

**Diamond Williams**

110022-WS

**From:** Bryson, Arlene [Arlene.Bryson@ruden.com] on behalf of Cooke, Michael [Michael.Cooke@ruden.com]  
**Sent:** Friday, March 18, 2011 4:31 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Docket No. 110022-WS - Equity LifeStyle Properties, Inc., Hacienda Village - Response to Staff Correspondence dated February 4, 2011

**Attachments:** 1176\_001.pdf

**Docket No.:**

Docket No. 110022-WS – Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., Hacienda Village

**Person Filing:**

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**Filed on behalf of:**

Equity LifeStyle Properties, Inc.

**Total number of pages:**

(19)

**Description:**

Response to Staff Correspondence dated February 4, 2011

**Arlene Bryson**  
Legal Secretary



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3/18/2011

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March 18, 2011

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RE: Docket No. 110022-WS – Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., Hacienda Village

Dear Ms. Cole:

Please file the enclosed letter and attachments in the above-referenced docket. If you have any questions, please do not hesitate to contact me.

Sincerely,

Michael G. Cooke

MGC:amb  
Enclosures

cc: Patti Daniel, Public Utilities Supervisor, Bureau of Certification, Economics, and Tariffs  
(VIA E-MAIL: PDANIEL@PSC.STATE.FL.US)  
Division of Economic Regulation (Jones, Alexis, Walden)  
(VIA E-MAIL: MJONESAL@PSC.STATE.FL.US and TWALDEN@PSC.STATE.FL.US)  
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March 18, 2011

Ms. Patti Daniel  
Public Utilities Supervisor  
Bureau of Certification, Economics, and Tariffs  
Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RE: Docket No. 110022-WS – Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., Hacienda Village

Dear Ms. Daniel:

Enclosed please find the following information requested by staff as outlined in your February 4, 2011, letter to me regarding the application for certificate to operate a water utility in Pasco County by Equity Lifestyle Properties, Inc. (“ELS,” referenced by staff as “ELP”).

1. **Land Ownership.** *Exhibit E contains a warranty deed dated December 2002 that transferred the specified property to MHC Hacienda Village, L.L.C. Pursuant to Rule 25-30.033(1)(j), Florida Administrative Code (F.A.C.), please provide a copy of the agreement executed by MHC Hacienda Village, L.L.C., that permits the certificated utility’s long-term continuous use of the land on which the water facility is located, such as a 99-year lease.*

MHC Hacienda Village, L.L.C., is an indirect wholly-owned subsidiary of ELS. In accordance with Rule 25-30.033(1)(j), F.A.C., upon issuance of a final order that grants a certificate of authorization to operate a water utility, MHC Hacienda Village, L.L.C., will transfer to HV Utility Systems, L.L.C., by warranty deed, the portion of the property it owns upon which the water facilities are located. HV Utility Systems, L.L.C., is an indirect wholly-owned subsidiary of ELS. A draft warranty deed transferring the property to HV Utility Systems, L.L.C., will be drafted and submitted as a supplement to this response. For purposes of this application, HV Utility Systems, L.L.C., is the applicant and notices required by Section 367.045, F.S., and Rule 25-30.030, F.A.C., will be provided in the name of HV Utility Systems, L.L.C. The applicant is in the process of preparing a legal

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description of the property to be transferred and will supplement this response in the near future with a copy of it.

2. **Legal Description.** *Staff is unable to determine whether the legal description provided in Exhibit I matches the service territory depicted on the maps provided in Exhibits J and K. As a result, staff is also unable to determine whether the proposed legal notice describes the requested service territory. Pursuant to Rules 25-30.030 and 25-30.033(1)(l), F.A.C., please provide a complete legal description of the territory that includes a reference to township(s), range(s), land section(s) and county, as well as a complete and accurate description of the territory using either the sections format or the metes and bounds format.*

New materials are being prepared for submittal, and the applicant will provide a revised legal description as a supplement to this response.

3. **Territory Maps.** *Rule 25-30.033(1)(n) requires that the application include a map showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. The maps submitted in Exhibits J and K do not display the territory using the scale as specified by the rule, do not meet the metes and bounds or quarter sections requirement, and do not provide a defined reference point of beginning. Staff is unable to determine whether the legal description provided in Exhibit I matches the service area depicted on the maps. Please provide a territory map that meets these rule requirements and clearly illustrates the territory border using a bold line with sufficient contrast for easy reading.*

Applicant will provide a revised territory map as a supplement to this response.

