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STATE OF FLORIDA



DIVISION OF ENGINEERING  
TOM BALLINGER  
DIRECTOR  
(850) 413-6910

# Public Service Commission

May 28, 2013

VIA FACSIMILE (850) 656-4029

RECEIVED-FPSC  
13 MAY 29 AM 10:56  
COMMISSION  
CLERK

Mr. John L. Wharton  
Sundstrom, Friedman & Fumero, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

**Re: Docket No. 130105-WS - Application for certificates to provide water and wastewater service in Hendry and Collier Counties, by Consolidated Services of Hendry & Collier, LLC.**

Dear Mr. Wharton:

Your application for Consolidated Services of Hendry & Collier, LLC (the company) for original water and wastewater certificates in Hendry and Collier Counties, has been received and reviewed by Commission staff. This letter addresses the deficiencies, as well as additional information staff needs to complete its review of the application filed on April 29, 2013. Some of the deficiencies listed below may be addressed in the company's petition for waiver or variance from certain rules, filed in this docket concurrent with the application. However, pending the Commission's ruling on the waiver request, those items are listed here as deficiencies.

## Deficiencies

1. Pursuant to Rule 25-30.033(1)(h), Florida Administrative Code (F.A.C.), the applicant should provide the number of equivalent residential connections (ERCs) proposed to be served, by meter size and customer class. This was not provided.
2. Pursuant to Rule 25-30.033(1)(j), F.A.C., the applicant should provide evidence that the utility owns or leases the land upon which the treatment facilities are or will be located. In Exhibit D of the Utility's filing, letters and unexecuted copies of leases were provided, indicating that the owner of the land to be certificated will enter into a long term lease agreement with the Utility once the exact location of the treatment facilities are known through the master planning process. Rule 25-30.033(1)(j), F.A.C., allows for unexecuted copies of the water and wastewater lease agreements providing the applicant files executed and recorded copies within 30 days after the order granting the certificates. The Utility has not provided any assurances that it could comply with the 30 day timeframe as required by Commission rule.

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3. Pursuant to Rule 25-30.033(1)(k), F.A.C., the applicant should provide the original, along with two copies of sample tariff sheets containing all rates, charges and territorial description of the water and/or wastewater systems. In this regard, please provide an original and two copies of the Utility's water and wastewater tariff reflecting the rates and charges. Sample tariffs are available online.
4. Pursuant to Rule 25-30.033(1)(m), F.A.C., the applicant should provide one copy of a detailed system map showing the proposed lines, treatment facilities and the territory proposed to be served. The map shall be of sufficient scale and detail to enable correlation with the description of the territory proposed to be served. No system map was provided.
5. Pursuant to Rule 25-30.033(1)(o), F.A.C., the applicant should provide a statement regarding the separate capacities of the proposed lines and treatment facilities in terms of ERCs and gallons per day. If development will be in phases, separate this information by phase. No statement was provided.
6. Pursuant to Rule 25-30.033(1)(t), F.A.C., the applicant should provide a cost study including customer growth projections supporting the proposed rates, charges and service availability charges. In this regard, please provide the original cost study as required by this rule. A sample cost study is available online.
7. Pursuant to Rule 25-30.033(1)(u), F.A.C., the applicant should provide a schedule showing the projected cost of the proposed system(s) by uniform system of accounts (USOA) account numbers pursuant to Rule 25-30.115, F.A.C., and the related capacity of each system in ERCs and gallons per day. If the utility will be built in phases, this shall apply to the first phase. No schedule was provided.
8. Pursuant to Rule 25-30.033(1)(v), F.A.C., the applicant should provide a schedule showing the projected operating expenses of the proposed system by USOA account numbers, when 80 percent of the designed capacity of the system is being utilized. If the utility will be built in phases, this shall apply to the first phase. No schedule was provided.
9. Pursuant to Rule 25-30.033(1)(w), F.A.C., the applicant should provide the a schedule showing the projected capital structure including the methods of financing the construction and operation of the utility until the utility reaches 80 percent of the design capacity of the system. No schedule was provided.

#### **Additional Information**

In the company's application, included as Attachment A, it provided a copy of its Certificate of Formation as a Limited Liability Corporation in Delaware. However, there is no record with the Florida Department of State, Division of Corporations, that the company has registered with that agency to do business in Florida. Please register Consolidated Services of Hendry and Collier, LLC, with Florida's Division of Corporations, and provide the Commission with proof that the company has done so.

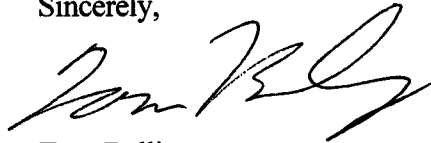
Mr. John L. Wharton

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Your response to this letter should be filed with the Commission on or before June 29, 2013. When filing the response, please include the docket number and direct the response to the Director, Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399. If you have any questions please call Mrs. Melinda Watts at (850) 413-6952, or Ms. Caroline Klancke at (850) 413-6220.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Ballinger". The signature is fluid and cursive, with the first name "Tom" being more prominent than the last name "Ballinger".

Tom Ballinger  
Director, Division of Engineering

TB: mw/bz

cc: Kelly Thompson (ECO)  
Avy Smith (AFD)  
Stan Rieger (ENG)  
Melinda Watts (ENG)  
CLK for docket file

**STATE OF FLORIDA**



**PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850**

May 29, 2013, 9:38 AM

**To:** Mr. John L. Wharton

**Fax:** 850-656-4029

**From:** Florida Public Service Commission -  
Tom Ballinger, Director of Engineering

**Voice:** 850-413-6910

**Fax:**

**No. of Pages (Including Cover):** 4

**Re:** DN 130105-WS - Consolidated Services of Hendry & Collier, LLC

**Notes:**

DOCUMENT NUMBER-DATE

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