we find it appropriate to cancel the certificates listed below, effective on the dates shown.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>EFFECTIVE DATE</u>
WinStar Gateway Network, Inc.	3127	09/08/99
Access Network Services, Inc.	3512	12/06/99
LDS Ventures, Inc. d/b/a Long Distance Savers, Inc.	3128	12/06/99
TeleKey, L.L.C.	4833	11/29/99

Each entity shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for 1999 has been mailed to each of the above entities. Neither the cancellation of their certificates nor the failure to receive a RAFs Return notice for 1999 shall relieve these entities from their obligation to pay RAFs for 1999.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Interexchange Telecommunications services certificates listed herein are hereby cancelled, effective on the dates shown above. It is further

ORDERED that each entity shall return its certificate to this Commission and remit Regulatory Assessment Fees for 1999. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form

ORDER NO. PSC-00-0134-PAA-TI
DOCKETS NOS. 991575-TI, 991857-TI, 991858-TI, 991784-TI
PAGE 3

provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 20th day of January, 2000.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

ORDER NO. PSC-00-0134-PAA-TI
DOCKETS NOS. 991575-TI, 991857-TI, 991858-TI, 991784-TI
PAGE 4

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 10, 2000.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation of
certificates to provide
interexchange telecommunications
services.

WinStar Gateway Network, Inc.
Access Network Services, Inc.
LDS Ventures, Inc. d/b/a Long
Distance Savers, Inc.
TeleKey, L.L.C.

DOCKET NO. 991575-TI ✓
DOCKET NO. 991857-TI
DOCKET NO. 991858-TI

DOCKET NO. 991784-TI

ORDER NO. PSC-00-0318-CO-TI
ISSUED: February 17, 2000

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-00-0134-PAA-TI, issued January 20, 2000, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order. It is, therefore,

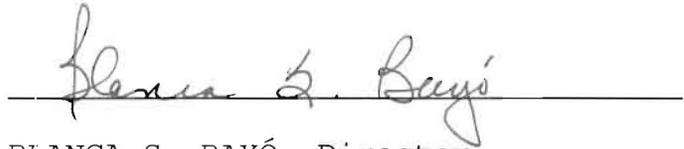
ORDERED by the Florida Public Service Commission that Order No. PSC-00-0134-PAA-TI has become effective and final. It is further

ORDERED that these dockets shall be closed.

DOCUMENT NUMBER-DATE
02186 FEB178
FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0318-CO-TI
DOCKETS NOS. 991575-TI, 991857-TI, 991858-TI, 991784-TI
PAGE 2

By ORDER of the Florida Public Service Commission, this 17th
day of February, 2000.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 10/8/99

Docket No. 991576-WS

1. Division Name/Staff Name Water and Wastewater
2. OPR McCaskill *OSK* *PO* *PP* *PP*
3. OCR _____

4. Suggested Docket Title Disposition of Contributions-In-Aid-of-Construction Gross-Up Funds Collected for 1996 by Parkland Utilities, Inc. in Broward County.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

<u>Parkland Utilities, Inc.</u>	<u>Rose Sundstrom & Bentley, LLP</u>
_____	<u>2548 Blainstone Pines Drive</u>
_____	<u>Tallahassee, FL 32301</u>
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:

- Documentation is attached.
- Documentation will be provided with the recommendation.

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Public Service Commission

July 26, 1999

Mr. F. Marshall Deterding
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Dear Mr. Deterding:

RE: Parkland Utilities, Inc. 1996 CIAC Gross-up Refund

We have completed our review of the 1996 CIAC Gross-up Report for Parkland Utilities. Our preliminary refund calculation for 1996 is attached as Schedule No. 1.

The utility calculates that no refund is appropriate for 1996. The utility calculated an overcollection of gross-up of \$10,359; however, after offsetting 50 percent (\$11,301) of the legal, accounting, and management fees of \$22,602 which were incurred to process the report, the utility reports that no refund is due.

Staff calculates that a refund of \$2,949 is appropriate. Staff calculates that the allowable offset of legal, accounting, and management fees should be 50 percent of \$14,876 or \$7,438, instead of \$11,301 as reported by the utility. When staff's calculated amount is offset with the overcollection of \$10,358, staff calculates a refund of \$2,949. Staff has disallowed \$7,725 of the legal, accounting and management fees as follows:

(1) The estimate to complete for Cronin, Jackson, Nixon & Wilson, reflects \$450 for P. DeChario to prepare the refund schedule and transmit to staff. This represents 6 hours at \$75. Since the CIAC was received from one contributor, staff has reduced the time to prepare the report to 2 hours at \$75, or \$150. Therefore, \$300 has been disallowed.

(2) The following amounts for Ron Nunes were disallowed because it appears that they do not relate to the preparation of the 1996 CIAC gross-up report: Invoices dated 01/31/98 for \$2,325; 03/02/98 for \$750; 04/03/98 for \$1,200 (\$150 of this invoice was allowed); and 05/04/98 for \$150.

Mr. F. Marshall Deterding
Page 2
July 26, 1999

(3) Staff has disallowed the estimated 20 hours, or \$3,000 of estimated cost to complete the case, which was included in the invoice dated 06/98, totalling \$7,650 for Ron Nunes. Since there is only one contributor in this case, and anticipating that no additional hearings will be required, staff has disallowed this additional cost. Staff believes that the estimated 25 hours to complete the case should be sufficient.

Additionally, please note that in calculating the amount of refund, staff has not offset the legal and accounting fees with \$2,949 of the overcollection. It appears that the actual amount of property CIAC was less than the estimated amount; thus, the utility overpaid the gross-up on the amount of property CIAC. Therefore, since the developer would have been entitled to a refund of this overpayment regardless of the amount of refund calculated by staff, we have not offset this overpayment with the legal and accounting costs incurred in filing the gross-up report.

