



Jeb Bush
Governor

Department of Environmental Protection

Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

David B. Struhs
Secretary

December 11, 2001

Jim Camaren, Chairman & Chief Executive Officer
Utilities, Inc.
2335 Sanders Road
Northbrook, Illinois 60062

Facility: Sandy Creek Ranch WWTP
DEP file number: FLA010019-002-DWF
Subject: Application for Trasfer of Permit
Request for Additional Information (RAI) 002

D10852-WIS

Dear Mr. Camaren:

On June 25, 2001, the Department of Environmental Protection received a Legal Notice concerning a Notice of Application for Sale, Assignment or Transfer of a Water and/or Wastewater Certificate or Facilities Pursuant to Section 367.071, Florida Statutes for the referenced facility. The notice states that notice is hereby given on June 21, 2001 of the application for the transfer of certificates from Sandy Creek Utilities, Inc. to Sandy Creek Utility Services, Inc. to provide water and wastewater service in Bay County, Florida. The Department responded on July 19, 2001 with a Request for Additional Information. Sandy Creek Utility Services, Inc. Responded on November 7, 2001 with a completed Form 1 and a copy of the sale agreement. The sale agreement transfers ownership of the Sandy Creek Ranch WWTP from Sandy Creek Utilities, Inc., a Florida Corporation, to Utilities, Inc., an Illinois corporation. Applications and correspondence have come in under the letterhead of Sandy Creek Utility Services, Inc., apparently an "affiliate" of Utilities, Inc.).

There seems to be a step missing in the documentation to allow Sandy Creek Utility Services, Inc. and its officers to sign documentation the sale or legal transfer or the application for permit renewal currently in-house. This deficiency must be remedied to reflect the requirements of Rule 62-620.305, F.A.C. (excerpt enclosed), before the permit transfer or the renewal permit application can go forward. Please clarify and provide the appropriate documentation.

When referring to this project, use the file number indicated above. If you have any questions, contact me at (850) 595-8364, Extension 1185.

Sincerely,

Armando I. Sarasua, P.E.
Permitting Engineer
Domestic Wastewater Section

APP _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
LEG _____
OPC _____
PAI _____
RGO _____
SEC 1 _____
SER _____
OTH _____

cc: Don W. Rasmussen, VP, Utilities Incorporated of Florida
Ben Girtman, Attorney at Law
Director, Division of Records and Reporting, Florida Public Service Commission
Betsy Hewitt, FDEP/OGC/TAL
Greg Smith, FDEP/NWD/PNS

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Permit, Application and Report Signatories (Rule 62-620.305, F.A.C.)

62-620.305 Signatories to Permit Applications and Reports.

(1) All permit applications under this chapter shall be signed as follows:

(a) For a corporation, a responsible corporate officer shall sign all applications for permit. A responsible corporate officer is considered to be

1. A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or

2. The manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) For a partnership or sole proprietorship, a general partner or the proprietor, respectively, shall sign all applications for permit.

(c) For public agencies, a principal executive officer or ranking elected official shall sign all permit applications. A principal executive officer includes the chief executive officer of the agency or a senior executive officer having the responsibility for the overall operations of a principal geographic unit of the agency, for example, a regional or district administrator, a director of public works, or city or county manager.

(2) All reports required by permits and other information requested by the Department under this chapter shall be signed by a person described in subsection (1) of this section or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(a) The authorization is made in writing by a person described in subsection (1) of this section;

(b) The authorization specifies either an individual or a position having overall responsibility for the operation of the regulated facility or activity, such as the position of plant manager, superintendent, certified chief operator, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and

(c) The written authorization is submitted to the Department.

(3) If an authorization under subsection (2) of this section is no longer valid because a different individual or position has overall responsibility for the operation of the facility or activity, a new authorization satisfying the requirements of subsection (2) of this section must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

(4) Any person signing a document under subsection (1) or (2) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."