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STATE OF FLORIDA



DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

May 16, 2022

Susan Clark, Esq.
Radey Thomas Yon & Clark, P.A.
301 South Bronough Street, Suite 200
Tallahassee, FL 32301
sclark@radelylaw.com

VIA EMAIL

Re: Docket No. 20220064-WS - Application for transfer of water and wastewater facilities of Tymber Creek Utilities, Inc., water Certificate No. 303-W, and wastewater Certificate No. 252-S to CSWR-Florida Utility Operating Company, LLC, in Volusia County.

Dear Ms. Clark:

Staff has reviewed CSWR-Florida Utility Operating Company, LLC's (CSWR-FL or Buyer) application for transfer of Certificate Nos. 303-W and 252-S from Tymber Creek Utilities, Inc. (Seller or Utility) to CSWR-FL. After reviewing this information we find the application to be deficient. The specific deficiencies are identified as:

1. **Notice of Application.** Rule 25-30.030(6), Florida Administrative Code, (F.A.C.), incorporated by reference in Rule 25-30.037(2)(b), F.A.C., states that all applications requiring noticing shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk. After staff has reviewed and approved the notice of application, and the notices have been distributed in accordance with Rule 25-30.030(5), F.A.C., please provide affidavits of noticing.
2. **Legal Description.** Rule 25-30.037(2)(n), F.A.C., requires a legal description of the proposed service area in the format prescribed in Rule 25-30.029, F.A.C. The legal description provided is not complete in that it describes only the portion of the service territory that was added to the certificated territory pursuant to Order No. PSC-12-0571-FOF-WS, issued on October 24, 2012, in Docket No. 20120191-WS. Please provide the complete legal description for the currently certificated service territory for the Utility.

Susan Clark, Esq.

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Your application will not be deemed filed until the deficiencies identified in this letter have been corrected. These corrections should be submitted no later than **June 15, 2022**, to the following address:

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

Should you have any questions concerning the information in this letter, please feel free to contact Mrs. Melinda Watts by phone at (850) 413-6952 or email at mwatts@psc.state.fl.us for technical questions, or Mrs. Jennifer Crawford by phone at (850) 413-6228 or email at jcrawfor@psc.state.fl.us for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

/s/ Melinda Watts

Melinda Watts
Engineering Specialist

MW:jp

cc: Thomas Crabb, Esq. (tcrabb@radeylaw.com)
Suzanne Turner, Esq. (sturner@radeylaw.com)
Office of Commission Clerk (Docket No. 20220064-WS)