If the utility disagrees with staff's adjustments and/or calculation, please provide an alternative calculation, including justification and/or supporting documentation no later than August 26, 1999.

Sincerely,



Connie L. McCaskill
Public Utilities Supervisor

CLM:clm(parkltr.clm)
Enclosure

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Public Service Commission

July 20, 1999

Mr. Lee B. Gartner
Lee B. Gartner, P.A.
3300 University Drive, Suite 408
Coral Springs, FL 33065

Dear Mr. Gartner:

Re: Transeastern Properties v. Parkland Utility
Your File No. 80-400

I have completed my review of the 1994-1996 CIAC gross-up reports submitted to the Commission by Parkland Utility. In addition, I have also reviewed copies of Parkland's Tax Returns for the years 1994, 1995 and 1996, and I have reviewed pertinent parts of the Developer Agreement entered into by Parkland and Transeastern. In addition, I talked with Mr. Bob Nixon, consultant for the utility, regarding the reporting of the CIAC and gross-up collections in the utility's annual reports and tax returns. Based upon my review, I was not able to determine that the utility reported receipt of money in an earlier year in order to take advantage of some sort of accounting procedure which would help them in not having to return certain funds to Transeastern Properties.

My review of the utility's CIAC reports and Income Tax Returns indicates that the utility reported CIAC and gross-up collections for the water and wastewater capacity charges consistent with the developer agreement. The utility also reported, in its escrow letters to the Commission, that in 1995, Transeastern paid \$135,120.54 in gross-up based on the estimate of their gross-up obligation for the water and wastewater on-site and off-site improvements. Based on the amount of gross-up reported in the utility's escrow letter for the on-site/off-site facilities, staff calculates that the associated property CIAC would have been approximately \$223,951. However, the utility reported the collection of \$235,738 of property CIAC in its 1995 annual report and tax return. Therefore, upon first consideration, there appears to be a discrepancy in the amount of property CIAC that should have been reported, based on gross-up collections, and the amount of property CIAC actually reported in the utility's annual report and tax return. I, therefore, asked Mr. Nixon, the utility's consultant, to provide an explanation of the apparent discrepancy.

After consulting with the utility, Mr. Nixon explained that Mr. Nunes indicated that in December, 1995, Transeastern provided Parkland invoices totalling \$223,950 for on-site/off-site

Mr. Lee B. Gartner

Page 2

July 20, 1999

facilities. He also stated that Transeastern paid gross-up totalling \$135,121 on the on-site/off-site facilities in 1995. He further explained that in January, 1996, the utility discovered another invoice for \$11,787 which should have been included in the 1995 CIAC property additions. Therefore, the utility made a journal entry to reflect the \$11,787 as a 1995 property addition; thus, the total property additions for 1995 was reflected as \$235,738 in the utility's annual report and tax return. Accepting Mr. Nunes explanation as being valid, then I agree with the adjustment that the utility made to include the \$11,787 in the cost of 1995 property CIAC additions. Therefore, absent a showing that the actual cost of property CIAC for 1995 was not \$235,738 as reported by the utility in its 1995 annual report and income tax return, I cannot conclude that the utility reported receipt of money in an earlier year in order to take advantage of some sort of accounting procedure which would help them in not having to return certain funds to Transeastern Properties. However, if you have information to prove that the 1995 property CIAC additions were not \$235,738, please provide that information.

I did conclude, however, that the gross-up of \$15,716 that Transeastern paid in 1996 included \$7,112 of gross-up paid on the additional property CIAC of \$11,787 that the utility included in its 1995 annual report, tax return and CIAC gross-up refund calculation. It appears that while the utility included the \$11,787 of property CIAC in its refund calculation for 1995, it did not include the associated gross-up of \$7,112 in its calculation. However, even though the \$7,112 of gross-up should have been included in the 1995 refund calculation, a review of the 1995 refund calculation and associated costs indicates that even if the \$7,112 had been included in the gross-up collections for 1995, no refund would have been required.

Please note that since Transeastern paid gross-up of \$150,836.92 on \$250,000 of property CIAC, but the actual cost of the property CIAC was only \$245,113, it appears that Transeastern overpaid the amount of gross-up on property CIAC. I calculate that the utility would, at a minimum, owe Transeastern a refund of the gross-up paid on \$4,887 of property CIAC ($\$250,000 - \$245,113$), or a refund of \$2,948.57 ($\$4,887 * .603349$). This amount does not include accrued interest.

I am in the process of preparing the 1996 refund calculation for Parkland. If you have any further questions, please do not hesitate to call me at (850) 413-6978.

Sincerely,



Connie L. McCaskill
Public Utilities Supervisor

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261
e-mail: lgartner@gate.net

May 4, 1999

Transmitted via facsimile 850-413-6981

Connie McCaskill
Florida Public Service Commission
Water & Waste Water Division
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

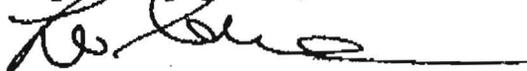
RE: **Transeastern Properties v. Parkland Utility**
My File No.: 80-400

Dear Ms. McCaskill:

We spoke on April 2, 1999, and you indicated that you would get back to me by the end of the month concerning the above matter. To refresh your recollection, you had taken this matter over from Jennifer Iwenjiora. I have submitted paperwork to your offices showing when Parkland Utility actually received certain funds. It seemed that they had reported receipt of money in an earlier year in order to take advantage of some sort of accounting procedure which would help them in not having to return certain funds to Transeastern Properties. Have you completed that particular investigation? If not, can you provide me with a timeframe as to when I can expect this investigation to be concluded?

Please advise.

Very truly yours,



LEE B. GARTNER

LBG:jg

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261
e-mail: lgartner@gate.net

March 10, 1999

Transmitted via facsimile only: 850-413-6981

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

re: **Transeastern Properties vs. Parkland Utility**

Dear Jennifer:

Did you have a chance to review the situation? Please let me know..

