

State of Florida

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DIVISION OF WATER & SEWER
CHARLES H. HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

March 8, 1991

ORIGINAL
FILE COPY

Mr. Philip Woods
A.P. Utilities, Inc.
1705 S.E. Fort King Street
Ocala, Florida 32671

RE: Docket No. 910118-WU-Application For Transfer of Aqua Pure Water Company to A.P.Utilities, Inc., Cancellation of Certificate No. 395-W and Amendment of Certificate No. 380-W in,Marion County.

Dear Mr. Woods:

Pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code, the application submitted for the above referenced transfer is deficient. In order to complete the processing of the case, the following information is required:

- ACK _____ (1) An affidavit stating that noticing was done in accordance with Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code. A list of the entities noticed shall accompany the affidavit. Please note that we do not consider Exhibit A to be an affidavit.
- AFA _____
- APP _____
- CAF _____ (2) The Utility must renotify its customers because the notice sent to the customers does not address the transfer of Aqua Pure Water Company to A.P. Utilities. We will need an affidavit stating that the customers were noticed. Exhibit B is not considered to be an affidavit.
- CMU _____
- CTR _____
- EAG _____
- LEG _____ (3) When the utility completes its newspaper publication, we will need an affidavit stating that the notice of actual application was published once each week for three (3) consecutive weeks in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. Copies of the advertisements shall accompany the affidavit.
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____ (4) The Conditional Bill of Sale (Exhibit D) failed to include a list of assets purchased,therefore, please provide. Although the Conditional Bill of Sale
- OTH _____

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references Exhibit A as being "attached hereto", it was not included with the application, therefore, please send us a copy of Exhibit A.

- (5) Please provide a list of all entities which have provided, or will provide, funding to the transferee, their financial statements and copies of any financial agreements.
- (6) Please provide the proposed net book value of the Aqua Pure Water System as of the date of the proposed transfer.
- (7) The Applicant must provide a showing of its financial ability to provide service and a statement that the transferee will fulfill the commitments, obligations and representations of the transferor.
- (8) Exhibit I was referenced, but not included in the application, therefore, please provide the original and two copies of the proposed tariff sheets reflecting the territory, rates, charges and fees of the Aqua Pure Water system.
- (9) Certificate No. 395-W should be returned for cancellation. If the certificate is unavailable, please explain the steps taken in trying to obtain it.

In addition to the above, please provide the following information:

- (1) The Conditional Bill of Sale states that Seller will be reimbursed for miscellaneous service adjustments and customer deposits in the amount of \$8,537.00 and \$1,940.00. Customer deposits are supposed to remain with the Utility, therefore, an explanation is needed as to why Seller is being reimbursed for funds that came from the customers. Also, the Utility must disclose what "other miscellaneous service adjustments" specifically represent.
- (2) Exhibit F states that the financing of the transfer from Aqua Pure Water Company to A.P. Utilities will be accomplished by paying off the existing note at Barnett Bank (Barnett) and assuming the other note to Betty Neiling. Since the Conditional Bill of Sale includes several loans, please identify the loans specifically related to and the purchase price associated with the transfer of Aqua Pure Water Company to A.P. Utilities. The application indicates that the Barnett loan will be paid off by assuming a new note with First Florida and secured with CD's. Please send us a copy of this agreement.
- (3) Exhibit G states that the applicant has twenty (20) years of experience in developing county-wide water systems. Please indicate whether the applicant has a Practitioner's license for operating water systems.
- (4) The statement regarding regulatory assessment fees states that Michael Blake paid Philip Woods regulatory assessment fees for the months of January 1990 through October 1990. Does this mean that Philip Woods will be responsible

for paying regulatory assessment fees for 1990? Please be aware that regulatory assessment fees are due by March 31,1991.

In order to prevent any unnecessary delays, it is requested that the above information be submitted to Mr. Steve Tribble, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0850 no later than May 8, 1991.

If you have any questions, please do not hesitate to contact Jackie Gilchrist at our office.

Sincerely,



Charles H. Hill, Director
Division of Water and Sewer

cc: Division of Legal Services(A. Crosby)
Division of Water and Sewer(Gilchrist)
Division of Records and Reporting

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