



# Public Service Commission

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

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**DATE:** May 22, 1998  
**TO:** Division of Records and Reporting  
**FROM:** Division of Legal Services (Vaccaro) *gv*  
**RE:** Docket No. 971504-WU - Investigation of rates of A.P. Utilities, Inc. in Marion County for possible overearnings.

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Please file the attached letters dated March 6, 1998, May 5, 1998, and May 20, 1998, in the docket file for the above-referenced docket.

TV/dr

cc: Division of Water and Wastewater (Merchant, Kaproth, Edwards)  
Division of Legal Services (Ferguson)

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- QPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

05713 MAY 22 88

FPSC-RECORDS/REPORTING

# A.P. UTILITIES, INC.

3925 Southeast 45th Court Suite E · Ocala, Florida 34480-7431  
352/694-7474

May 5, 1998

Tim Vaccaro  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RE: A.P. Utilities Order #PSC -98-0044-PCO-WS

Dear Mr. Vaccaro,

This is a up date on the sale of the company.

1. The County Commission did not discuss it letter of credit to purchase Peppertree this week. It was put off to the May 19 meeting by the Assistant County Administrator. The new letter will include the purchase of South Oak and Raven Hill Systems.

2. Ocala Oaks has come to terms with me on Hawks Point and 49th Street systems. They will be contacting you for the paper work.

3. I was only able to put \$1,471.95 in the Tax Account with First Union this Month (February and March).

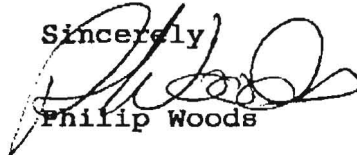
4. I also put \$1,500 in the Over Earning account this month.

The water sales are high this month. I should be able catch up more this month on both accounts.

Will you give a copy of this letter to Trish Merchant and others.

If you have any additional questions concerning this letter please do not hesitate to contact this office.

Sincerely,



Philip Woods

# A.P. UTILITIES, INC.

3925 Southeast 45th Court Suite E · Ocala, Florida 34480-7431  
352/694-7474

May 20, 1998

Tim Vaccaro  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850



RE: A.P. Utilities Order #PSC -98-0044-PCO-WS

Dear Mr. Vaccaro,

This is a up date on the sale of the company.

1. The County Commission approved "Marion County Utility Capital Improvements and Operations Program Proposed Line of Credit" with First Union Bank for a maximum figure of \$7,000,000. In the meeting they announced the places they planned to used the money now. The areas were A.P. Utilities, Inc. (Peppertree, South Oak, and Raven Hill), Rollin Green Development, Quail Meadows, and a new development near Peppertree.

2. Ocala Oaks with the county vote says they will contact you about the paper work on Hawks Point and 49 Street.

Will you give a copy of this letter to Trish Merchant and others.

If you have any additional questions concerning this letter please do not hesitate to contact this office.

Sincerely,



Philip Woods

# A.P. UTILITIES, INC.

3925 Southeast 45th Court Suite E · Ocala, Florida 34480-7431  
352/694-7474

March 6, 1998

Tim Vaccaro  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RE: A.P. Utilities Order #PSC -98-0044-PCO-WS

Dear Mr. Vaccaro,

In review of the Order and our discussions on the phone, I will perform the following items


1. Open an interest bearing escrow account (\$2694 per month) with First Union Bank (2090001734820) Deposit \$2944 3-06-98
2. Open an interest bearing escrow account (4.5% of the monthly sales) with First Union Bank (2090001734817) Deposit \$654.59 3-06-98.
3. Sent Copies of the Monthly Sales or each system.

Attached to this letter are copies of the monthly reports.

Attached to this letter is a copy of the sales agreement with Marion County. I trying to work out a deal with Ocala Oaks on two more systems. The others who has requested information have shown no interest at this time.

If you have any additional questions concerning this letter please do not hesitate to contact this office.

Sincerely,



Philip Woods

NEW DEPOSIT ACCOUNT APPLICATION  
FIRST UNION NATIONAL BANK

Org. Loc. Branch Visit No. Sold By Referred By  
003 254 00630 038030634412 A089487

Product Type Account Number  
1 GREEN FLEX BUSINESS 2090001734817  
2  
3  
4

Name/Address  
A P UTILITIES INC  
ESCROW TAX ACCOUNT  
3925 SE 45TH COURT SUITE E  
OCALA FL 34480  
Tax ID No. T592890036 Date of Birth

**CERTIFICATION** - Under penalty of perjury, I certify that:  
(1) The number shown on this form is my correct Taxpayer Identification Number (or that I am waiting for a number to be issued to me and (2) I am not subject to backup withholding because (a) I am exempt from backup withholding or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends or (c) the IRS has notified me that I am no longer subject to backup withholding.  
**CERTIFICATION INSTRUCTIONS** - You must print out item (2) above if you were notified by the IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return. Refer to bank for IRS notification.  
**SIGNATURE CARD** - The words I, me and my which also mean us, us and we, if more than one customer, mean the person(s) signing this agreement. It is agreed that First Union will recognize the signatures below in the payment of funds or in the transaction of other business for the account(s). We agree to the terms and conditions of the First Union Deposit Agreement for this account(s) and authorize First Union to establish employer account(s). We hereby acknowledge receipt of a Deposit Agreement, Schedule of Fees and Fees Disclosure, if applicable.  
 I checked. You require a First Union Banking Card for access to the indicated accounts. We agree to the terms and conditions of the First Union Card Agreement.  
Refer to bank for Right of Redemption provisions for IR, TR, and VA accounts. The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Signature	(REAL)	Title	Date

MUST BE COMPLETED, SIGNED AND RETURNED TO BANK \*NON-PERSONAL ACCOUNTS EST. 8/86 (5000g Rev. 01)  
PART 2 - TEMPORARY SIGNATURE CARD - DEPOSIT SERVICES

NEW DEPOSIT ACCOUNT APPLICATION  
FIRST UNION NATIONAL BANK

Org. Loc. Branch Visit No. Sold By Referred By  
003 254 00630 038030634412 A089487

Product Type Account Number  
1 GREEN FLEX BUSINESS 2090001734820  
2  
3  
4

Name/Address  
A P UTILITIES INC  
ESCROW OVER EARNINGS ACCT  
3925 SE 45TH COURT SUITE E  
OCALA FL 34480  
Tax ID No. T592890036 Date of Birth

**CERTIFICATION** - Under penalty of perjury, I certify that:  
(1) The number shown on this form is my correct Taxpayer Identification Number (or that I am waiting for a number to be issued to me and (2) I am not subject to backup withholding because (a) I am exempt from backup withholding or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends or (c) the IRS has notified me that I am no longer subject to backup withholding.  
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**SIGNATURE CARD** - The words I, me and my which also mean us, us and we, if more than one customer, mean the person(s) signing this agreement. It is agreed that First Union will recognize the signatures below in the payment of funds or in the transaction of other business for the account(s). We agree to the terms and conditions of the First Union Deposit Agreement for this account(s) and authorize First Union to establish employer account(s). We hereby acknowledge receipt of a Deposit Agreement, Schedule of Fees and Fees Disclosure, if applicable.  
 I checked. You require a First Union Banking Card for access to the indicated accounts. We agree to the terms and conditions of the First Union Card Agreement.  
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PART 2 - TEMPORARY SIGNATURE CARD - DEPOSIT SERVICES