Very truly yours,


Lee B. Gartner

LBG:lnh

Cronin, Jackson, Nixon & Wilson
CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
ROBERT H. JACKSON, C.P.A.
ELIZABETH A. MAY, C.P.A.
BRENDA W. MCBARRON, C.P.A.
ROBERT C. NIXON, C.P.A.
HOLLY M. TOWNER, C.P.A.
JOHN A. VANTREASE, C.P.A.
JAMES L. WILSON, C.P.A.

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(727) 791-4020
FACSIMILE
(727) 797-3602

FACSIMILE TRANSMITTAL FORM

TO: JENNIFER IWENJIORA FAX NO.: (850) 413-6981

TO: MARTY DETERDING, ESQ. FAX NO.: (850) 656-4029

TO: RON NUNES FAX NO.: (954) 344-9966

TO: _____ FAX NO.: _____

FROM: BOB NIXON CRONIN, JACKSON, NIXON & WILSON

DATE: 02/19/99

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 5

MESSAGE

PARKLAND (#515)
CLIENT NAME & NUMBER

Cronin, Jackson, Nixon & Wilson
CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
ROBERT H. JACKSON, C.P.A.
ELIZABETH A. MAY, C.P.A.
BRENDA W. McBARRON, C.P.A.
ROBERT C. NIXON, C.P.A.
HOLLY M. TOWNER, C.P.A.
JOHN A. VANTREASE, C.P.A.
JAMES L. WILSON, C.P.A.

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(727) 791-4020
FACSIMILE
(727) 797-3602

February 19, 1999

Ms. Jennifer Iwenjiora
Division of Water & Wastewater
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

BY FACSIMILE (850) 413-6981

Re: Parkland Utilities, Inc. - 1996 Gross-up Refund

Dear Jennifer:

As requested, I have enclosed copies of all of our invoices for work completed on the 1996 gross-up refund report of Parkland Utilities, Inc.

With regard to Attachment I on our report as filed, the unbilled charges related to May and not April.

As you will note, our total actual fees amount to \$5,811.20. As indicated on Attachment I, there will be additional fees to review the Staff computation and Recommendation and prepare any additional information you may request prior to the Agenda Conference.

I agree that Mr. DeChario will probably not need to spend six hours to prepare a refund schedule. However, he will need to spend probably two hours to calculate the interest multiplier for the client. Therefore, the total estimated fee on Attachment I is about right.

Please contact me if you have any additional questions. Hopefully, this time things will go very smoothly.

Very truly yours,

CRONIN, JACKSON, NIXON & WILSON



Robert C. Nixon

RCN/apf

Enclosures

cc: F. M. Deterding, Esq. (w/encl.)
R. Nunes (w/encl.)

Cronin, Jackson, Nixon & Wilson
CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
ROBERT H. JACKSON, C.P.A.
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TRACY A. RIZZO, C.P.A.
HOLLY M. TOWNER, C.P.A.
JAMES L. WILSON, C.P.A.

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(813) 791-4020
FACSIMILE
(813) 797-3602

I N V O I C E

October 17, 1997

Mr. Ron Nunes
Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

#515

For professional services rendered during
September, 1997, as follows:

1. Partial billing for preparation of the 1996 PSC gross-up refund report	\$2,175.00
2. Telephone and copies	<u>4.98</u>
Total	<u>\$2,179.98</u>

Cronin, Jackson, Nixon & Wilson
CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
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TRACY A. RIZZO, C.P.A.
HOLLY M. TOWNER, C.P.A.
JAMES L. WILSON, C.P.A.

COPY

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(813) 791-4020
FACSIMILE
(813) 797-3602

I N V O I C E

January 22, 1998

Mr. Ron Nunes
Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

#515

For professional services rendered during
December, 1997, as follows:

1. Preparation of 1996 PSC gross-up refund report and review of prior years' reports for analysis of NOL carryforwards	\$825.00
2. Telephone, postage, Federal Express charges, and copies	<u>97.01</u>
Total	<u><u>\$922.01</u></u>

Cronin, Jackson, Nixon & Wilson
CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
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TRACY A. RIZZO, C.P.A.
HOLLY M. TOWNER, C.P.A.
JAMES L. WILSON, C.P.A.

COPY

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(813) 791-4020
FACSIMILE
(813) 797-3602

I N V O I C E

June 12, 1998

Mr. Ron Nunes
Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

#515

For professional services rendered during
May, 1998, as follows:

1. Preparation of 1996 gross-up refund report	\$2,600.00
2. Telephone, Federal Express charges, and copies	<u>109.21</u>
Total	<u>\$2,709.21</u>

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

February 11, 1999

RECEIVED

FEB 15 1999

Florida Public Service Commission
Division of Water and Wastewater

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waste Water Division
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

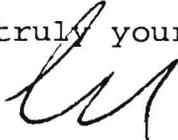
RE: Transeastern Properties v. Parkland Utility

Dear Jennifer:

Do you have a timeframe that I may provide to my client as to when you will have an opportunity to review the documents? Please advise.

I will date my file ten days for your response.

Very truly yours,



LEE B. GARTNER

LBG:jg

ADMINISTRATIVE MAIL ROOM
FEB 15 2 41 PM '99
RECEIVED

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

December 8, 1998

NOON 11AM
MAIL ROOM

DEC 14 10 02 AM '98

RECEIVED

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

re: Transeastern Properties vs. Parkland Utility

Dear Jennifer:

As a result of the request, the escrow agent sent me check 1180 dated January 2, 1996 in the amount of \$136,770.80, check 1179 in the same amount and on the same date, check 1174 dated July 12, 1995 in the amount of \$44,618.83, check 1165 dated January 3, 1995 in the amount of \$190,626.45, check 1166 dated January 3, 1995 in the amount of \$263,245.49 and check 631 dated July 22, 1994 in the amount of \$214,314.07.

