



Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.
420 South Orange Avenue, Suite 700
P.O. Box 2346
Orlando, FL 32801

(407) 841-1200
(407) 423-1831 Fax
www.deanmead.com

Attorneys and Counselors at Law
Orlando
Fort Pierce
Naples
Viera/Melbourne
Vero Beach

MARTIN FRIEDMAN
407-310-2077
mfriedman@deanmead.com

April 3, 2024
via e filing

Adam Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 20240023-WS - Application for certificates to provide water and wastewater service and approval of initial rates and charges in Lake County, by North Lake County Water & Sewer Company LLC.

Dear Mr. Teitzman:

On behalf of North Lake County Water & Sewer Company LLC. ("Utility") this letter is the response to Staff's Third Deficiency Letter dated March 26, 2024.

1. **Proof of Noticing.** Rule 25-30.033(1)(b), Florida Administrative Code (F.A.C.), requires the applicant to provide proof of noticing, pursuant to Rule 25-30.030, F.A.C. Rule 25-30.030(6), 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. Staff notes that the Utility cannot correct this deficiency until its draft notice has been approved by staff and has been issued in accordance with Rule 25-30.030(5), F.A.C. However, staff is working with the Utility toward approval of the draft notice. Upon staff approval of the Utility's draft notice and issuance of the same, please provide proof of noticing, pursuant to Rule 25-30.030, F.A.C.

Response: The Utility is awaiting the staff's approval of the notice and the noticing list, after receipt of which the Utility will complete noticing and the proofs of noticing will be filed.

2. **Legal description.** Rule 25-30.033(1)(j)1., F.A.C., requires that the applicant provide a legal description of the territory proposed to be served, in the format prescribed in Rule 25-30.029, F.A.C. Rule 25-30.029(2)(a), F.A.C., states that a complete and accurate description of the service area should identify a reference to township(s), range(s), land section(s) and county(s). The Utility provided the township, range, and land sections, but is missing the county(s) in the legal description provided. Additionally, Rule 25-30.029(2)(b)2, F.A.C., states that the description should identify all bearings and distances necessary to provide continuous description. The distances for three calls are missing the unit of measurement. Please amend the legal description to conform to the requirements of Rule 25-30.029, F.A.C.

Response: See attached revised legal description.

3. **Territory map.** Rule 25-30.033(1)(j)3., F.A.C., requires an official county tax assessment map or other map showing township, range, and section with a scale such as 1'' = 200' or 1'' = 400', with the proposed territory plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.033(1)(j)1., F.A.C. The map provided identifies two different points of beginning. Please provide a territory map with only the point of beginning referenced in the legal description. Also, the territory map is not consistent with the legal description provided. An extraneous boundary line, "North 01°02'44" East 88.13 feet," is shown on the map but is not part of the legal description. Please provide a set of territory maps that clearly show the perimeter of the entire territory being requested, consistent with the requirements of Rules 25-30.029(2) and 25-30.033(1)(j)3., F.A.C.

Response: See attached revised map. A full-size copy has been provided to the staff.

Should you or Staff have any questions regarding this response please do not hesitate to contact me.

Very truly yours,

/s/ Martin S. Friedman
Martin Friedman

MSF:

Cc: Ailynee Ramirez-Abundez (via email & overnight with map)
Ryan Sandy, Esquire (via email)

EXHIBIT "A"

PROPOSED UTILITY SERVICE AREA

LEGAL DESCRIPTION:

(WATER AND SEWER UTILITY SERVICES)

A PARCEL OF LAND LYING IN SECTION 15 AND 22, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; BEING DESCRIBED AS FOLLOWS:

COMMENCE AT NORTH QUARTER CORNER OF SAID SECTION 22 FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°14'57" WEST ALONG THE SOUTH LINE OF THAT CERTAIN QUIT CLAIM DEED, RECORDED IN OFFICIAL RECORDS BOOK 5263, PAGE 681, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 670.22 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 48 AND THE POINT OF BEGINNING; THENCE RUN THE FOLLOWING 3 COURSES ALONG SAID EASTERLY RIGHT-OF-WAY LINE: NORTH 23°24'43" WEST, 1531.02 FEET; SOUTH 66°37'55" WEST, 16.97 FEET; NORTH 20°18'28" WEST, 226.54 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 48, RUN THE FOLLOWING 3 COURSES ALONG THE EAST RIGHT-OF-WAY LINE OF LIME AVENUE: NORTH 20°34'23" WEST, 201.94 FEET; NORTH 20°00'00" WEST, 317.00 FEET; NORTH 19°50'21" WEST, 405.83 FEET TO THE NORTH LINE OF QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 4470, PAGE 2292, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 69°59'13" EAST ALONG SAID NORTH LINE, 210.05 FEET TO THE EAST LINE OF SAID QUIT CLAIM DEED; THENCE RUN SOUTH 19°51'32" EAST, ALONG SAID EAST LINE, 406.34 FEET TO THE SOUTHWEST CORNER OF LOT 3, A.J. PHARES YALAHA SUBDIVISION AS REFERENCED ON THE MAP OF DRAKE POINT PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 19 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 70°07'30" EAST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 622.19 FEET TO THE WEST LINE OF THE CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 4452, PAGE 673, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 02°08'18" EAST ALONG SAID WEST LINE, 961.62 FEET TO A POINT ON THE 62.5 FOOT CONTOUR LINE, BEING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SAFE UPLAND LINE OF THE WATERS OF LAKE HARRIS; THENCE RUN ALONG SAID "SAFE UPLAND" LINE CONTOUR BEING APPROXIMATED BY THE FOLLOWING COURSES: SOUTH 48°13'31" EAST, 171.61 FEET; SOUTH 30°28'21" EAST, 198.50 FEET; SOUTH 89°28'36" EAST, 214.54 FEET; SOUTH 75°33'09" EAST, 163.02 FEET; SOUTH 64°37'20" EAST, 195.83 FEET; SOUTH 81°24'01" EAST, 185.82 FEET; SOUTH 83°21'55" EAST, 150.78 FEET; NORTH 82°35'47" EAST, 145.75 FEET; NORTH 88°37'02" EAST, 289.27 FEET; NORTH 82°48'31" EAST, 99.43 FEET; SOUTH 72°51'05" EAST, 124.28 FEET; SOUTH 49°04'35" EAST, 589.31 FEET; SOUTH 68°28'09" EAST, 696.95 FEET; SOUTH 83°52'42" EAST, 390.31 FEET; NORTH 79°30'03" EAST, 312.29 FEET; SOUTH 77°09'39" EAST, 405.31 FEET; SOUTH 64°24'04" EAST, 290.41 FEET; SOUTH 18°43'07" EAST, 72.17 FEET; SOUTH 32°23'54" WEST, 158.54 FEET; SOUTH 47°59'25" WEST, 306.08 FEET; SOUTH 34°28'28" WEST, 160.69 FEET; SOUTH 22°19'42" WEST, 170.42 FEET; SOUTH 02°47'59" EAST, 173.67 FEET; SOUTH 24°39'51" WEST, 379.39 FEET; SOUTH 20°53'09" WEST, 129.67 FEET; SOUTH 10°47'41" WEST, 262.36 FEET; SOUTH 04°51'48" WEST, 356.75 FEET; SOUTH 06°43'37" WEST, 125.96 FEET, POINT BEING 100.00 FEET EASTERLY OF THE NORTHEAST CORNER OF THE AFORESAID SECTION 22; THENCE RUN NORTH 89°32'11" WEST, 100.00 FEET TO THE NORTHEAST CORNER OF THE AFORESAID SECTION 22; THENCE RUN NORTH 89°32'11" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 1350.44 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 40°37'42" WEST, 987.97 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN SOUTH 01°02'44" WEST ALONG SAID EAST LINE, 578.78 FEET TO THE SOUTHEAST CORNER OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN NORTH 89°13'56" WEST ALONG THE SOUTH LINE OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 47.47 FEET TO THE CENTERLINE OF A DITCH; THENCE RUN THE FOLLOWING 7 COURSES ALONG THE CENTERLINE OF SAID DITCH: SOUTH 31°25'16" WEST 1.75 FEET; SOUTH 62°36'34" WEST, 98.66 FEET; SOUTH 34°07'05" WEST, 113.15 FEET; SOUTH 67°31'03" WEST, 41.43 FEET; SOUTH 72°42'59" WEST, 159.42 FEET; SOUTH 65°14'08" WEST, 143.37 FEET; SOUTH 76°24'55" WEST, 72.29 FEET TO A POINT ON THE AFORESAID EAST RIGHT-OF-WAY OF COUNTY ROAD 48, SAID POINT IS LYING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY ALONG SAID NON-TANGENT CURVE HAVING A RADIUS OF 5679.57 FEET, A CENTRAL ANGLE OF 03°34'40", AN ARC LENGTH OF 354.66 FEET, A CHORD LENGTH OF 354.60 FEET AND A CHORD BEARING OF NORTH 24°58'35" WEST TO A POINT; THENCE RUN NORTH 23°24'43" WEST NON-TANGENT TO SAID CURVE, 1423.66 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND LIES IN LAKE COUNTY, FLORIDA AND CONTAINS 294.311 ACRES MORE OR LESS.

SHEET 1 OF 2

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alafaya Trail, Suite 203 • Oviedo, Florida 32765 • 407-542-4967

WWW.PECONLINE.COM