4. **Notice of Application.** *Pursuant to Rule 25-30.030, F.A.C., the Utility must provide notice of the application to those parties named on the list provided by the Commission and to each customer of the systems to be certificated. The notice must also be published in a newspaper of general circulation in the territory, as prescribed by this rule. Attached, please find the Commission's list of parties to be noticed. Please submit to the Commission the affidavits required by Section 367.045(1)(e), Florida Statutes (F.S.), with a copy of the notice attached. Please note that the legal notice must be revised to reflect the correct complete legal description, as addressed in Item 2 above.*

Applicant will provide a revised form of legal notice as a supplement to this response.

5. **Land Ownership.** *Please explain the relationship between Equity LifeStyle Properties, Inc. (ELP), and MHC Hacienda Village, L.L.C.*

MHC Hacienda Village, L.L.C., is an indirect wholly-owned subsidiary of ELS.

6. **Provision of Wastewater Service.** *Exhibit C states that the Utility is currently providing potable water service. However, Exhibit A states that water and wastewater services have been provided to the service area for many years. Please clarify whether wastewater service is currently provided to the area by HV Utility Systems, LLC, a wastewater utility owned and operated by ELP and located in the community of Hacienda Village, as stated in Exhibit F.*

HV Utility Systems, L.L.C., is an existing utility that is regulated by the FPSC for the purpose of providing wastewater services. The utility's certificate to provide wastewater services was transferred from Hacienda Utilities, Ltd., to HV Utility Systems, L.L.C., in 2004. Please see Order No. PSC-04-1148-PAA-SU, issued November 18, 2004, in Docket No. 030747-SU. HV Utility Systems, L.L.C., is seeking in this proceeding a certificate of authorization to provide water services as a regulated entity.

7. **Customer Class.** *It is staff's understanding that Hacienda Village has 505 residential lot connections. Exhibit J, Schedule No. A-1, indicates that a general service customer class is also being served. Please confirm whether the office, pool, and two clubhouses are the Utility's only general service customers and whether each of these connections is individually metered.*

Although ELS might need to perform additional review of this question, subject to further review, these are the only general service customers and they are not individually metered.

8. **Annual Gallons Sold.** *Schedule No. B-10 of Exhibit H indicates the estimated annual gallons sold as 22,945,000 gallons. Please provide documentation that shows how this figure was determined.*

The estimate of water gallons sold was calculated using the amount of finished water pumped as taken from Monthly Operating Reports submitted to the Florida Department of Environmental Protection. This was reduced by 10 percent. The estimate of wastewater gallons sold was calculated by taking 80 percent of the water gallons sold. Please see attached Exhibit 1 for the underlying documents used.

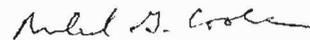
9. **Tariff – Description of Territory Served.** *Please update Original Sheet No. 3.1 of the Water Tariff to reflect the correct legal description of the proposed service territory, as addressed in Item 2 above.*

Applicant will provide the revised tariff sheet as a supplement to this response.

10. **Tariff – Customer Bill.** Rule 25-30.335 F.A.C., provides a utility cannot consider a customer delinquent in paying his or her bill until the 21<sup>st</sup> day after the utility has mailed or presented the bill for payment. Rule 25-30.320, F.A.C., provides that service may be discontinued after five working days written notice is mailed to the customer, separate and apart from any bill for service. For clarity, you may wish to include this language on your customer bill.

ELS appreciates this comment and will consider including this language in customer bills.