After your review of these items, could you get back to me with regard to the issues we discussed? I will date my file 30 days which should give you sufficient time to review the matter in detail.

Very truly yours,



Lee B. Gartner

LBG:lnh
Enclosure

RECEIVED

DEC 14 1998

Florida Public Service Commission
Division of Water and Wastewater

Ticor Title Insurance Company

Barnett Bp
FORT LAUDERDALE FIDA 63-1402
670

000631

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD., STE 100
FORT LAUDERDALE, FL 33309-2039

DATE

AMOUNT

July 22, 1994

\$214,314.07

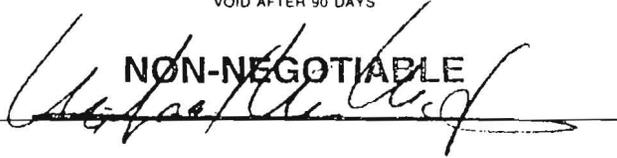
PAY

The sum of 214,314 and 07/100ths

VOID AFTER 90 DAYS

PARKLAND UTILITIES, INC.

NON-NEGOTIABLE



⑈000631⑈

FOR TITLE INSURANCE COMPANY

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

000631

File No. 21307

Release of Escrow

91 lots in Cypress Head

\$214,314.07

July 22, 1994

Ticor Title Insurance Company

Barnett Bank
FORT LAUDERDALE, FL 33309
JA 63-1402
670

001166

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD., STE 100
FORT LAUDERDALE, FL 33309-2039

DATE

AMOUNT

JAN. 3, 1995

\$263,245.49

The sum of 263,245 and 49/100 cts

VOID AFTER 90 DAYS

PARKLAND UTILITIES, INC.

~~NON-NEGOTIABLE~~

TICOR TITLE INSURANCE COMPANY

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

001166

FILE NO. 21307A
AMOUNT: \$263,245.49
DATE: JANUARY 3, 1995

REDEMPTION OF COMMERCIAL CERTIFICATE OF DEPOSIT.

Ticor Title Insurance Company

Barnett Bank
FORT LAUDERDALE, FL 33309
RIDA 83-1402
4-670

001180

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD., STE 100
FORT LAUDERDALE, FL 33309-2039

DATE: **JANUARY 2, 1996** AMOUNT: **\$136,770.88**

The sum of 136,770 and 88/100 cts

PAY

VOID AFTER 90 DAYS

TO THE ORDER OF **PARKLAND UTILITIES, INC.**

[Handwritten Signature]
NON-NEGOTIABLE

TICOR TITLE INSURANCE COMPANY

001180

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

FILE NO. 21307AM
DATE: JANUARY 2, 1996
AMOUNT: \$136,770.88

REDEMPTION OF CERTIFICATE OF DEPOSIT NO. 7149184

Ticor Title Insurance Company

Barnett Bank
FORT LAUDERDALE, FL 33309
IDA 83-1402
670

001179

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD. STE 100
FORT LAUDERDALE, FL 33309-2039

DATE: JANUARY 2, 1996
AMOUNT: \$136,770.88

The sum of 136,770 and 88 cts

PAY

TO THE ORDER OF
PARKLAND UTILITIES, INC.

VOID AFTER 90 DAYS
[Signature]
~~NON-NEGOTIABLE~~
[Initials]

COR TITLE INSURANCE COMPANY

001179

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

FILE NO. 21307AM
DATE: JANUARY 2, 1996
AMOUNT: \$136,770.88

REDEMPTION OF CERTIFICATE OF DEPOSIT NO. 7149183

Ticor Title Insurance Company

Barnett Bank
FORT LAUDERDALE, FL 33309-2039

001165

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD., STE 100
FORT LAUDERDALE, FL 33309-2039

DATE
JAN. 3, 1995

AMOUNT
\$190,626.45

The sum of 190,626 and 45/100 cents

VOID AFTER 90 DAYS

PARKLAND UTILITIES, INC.

[Signature]
NON-NEGOTIABLE

RICOR TITLE INSURANCE COMPANY

001165

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

FILE NO. 21307B
AMOUNT: \$190,626.45
DATE: JANUARY 3, 1995

REDEMPTION OF COMMERCIAL CERTIFICATE OF DEPOSIT.

Ticor Title Insurance Company

Barnett I
FORT LAUDERDALE

RIDA 83-1402
670

001174

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD. STE 100
FORT LAUDERDALE, FL 33309-2039

DATE
July 12, 1995

AMOUNT
44,618.83

PAY

The sum of \$44,618.83

TO THE ORDER OF
PARKLAND UTILITIES INC.

VOID AFTER 90 DAYS

NON-NEGOTIABLE

[Handwritten signature]

TICOR TITLE INSURANCE COMPANY

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

001174

File No. 3 21307 C & D

July 12, 1995

44,618.83

Parkland Utilities Inc.

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

December 2, 1998

Transmitted via facsimile only: 850-413-6981

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

re: Transeastern Properties vs. Parkland Utility

Dear Jennifer:

Has the closing agent given you the information? They last contacted me November 13 indicating it might take a little longer. I am trying to find out if anything came about from your end.

Very truly yours,


Lee B. Gartner

LBG:lnh 
Enclosure

**LAW OFFICES
LEE B. GARTNER, P.A.**

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

November 12, 1998

Transmitted via facsimile only: 850-413-6981

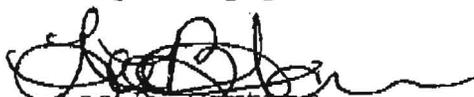
Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

re: Transeastern Properties vs. Parkland Utility

Dear Jennifer:

I do hope by now you have received the documentation requested. If not, I went through my files and found this letter of December 27, 1995 from Parkland Utilities asking that certain checks be issued which were due on January 2, 1996. During our discussion, it appears that Parkland Utilities may have received the money in 1996 but for accounting purposes informed you that such money was in fact received in 1995. Is this the type of document you were looking for. Have they given you the rest of the documentation you requested? I have sent a letter to them as a party to the escrow agent demanding that they comply with your request within the next five days. If they do not, I am prepared to file suit.

