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STATE OF FLORIDA



MARSHALL WILLIS, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

February 4, 2011

RECEIVED-FPSC
11 FEB 10 AM 8:16
COMMISSION
CLERK

Mr. Michael G. Cooke
Ruden McClosky
215 S. Monroe Street
Suite 815
Tallahassee, FL 32301

Re: Docket No. 110023-WS - Application for certificates to provide water and wastewater service in Lake County by Equity LifeStyle Properties, Inc., Mid-Florida Lakes Utility

Dear Mr. Cooke:

Staff has reviewed the above-referenced filing on behalf of Mid-Florida Lakes Utility (Mid-Florida or Utility) and determined that the following information is necessary to meet the requirements of Commission rules and to clarify the application.

Deficiencies

- 1. Land Ownership.** Exhibit E contains a warranty deed dated August 1994 that transferred the specified property to Snowbirdland Vistas, Inc. (Snowbirdland). Pursuant to Rule 25-30.033(1)(j), Florida Administrative Code (F.A.C.), please provide a copy of the agreement executed by Snowbirdland that permits the certificated utility's long-term continuous use of the land on which the water and wastewater facilities are located, such as a 99-year lease.
- 2. Legal Description.** Staff is unable to determine whether the legal description provided in Exhibit K matches the service territory depicted on the maps provided in Exhibits L and M. As a result, staff is also unable to determine whether the proposed legal notice describes the requested service territory. Pursuant to Rules 25-30.030 and 25-30.033(1)(l), F.A.C., please provide a complete legal description of the territory that includes a reference to township(s), range(s), land section(s) and county, as well as a complete and accurate description of the territory using either the sections format or the metes and bounds format.
- 3. Territory Maps.** Rule 25-30.033(1)(n), F.A.C., requires that the application include a map showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. The maps submitted in Exhibits L and M do not display the territory using the scale as specified by the rule, do not meet the metes and bounds or quarter sections requirement, and do not provide a defined reference point of beginning. Staff is unable to determine whether the legal description provided in Exhibit K matches the service area depicted on the maps. Please provide a territory map that meets these rule requirements and clearly illustrates the territory border using a bold line with sufficient contrast for easy reading.
- 4. Notice of Application.** Pursuant to Rule 25-30.030, F.A.C., the Utility must provide notice of the application to those parties named on the list provided by the Commission and to each customer of the systems to be certificated. The notice must also be published in a newspaper of general circulation in the territory, as prescribed by this rule. Attached, please find the Commission's list of parties to be noticed. Please submit to the Commission the affidavits required by Section 367.045(1)(e), Florida

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Statutes (F.S.), with a copy of the notice attached. Please note that the legal notice must be revised to reflect the correct complete legal description, as addressed in Item 2 above.

Additional Information

5. **Land Ownership.** Please explain the relationship between Equity LifeStyle Properties, Inc. (ELP), and Snowbirdland.
6. **Customer Class.** It is staff's understanding that Mid-Florida has 1,225 residential lot connections. Exhibit J, Schedule No. A-1, indicates that a general service customer class is also being served. Please confirm whether the clubhouse, compound, laundry room, two firehouses, and two pools are the Utility's only general service customers and whether each of these connections is individually metered.
7. **Annual Gallons Sold.** Schedule No. B-10 of Exhibit J indicates the estimated annual gallons sold as 97,943,000 gallons. Please provide documentation that shows how this figure was determined.
8. **Undeveloped Land in Service Area.** According to staff's review of the County Assessment and System maps provided in Exhibits L and M, respectively, the service territory includes a parcel, Parcel 1-J, that appears to be undeveloped. This parcel does not appear to have any lines. Please explain whether this parcel is owned by ELP, whether ELP has any plans for future development of the property, and whether water and/or wastewater service would be needed.
9. **Tariff – Description of Territory Served.** Please update Original Sheet No. 3.1 of the Water Tariff to reflect the correct legal description of the proposed service territory, as addressed in Item 2 above.
10. **Tariff – Customer Bill.** Rule 25-30.335, F.A.C., provides that a utility cannot consider a customer delinquent in paying his or her bill until the 21st day after the utility has mailed or presented the bill for payment. Rule 25-30.320, F.A.C., provides that service may be discontinued after five working days written notice is mailed to the customer, separate and apart from any bill for service. For clarity, you may wish to include this language on your customer bill.

