

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW



TIMOTHY DEVLIN, DIRECTOR  
DIVISION OF ECONOMIC REGULATION  
(850) 413-6900

Public Service Commission

March 1, 2006

Tammy Buchhardt  
Four Points Utility Corporation  
101 Golden Malay Palm Way  
Davenport, Florida 33897

**Re: Docket No. 050595-WS-Application for Certificates to provide water and wastewater service in Polk County by Four Points Utility Corporation**

Dear Ms. Buchhardt:

This is a follow-up to my letter to you of February 7, 2006, in which I addressed the remaining deficiency and additional information needed in regards to your application for original certificates to operate a water and wastewater utility already in existence and charging for service. This letter gave you a deadline of February 20, 2006 to respond. To date, we have not received your response.

All privately owned water and wastewater utilities in Polk County are subject to Public Service Commission regulation, unless qualified for exemption. Per our conversation in February you stated that you did not want to be an exempt corporation. Therefore, you must submit the required data to complete your application.

Due to the lack of response from Four Points Utility Corporation, it appears to be necessary to inform you that pursuant to Section 367.161(1), Florida Statutes:

If any utility, by any authorized officer, agent, or employee, knowingly refuses to comply with, or willfully violates, any provision of this chapter or any lawful rule or order of the commission, such utility shall incur a penalty for each such offense of not more than \$5,000, to be fixed, imposed, and collected by the commission...Each day that such refusal or violation continues constitutes a separate offense. Each penalty shall be a lien upon the real and personal property of the utility, enforceable by the commission as statutory liens under chapter 85.

Failure to respond by April 6, 2006, will be interpreted as an apparent violation of Section 367.161(1), Florida Statutes, and staff will then prepare the appropriate recommendation to the Commission.

DOCUMENT NUMBER - DATE  
01802 MAR -1 98  
FPSC-COMMISSION CLERK

MP \_\_\_\_\_  
OM \_\_\_\_\_  
TR \_\_\_\_\_  
CR \_\_\_\_\_  
CL \_\_\_\_\_  
PC \_\_\_\_\_  
CA \_\_\_\_\_  
CR \_\_\_\_\_  
GA \_\_\_\_\_  
EC   i    
TH \_\_\_\_\_

Tammy Buchhardt  
Page 2  
March 1, 2006

Enclosed for your convenience, is a copy of the February 7, 2006 letter, which needs to be addressed by you for the remaining deficiency and the additional information. To avoid staff recommending a show cause proceeding please submit the original and five copies of the requested information and supporting documentation. When filing the response, please be sure to refer to the docket number and to direct the response to:

**Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850**

Should you have any questions concerning the information in this letter, please contact Tom Walden at 850-413-6950 or Cheryl Johnson at 850-413-6984.

Sincerely,



Patti Daniel  
Public Utilities Supervisor  
Certification Section

PD:caj

Enclosure

cc: Division of Economic Regulation (Johnson, Walden)  
Office of the General Counsel (Rodan)

~~Division of Commission Clerk and Administrative Services (Bayo)~~