Very truly yours,


Lee B. Gartner

LBG:lnh 
Enclosure

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

November 12, 1998

Transmitted via facsimile only: 888-539-7789

JIM HARVEY
Ticor Title Insurance Company
500 West Cypress Creek Road
Suite 100
Ft. Lauderdale, Fl 33309

re: **November 18, 1993 Escrow Agreement**
Parkland Utilities, Inc. and Transeastern Properties of
South Florida, Inc. Escrow agreement.

Gentlemen:

Please be advised that I represent Transeastern Properties of South Florida, Incorporated, a Florida corporation with regard to an escrow agreement which both of you were acting in the capacity as a escrow agent. It has come to my attention that Jennifer Iwenjiora of the Florida Public Service Commission has contacted your offices requesting copies of certain checks which were part of the escrow agreement. She has indicated that cooperation from your offices has not yet been given concerning those items. Since my client has an interest in having those checks produced immediately and since my client is a party to such escrow agreement, demand is hereby made upon you to comply with all requests being made by Jennifer Iwenjiora. Furthermore, if you are not inclined to provide those documents that she has requested to her directly, provide them to my office immediately.

Furthermore, I demand on behalf of my client a copy of all checks issued from the escrow account to Parkland Utilities, Incorporated (both sides) throughout the existence of the escrow.

According to Ms. Iwenjiora, she indicates that you have indicated a willingness to provide those documents, so my additional request to provide the remaining checks should not be much of a burden. Demand to comply with the request of Jennifer Iwenjiora and the documents which I have requested should be easily met by you within the next five days. If that is not the case, please contact me immediately and give me the time frame you fee is reasonable.

Very truly yours,


Lee B. Gartner
LBG:lnh

Parkland Utilities, Inc.

8001 Parkside Drive, Parkland, FL 33067
Phone (305) 753-7906, 7903, 9550
Fax (305) 344-9966, 341-8491

December 27, 1995

VIA FAX
(305) 492-8217

Artie Montaner
Escrow Closer
Chicago/Ticor Title Insurance Company
500 West Cypress Creek Road
Suite 100
Ft. Lauderdale, FL. 33309

Re: Parkland Utilities, Inc. and Transeastern Properties of South Florida, Inc. Escrow agreement.

Dear Mr. Montaner,

This letter is to give directions regarding the Escrowed Funds.

Pursuant to the Escrow Agreement paragraphs 4.(d) and 4.(e), the remaining Escrowed Funds with interest shall be disbursed by the Escrow Agent to the Service Company (Parkland Utilities, Inc.) on January 1, 1996, if not released sooner as detailed in the agreement.

These deposits are represented by the following Certificates of Deposit at First Union National Bank of Florida N.A.

Cert No: 01-313-116-7149183, Maturity 1/1/96, Issue Amount \$133,379.50
Cert No: 01-313-116-7149184, Maturity 1/1/96, Issue Amount \$133,379.50

Please close these accounts and disburse to Parkland Utilities, Inc. all principle and interest. The check should be ready for delivery or pick-up on January 2, 1996. Please call me at (305) 753-7902 to confirm.

Thank You.

Sincerely,
Parkland Utilities, Inc.


Ronald M. Nunes
Executive Vice President

01/02/95 15:42

001

CHICAGO TITLE INSURANCE COMPANY

10 WEST CYPRESS CREEK ROAD, SUITE 100, FORT LAUDERDALE, FLORIDA 33309 (305) 772-7200



Date: 1-2-96.

Time: _____

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

Name: DERBIE

Firm: _____

From: ARTIE

Chicago Title Insurance Company
500 West Cypress Creek Road
Suite 100
Fort Lauderdale, Florida 33309

General Phone No. (305) 772-7200
Fax Phone Nos. (305) 492-8217

COPIES OF CHECKS.

Ticor Title Insurance Company

Barnoll Brnk
FORT LAUDERDALE, FLORIDA 33308-2039

001179

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD. STE 100
FORT LAUDERDALE, FL 33308-2039

DATE: JANUARY 2, 1996 AMOUNT: \$136,770.88

The sum of 136,770 and 88 cts.

PAY

TO THE ORDER OF

PARKLAND UTILITIES, INC.

VOID AFTER 90 DAYS

Monahan

OR TITLE INSURANCE COMPANY

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

001179

FILE NO. 21307AM
DATE: JANUARY 2, 1996
AMOUNT: \$136,770.88

REDEMPTION OF CERTIFICATE OF DEPOSIT NO. 7149183

Ticor Title Insurance Company

ESCROW ACCOUNT
500 W. CYPRESS CREEK RD., STE. 100
FORT LAUDERDALE, FL 33309-2038

Barnett Bank
FORT LAUDERDALE, FLORIDA 331402
678

001180

DATE: JANUARY 2, 1996 AMOUNT: \$136,770.88

The sum of 136,770 and 88/100ths

AV

TO THE ORDER OF

PARKLAND UTILITIES, INC

VOID AFTER 90 DAYS

R TITLE INSURANCE COMPANY

THIS REMITTANCE IS FOR ITEMS BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT REQUIRED.

001180

FILE NO. 21307AM
DATE: JANUARY 2, 1996
AMOUNT: \$136,770.88

REDEMPTION OF CERTIFICATE OF DEPOSIT NO. 7149184

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

September 29, 1998

Fax: 850-413-6981

VIA FAX AND REGULAR MAIL

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

re: Transeastern Properties vs. Parkland Utility

Dear Jennifer:

Enclosed for your review is a breakdown of the 199 units by year.