Should you have any questions concerning the above-referenced items, please feel free to contact Ms. Melissa Jones-Alexis, of my staff, by phone at (850) 413-6997 or mjonesal@psc.state.fl.us. To ensure timely processing of your application, the above-referenced documents and statements should be filed on or before March 4, 2011. Please ensure that your transmittal references Docket No. 110023-WS and that it is mailed directly to:

Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Sincerely,



Patti Daniel
Public Utilities Supervisor
Bureau of Certification, Economics, and Tariffs

PD:mkja

cc: Division of Economic Regulation (Jones-Alexis, Walden)
Office of the General Counsel (Young)
Office of Commission Clerk (Docket No. 110023-WS)

**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY
(VALID FOR 60 DAYS)
02/08/2011 - 04/08/2011**

<u>UTILITY NAME</u>	<u>MANAGER</u>
<u>LAKE COUNTY</u>	
AQUA UTILITIES FLORIDA, INC. (WS881) 2228 CAPITAL CIRCLE N.E., SUITE 1A TALLAHASSEE, FL 32308-4306	TROY RENDELL (850) 575-8500
BRENDENWOOD WATER SYSTEM, INC. (WU020) 3153 PENWA COURT LONGWOOD, FL 32779-3109	DEBORAH J. DAY BRACELAND (352) 383-7908
CENTURY ESTATES UTILITIES, INC. (WU725) P. O. BOX 1234 APOPKA, FL 32704-1234	JOSEPH LINARTAS (352) 787-0732
COLINA BAY WATER COMPANY, LLC (WU900) 161 EGLINTON AVENUE EAST, SUITE 600 TORONTO, ONTARIO M4P 1J5 CANADA,	SHELDON FENTON (416) 440-2904 EXT 220
CWS COMMUNITIES LP (WU839) 14 CORAL STREET EUSTIS, FL 32726-6710	MICHAEL MATHISEN (352) 589-1190
HARBOR HILLS UTILITIES, L.P. (WU727) 6538 LAKE GRIFFIN ROAD LADY LAKE, FL 32159-2900	ADAM RICH (352) 753-7000
HIDDEN VALLEY SPE LLC D/B/A ORANGE LAKE (WS892) 15840 STATE ROAD 50, LOT 32 CLERMONT, FL 34711-8715	GARY MORSE (352) 382-3414
LAKE UTILITY SERVICES, INC. (WU553) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027	PATRICK C. FLYNN (407) 869-1919 EXT 1359
LAKE UTILITY SERVICES, INC. (WS641) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027	PATRICK C. FLYNN (407) 869-1919 EXT 1359
LAKE YALE TREATMENT ASSOCIATES, INC. (WS823) 38141 MAYWOOD BAY DRIVE LEESBURG, FL 34788-8134	DANNY ELLIS (352) 589-9214
OAK SPRINGS, LLC (WU875) 1886 CANOVA STREET S. PALM BAY, FL 32909-2931	MICHAEL CAMPBELL (321) 837-0565