Very truly yours,



Michael G. Cooke

MGC:amb  
Enclosures

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# Exhibit 1

Hacienda Village  
 Water and Wastewater Statistics  
 For 12 month period ending 10/31/10

	Water Pump	Wastwater Treated (MGD)
November-09	2,354,000	N/A
December-09	2,216,000	-
January-10	2,354,000	-
February-10	1,971,000	-
March-10	2,182,000	-
April-10	2,263,000	-
May-10	2,217,000	-
June-10	2,089,000	-
July-10	1,883,000	-
August-10	1,819,000	-
September-10	2,001,000	-
October-10	2,145,000	-
<b>Total</b>	<b>25,494,000</b>	<b>-</b>
less 10%	2,549,400.0	
<b>Total</b>	<b>22,944,600.0</b>	













PWS Identification Number: 651-0709

Plant Name: Hacienda Village MHP

III: Daily Data for the Month/Year: May-19				X Free Chlorine	Chlorine Dioxide	Ozone	Combined Chlorine	Chlorine Dioxide
Means of Achieving Four-Log Virus Inactivation/Removal: * Ultraviolet Radiation				Other (Describe):				
Type of Disinfectant Residual Maintained in Distribution System:				X Free Chlorine	Combined Chlorine (Chloramines)			Chlorine Dioxide
Day's Residual Report Date (Month/Day/Year)	Days Since Last Report (or Date of Disinfectant Addition)	Volume of Finished Water Produced (MG)	Free Residual Chlorine (mg/L) (or Other Disinfectant Concentration)	Chlorine Dioxide (mg/L)	Ozone (mg/L)	Combined Chlorine (mg/L)	Chlorine Dioxide (mg/L)	Notes
5/1	x	24	62,000	.69				1.4
5/2		24	61,000					
5/3	x	24	110,000	1.63				1.07
5/4	x	24	67,000	1.77				1.04
5/5	x	24	82,000	2.1				1.37
5/6	x	24	42,000	1.94				1.33
5/7	x	24	88,000	1.72				1.01
5/8	x	24	61,000	1.83				1.22
5/9		24	60,000					
5/10	x	24	110,000	1.69				1.03
5/11	x	24	94,000	1.78				1.01
5/12	x	24	62,000	1.81				1.12
5/13	x	24	63,000	1.88				1.09
5/14	x	24	67,000	1.72				1.10
5/15	x	24	69,000	1.63				1.07
5/16		24	70,000					
5/17	x	24	84,000	.53				.26
5/18	x	24	61,000	.71				.31
5/19	x	24	101,000	.62				.29
5/20	x	24	62,000	.51				.22
5/21	x	24	72,000	.96				.42
5/22	x	24	65,000	1.36				.51
5/23		24	65,000					
5/24	x	24	85,000	1.41				.77
5/25	x	24	85,000	1.04				.68
5/26	x	24	80,000	1.28				.71
5/27	x	24	67,000	1.33				.64
5/28	x	24	60,000	1.37				.77
5/29	x	24	56,000	1.48				.74
5/30		24	56,000					
5/31	x	24	50,000	1.39				.75
Total			2,217,000					
Average			71,516					
Maximum			110,000					

PWS Identification Number: 651-0709  
 Plant Name: Hacienda Village MHP

III. Daily Data for the Month/Year of: June-10		Means of Achieving Four-Log Virus Inactivation/Removal: <input checked="" type="checkbox"/> Free Chlorine <input type="checkbox"/> Chlorine Dioxide <input type="checkbox"/> Ozone <input type="checkbox"/> Combined Chlorine	
Ultraviolet Radiation		Other (Describe):	
Type of Disinfectant Residual Maintained in Distribution System:		X Free Chlorine <input type="checkbox"/> Combined Chlorine (Chloramines) <input type="checkbox"/> Chlorine Dioxide <input type="checkbox"/>	
Day of the Month	Days Since Last Sample by Meter (Days)	Mean Residual in (mg/L)	Net Quantity of Residual Water Produced (gallons)
1	x	24	82,000
2	x	24	74,000
3	x	24	54,000
4	x	24	51,000
5	x	24	63,000
6		24	62,000
7	x	24	64,000
8	x	24	89,000
9	x	24	83,000
10	x	24	81,000
11	x	24	63,000
12	x	24	80,000
13		24	80,000
14	x	24	70,000
15	x	24	89,000
16	x	24	67,000
17	x	24	70,000
18	x	24	52,000
19	x	24	68,000
20		24	69,000
21	x	24	63,000
22	x	24	70,000
23	x	24	81,000
24	x	24	66,000
25	x	24	40,000
26	x	24	72,000
27		24	72,000
28	x	24	80,000
29		24	82,000
30	x	24	52,000
31			
Total:			2,089,000
Average:			69,633
Maximum:			89,000