Very truly yours,


Lee B. Gartner

LBG:lnh
Enclosure

Parkland Connections 199 Total

Cypress Cay- Connections by Year

1994	0
1995	106
1996	2
1997	0
	<u>108</u>

Cypress Head- Connections by Year

1994	1
1995	77
1996	12
1997	1
	<u>91</u>

Total 199

Total Connections by Year

1994	1
1995	183
1996	14
1997	1
	<u>199</u>

LAW OFFICES
LEE B. GARTNER, P.A.

LEE B. GARTNER
DAVID A. SILVERSTONE

CORAL SPRINGS FINANCIAL PLAZA
3300 UNIVERSITY DRIVE, SUITE 408
CORAL SPRINGS, FLORIDA 33065
(954) 755-5350 • FAX (954) 752-6261

September 1, 1998

Fax: 850-413-6981

Jennifer Iwenjiora
Florida Public Service Commission
Water & Waster Water Division
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

RECEIVED

SEP 8 1998

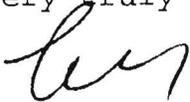
Florida Public Service Commission
Division of Water and Wastewater

re: Transeastern Properties vs. Parkland Utility

Dear Jennifer:

It has been about a month since we spoke. Yo indicated that you were going to give an accounting as to how much money was owed Transeastern. I was under the impression that you may be able to give am a preliminary number at this point in time with the actual number finalized after an audit was completed. Could you please tell me the progress.

Very truly yours,



Lee B. Gartner

LBG:lnh

Cronin, Jackson, Nixon & Wilson

CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
ROBERT H. JACKSON, C.P.A.
BRENDA W. McBARRON, C.P.A.
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HOLLY M. TOWNER, C.P.A.
JAMES L. WILSON, C.P.A.

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(813) 791-4020
FACSIMILE
(813) 797-3602

May 12, 1998

Officers and Directors
Parkland Utilities, Inc.

As requested, we have prepared the accompanying Special Report of Parkland Utilities, Inc., consisting of Schedules No. 1 through No. 4. This report is intended solely for use in fulfilling certain reporting requirements related to collection of tax impact charges on contributions in aid of construction, for the year ended December 31, 1996, to be filed with the Florida Public Service Commission. We have not audited or reviewed this Special Report and express no opinion or any other form of assurance on it.

Cronin, Jackson, Nixon & Wilson
CRONIN, JACKSON, NIXON & WILSON

Parkland Utilities, Inc.
 Schedule of Gross-up Refund
 For the Taxable Year Ended December 31, 1996

Line
No.

1	Total 1996 CIAC collected (Schedule No. 2)	\$ 154,375
2	Less: First year depreciation of CIAC	<u>(491)</u>
3	Net taxable CIAC	153,884
4	Combined state and federal tax rate	<u>.3763</u>
5	Net income tax on CIAC	57,907
6	Expansion factor for gross-up taxes	<u>1.6033</u>
7	Gross-up required to pay tax effect	92,842
8	Actual gross-up collected (1)	<u>103,201</u>
9	Over collection of gross-up	(10,359)
10	Less: 50% of estimated legal, accounting, and management	
11	fees to prepare and process this report (Attachment I)	<u>11,301</u>
12	Net under collection of gross-up	<u>\$ 942</u>
13	Notes: (1) Gross-up collections were not included on the income tax	
14	return, since they are in an escrow account and subject to refund.	
15	Once the Commission determines the appropriate gross-up amount for	
16	each year, that amount will be withdrawn from escrow and reported in	
17	that year's tax return.	

Parkland Utilities, Inc.
 Above and Below the Line Taxable Income (Loss)
 For the Taxable Year Ended December 31, 1996

<u>Line No.</u>		
1	<u>Above the line taxable income (loss)</u>	
2	Gross receipts/sales (Line 1c)	<u>\$ 632,934</u>
3	Deductions:	
4	Taxes and licenses (Line 17) (Schedule No. 3)	40,941
5	Interest (Line 18) (Schedule No. 3)	4,146
6	Depreciation (Line 21b) (Schedule No. 3)	62,578
7	Other deductions (Line 26)	<u>435,460</u>
8		<u>543,125</u>
9	Above the line income before CIAC	89,809
10	CIAC (Line 10) (Note 1)	<u>154,375</u>
11	Above the line taxable income	<u>244,184</u>
12	<u>Below the line taxable income (loss)</u>	
13	Interest (Line 5)	33,680
14	Meter installation, connection, and tap fees	
15	(Line 10) (Note 1)	<u>2,300</u>
16		<u>35,980</u>
17	Deductions:	
18	Taxes and licenses (Line 17) (Schedule No. 3)	16,297
19	Interest (Line 18) (Schedule No. 3)	108,094
20	Depreciation (Line 21b) (Schedule No. 3)	<u>191,854</u>
21		<u>316,245</u>
22	Below the line loss	<u>(280,265)</u>
23	Total taxable income	<u>\$ (36,081)</u>
24	Note (1): CIAC is composed of the following:	
25	Plant capacity charges	\$145,000
26	Property	9,375
27	Meter fees	1,000
28	Tap-in fees	1,000
29	Initial connection fees	<u>300</u>
30	Total CIAC	<u>\$156,675</u>

Parkland Utilities, Inc.
 Above and Below the Line Taxes, Interest, and Depreciation
 For the Taxable Year Ended December 31, 1996