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<u>UTILITY NAME</u>	<u>MANAGER</u>
<u>LAKE COUNTY</u>	
PINE HARBOUR WATER UTILITIES, LLC (WU921) P. O. BOX 447 FRIUTLAND PARK, FL 34731-0447	SANDRA S. WESSON (352) 787-2944
RAINTREE UTILITIES, INC. (WU663) P. O. BOX 1840 EUSTIS, FL 32727-1840	KEITH J. SHAMROCK (352) 357-0250
SHANGRI-LA BY THE LAKE UTILITIES, INC. (WS728) 1214 WEST IL ROUTE 72 LEAF RIVER, IL 61047-9614	MERTIS L. WERNER (616) 887-8888
SOUTHLAKE UTILITIES, INC. (WS638) 2215 RIVER BLVD. JACKSONVILLE, FL 32204-4647	WILLIAM J. DEAS (904) 387-9292
SUN COMMUNITIES FINANCE, LLC D/B/A WATER OAK UTILITY (WS755) THE AMERICAN CENTER 27777 FRANKLIN ROAD, SUITE 200 SOUTHFIELD, MI 48034-8205	JIM HOEKSTRA (248) 208-2554
TLP WATER, INC. (WU924) 12315 U.S. HIGHWAY 441 TAVARES, FL 32778-4515	WILLIAM CAREY (352) 450-1706
UTILITIES, INC. OF PENNBROOKE (WS861) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027	PATRICK C. FLYNN (407) 869-1919 EXT 1359
W.B.B. UTILITIES, INC. (WU639) 4223 BAIR AVENUE FRUITLAND PARK, FL 34731-5618	RICHARD S. BAIR (352) 787-3107

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02/08/2011 - 04/08/2011**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

ADMINISTRATOR, CITY OF UMATILLA
P. O. BOX 2286
UMATILLA, FL 32784-2286

CLERK, BOARD OF COUNTY COMMISSIONERS, LAKE COUNTY
P. O. BOX 7800
TAVARES, FL 32778-7800

DEP CENTRAL DISTRICT
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT
13051 N. TELECOM PARKWAY
TEMPLE TERRACE, FL 33637-0926

EAST CENTRAL FLORIDA PLANNING COUNCIL
631 NORTH WYMORE ROAD, SUITE 100
MAITLAND, FL 32751

MAYOR, CITY OF CLERMONT
P. O. BOX 120219
CLERMONT, FL 32712-0219

MAYOR, CITY OF EUSTIS
P. O. DRAWER 68
EUSTIS, FL 32727-0068

MAYOR, CITY OF FRUITLAND PARK
506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731-3200

MAYOR, CITY OF GROVELAND
156 SOUTH LAKE AVENUE
GROVELAND, FL 34736-2597

MAYOR, CITY OF LEESBURG
P. O. BOX 490630
LEESBURG, FL 32749-0630

MAYOR, CITY OF MASCOTTE
P. O. BOX 56
MASCOTTE, FL 34753-0056

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UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

MAYOR, CITY OF MINNEOLA
P. O. BOX 678
MINNEOLA, FL 34755-0678

MAYOR, CITY OF MOUNT DORA
P. O. BOX 176
MOUNT DORA, FL 32756-0176

MAYOR, CITY OF TAVARES
P. O. BOX 1068
TAVARES, FL 32778-1068

MAYOR, TOWN OF ASTATULA
P. O. BOX 609
ASTATULA, FL 34705-0609

MAYOR, TOWN OF HOWEY-IN-THE-HILLS
P. O. BOX 128
HOWEY-IN-THE-HILLS, FL 34737-0128

MAYOR, TOWN OF LADY LAKE
409 FENNELL BLVD.
LADY LAKE, FL 32159-3159

MAYOR, TOWN OF MONTVERDE
P. O. BOX 560008
MONTVERDE, FL 34729-0008

ST. JOHNS RIVER UTILITY, INC.
P.O. BOX 77
ASTOR, FL 32102

ST. JOHNS RIVER WTR MANAGEMENT DISTRICT
P.O. BOX 1429
PALATKA, FL 32178-1429

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UTILITY NAME

MANAGER

STATE OFFICIALS

OFFICE OF PUBLIC COUNSEL
111 WEST MADISON STREET
SUITE 812
TALLAHASSEE, FL 32399-1400

OFFICE OF COMMISSION CLERK
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850