<u>Line No.</u>		
1	I. <u>Taxes and licenses</u>	
2	Total property taxes	\$ 13,799
3	Used and useful percentage (1)	<u>77.44%</u>
4	Above the line property taxes	10,686
5	Below the line property taxes	<u>3,113</u>
6	Total property taxes	<u>\$ 13,799</u>
7	Total taxes and licenses	\$ 57,238
8	Less: Non-used and useful property taxes	(3,113)
9	State income taxes	<u>(13,184)</u>
10	Total above the line taxes and licenses	40,941
11	Total below the line taxes and licenses	<u>16,297</u>
12	Total taxes and licenses	<u>\$ 57,238</u>
13	II. <u>Interest</u>	
14	Total debt on which interest expense was accrued	<u>\$1,167,407</u>
15	Utility rate base (Schedule No. 4)	<u>\$ 44,754</u>
16	Debt in excess of rate base	<u>\$1,122,653</u>
17	Percentage excess	96.17%
18	Interest expense on long-term debt	<u>\$ 108,246</u>
19	Below the line interest on long-term debt	104,100
20	Miscellaneous interest	<u>3,994</u>
21	Total below the line interest expense	108,094
22	Total above the line interest expense	<u>4,146</u>
23	Total interest expense (Line 18)	<u>\$ 112,240</u>

Parkland Utilities, Inc.
 Above and Below the Line Taxes, Interest, and Depreciation
 For the Taxable Year Ended December 31, 1996

<u>Line</u> <u>No.</u>		
1	III. <u>Depreciation</u>	
2	Total tax depreciation expense	\$ 254,432
3	Less: Depreciation on contributed plant	<u>(173,624)</u>
4	Net depreciation on invested plant	80,808
5	Percent used and useful (1)	<u>77.44%</u>
6	Above the line depreciation expense	62,578
7	Below the line depreciation	<u>191,854</u>
8	Total depreciation expense	<u>\$ 254,432</u>
9	Note (1): Composite used and useful percent is calculated as follows:	
10	Total water transmission and sewer	
11	collection costs (Schedule No. 4)	\$3,330,996
12	Percent used and useful (Schedule No. 4)	<u>.25</u>
13	Total non-used and useful transmission and	
14	collection system costs	832,749
15	Treatment plant costs not in service (Schedule No. 4)	<u>113,755</u>
16	Total non-used and useful plant	<u>\$ 946,504</u>
17	Divide by total depreciable plant	<u>\$4,195,419</u>
18	Composite non-used and useful percentage	22.56%
19	Composite used and useful percentage	<u>77.44%</u>
20	Total	<u>100.00%</u>

Parkland Utilities, Inc.
Schedule of Rate Base
For the Taxable Year Ended December 31, 1996

Line No.		<u>Water</u>	<u>Sewer</u>	<u>Total</u>
1	Plant in service	\$1,421,561	\$2,773,858	\$4,195,419
2	Accumulated depreciation	(559,252)	(862,013)	(1,421,265)
3	Non-used and useful plant (1)	(130,531)	(522,164)	(652,695)
4	CIAC	(1,034,068)	(1,986,415)	(3,020,483)
5	Accumulated amortization of CIAC	<u>342,236</u>	<u>601,542</u>	<u>943,778</u>
6	Rate base	<u>\$ 39,946</u>	<u>\$ 4,808</u>	<u>\$ 44,754</u>
7	Note (1): Non-used and useful plant is calculated as follows:			
8	(A) Total ERC's connected to system			<u>745</u>
9	Developed capacity of water transmission,			
10	distribution, and sewer collection system			<u>992</u>
11	Percent used and useful			75%
12	Percent non-used and useful			<u>25</u>
13	Total			<u>100%</u>
14			<u>Water</u>	<u>Sewer</u>
15	(B) Transmission & distribution and			
16	sewage collection system costs			
17	(Accts. 331, 333, 335; 354, 360,			
18	361, 362, 363, 364, 370)		\$ 750,568	\$2,580,428
19	Accumulated depreciation on above			
20	accounts		<u>(228,445)</u>	<u>(695,952)</u>
21			522,123	1,884,476
22	Percent non-used and useful		<u>.25</u>	<u>.25</u>
23	Net non-used and useful distribution			
24	and collection system costs		<u>\$ 130,531</u>	<u>\$ 471,119</u>
25	(C) Sewer treatment plant not in service -			
26	all sewage now purchased			\$ 113,755
27	Accumulated depreciation			<u>(62,710)</u>
28	Net non-used and useful treatment plant			<u>\$ 51,045</u>
29	Total sewer plant non-used and useful			
30	(\$471,119 + \$51,045)			<u>\$ 522,164</u>

Parkland Utilities, Inc.
Actual and Estimated Legal & Accounting Expense
To Process 1996 Gross-up Refund Report

Line No.		Invoice Date	Fees	Out-of-Pocket	Total
1	<u>Accounting</u>				
2	<u>Cronin, Jackson, Nixon & Wilson</u>				
3	September, 1997	10/17/97	\$ 2,175	\$ 4	\$ 2,179
4	December, 1997	01/22/98	825	97	922
5	Total billed through 12/31/97		<u>3,000</u>	<u>101</u>	<u>3,101</u>
6	Unbilled charges, April, 1998:				
7	R. Nixon - 8 hours @ \$150		1,200		1,200
8	Clerical - 1 hours @ \$25		25		25
9	Telephone, copies, Federal Express			100	100
10	Total unbilled charges		<u>1,225</u>	<u>100</u>	<u>1,325</u>
11	Estimate to complete:				
12	Conference with Staff, prepare				
13	additional information				
14	R. Nixon - 4 hours @ \$150		600		600
15	Clerical - 2 hours @ \$25		50		50
16	Review Staff computation and				
17	discuss with client & attorney				
18	R. Nixon - 3 hours @ \$150		450		450
19	Review Staff Recommendation				
20	R. Nixon - 2 hours @ \$150		300		300
21	Review PAA Order				
22	R. Nixon - 1 hours @ \$150		150		150
23	Prepare refund schedule and				
24	transmit to Staff				
25	P. DeChario - 6 hours @ \$75		450		450
26	Telephone, copies, Federal Express, etc.			250	250
27	Total estimate to complete		<u>2,000</u>	<u>250</u>	<u>2,250</u>
28	Total actual & estimated accounting expense		<u>6,225</u>	<u>451</u>	<u>6,676</u>
29	<u>Legal</u>				
30	<u>Rose, Sundstrom & Bentley (M. Deterding)</u>				
31	Estimated cost:				
32	File case, Staff conferences,				
33	accountant conferences, review				
34	Staff Recommendation, attend				
35	Agenda Conference, review Final				
36	Order & refund documents		3,500	200	3,700
37	Total estimated legal expense		<u>3,500</u>	<u>200</u>	<u>3,700</u>
38	<u>East Coast Equity Management Corp.</u>				
39	Ron Nunes (1)	01/31/98	2,325		2,325
40	Ron Nunes	03/02/98	750		750
41	Ron Nunes	04/03/98	1,350		1,350
42	Ron Nunes	05/04/98	150		150
43	Ron Nunes	06/01/98	7,650		7,650
44	Total management		<u>12,225</u>		<u>12,225</u>
45	Total actual & estimated accounting, legal,				
46	and management expense		<u>\$21,950</u>	<u>\$ 651</u>	<u>\$22,601</u>
47	(1) Expense related to time over and above charges for day-to-day management of				
48	Utility operations.				

Cronin, Jackson, Nixon & Wilson

CERTIFIED PUBLIC ACCOUNTANTS, P.A.

JAMES L. CARLSTEDT, C.P.A.
JOHN H. CRONIN, JR., C.P.A.
ERIC M. DOAN, C.P.A.
ROBERT H. JACKSON, C.P.A.
BRENDA W. McBARRON, C.P.A.
ROBERT C. NIXON, C.P.A.
TRACY A. RIZZO, C.P.A.
HOLLY M. TOWNER, C.P.A.
JAMES L. WILSON, C.P.A.

2560 GULF-TO-BAY BOULEVARD
SUITE 200
CLEARWATER, FLORIDA 33765-4419
(813) 791-4020
FACSIMILE
(813) 797-3602

COPY

I N V O I C E

October 17, 1997

Mr. Ron Nunes
Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

#515

For professional services rendered during
September, 1997, as follows:

1. Partial billing for preparation of the 1996 PSC gross-up refund report	\$2,175.00
2. Telephone and copies	<u>4.98</u>
Total	<u><u>\$2,179.98</u></u>

Cronin, Jackson, Nixon & Wilson
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COPY

I N V O I C E

January 22, 1998

Mr. Ron Nunes
Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

#515

For professional services rendered during
December, 1997, as follows:

1. Preparation of 1996 PSC gross-up refund report and review of prior years' reports for analysis of NOL carryforwards	\$825.00
2. Telephone, postage, Federal Express charges, and copies	<u>97.01</u>
Total	<u>\$922.01</u>

EAST COAST EQUITY MANAGEMENT CORPORATION
7501 S. CypressHead Drive
Parkland, FL 33067
Phone: (305) 753-7900

January 31, 1998

Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

Invoice for additional services rendered by Ron Nunes for the month of January 1998.

Date	Item	Time
1/7/98	Research for Staff meeting	3.00
1/7/98	PSC Staff Meeting in Tallahassee	8.00
1/23/98	Discuss PSC staff request with Bob Nixon and transmit documents	3.00
1/26/98	Review and discuss Staff response w/Nixon	.50
	Prepare requested documents	1.00
		<u>.00</u>
	Total Hours	15.50
	Billable hours at \$150.00 per hour directly related to Cross-up	\$2,325.00

EAST COAST EQUITY MANAGEMENT CORPORATION
7501 S. CypressHead Drive
Parkland, FL 33067
Phone: (305) 753-7900

March 2, 1998

Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

Invoice for additional services rendered by Ron Nunes for the
month of February 1998.

Date	Item	Time
2/4/98	Discussions w/Deterding & Nixon re: Gross-up	1.00
2/17/98	Respond to added information request by PSC JI	1.00
2/24/98	Respond to added information request by PSC JI	1.00
2/27/98	Review staff 2/26 recommendation and correspondence from Marty Deterding RE: Gross-up	2.00
		<u>.00</u>
	Total Hours	5.00
	Billable hours at \$150.00 per hour directly related to Gross-up	\$750.00

EAST COAST EQUITY MANAGEMENT CORPORATION
7501 S. CypressHead Drive
Parkland, FL 33067
Phone: (305) 753-7900

April 3, 1998

Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

Invoice for additional services rendered by Ron Nunes for the
month of March 1998.

Date	Item	Time
3/5/98	Discussion w/Deterding re: J Iwenjiora request	1.00
3/10/98	Attend Hearing in Tallahassee	8.00

Total Hours	9.00
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Billable hours at \$150.00 per hour
directly related to Gross-up

\$1,350.00

EAST COAST EQUITY MANAGEMENT CORPORATION
7501 S. CypressHead Drive
Parkland, FL 33067
Phone: (305) 753-7900

May 4, 1998

Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

Invoice for additional services rendered by Ron Nunes for the month of April 1998.

Date	Item	Time
4/3/98	Review final gross-up order for 1994 & 1995	1.00

Total Hours 1.00

Billable hours at \$150.00 per hour
directly related to Gross-up

\$150.00

EAST COAST EQUITY MANAGEMENT CORPORATION
7501 S. CypressHead Drive
Parkland, FL 33067
Phone: (305) 753-7900

June, 1998

Parkland Utilities, Inc.
8001 Parkside Drive
Parkland, FL 33067

Invoice for additional services rendered by Ron Nunes for the month of May 1998.

Date	Item	Time
5/4/98	Review 1st draft of 96 refund report	2.00
5/8/98	Review new draft of 96 refund report and discuss w. Bob Nixon	4.00
ESTIMATE	To complete w/o refund	25.00
ESTIMATE	Additional cost with a refund for processing and addition PSC hearings and correspondence	20.00
	Total Hours	51.00
	Billable hours at \$150.00 per hour directly related to Gross-up	\$7,650.00