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

Public Service Commission

January 23, 2017

Mr. Gerald Buhr
Saxon Law Firm
1015 Wyndham Lakes Drive
Odessa, Florida 33556
gerald@geraldtbuhr.com

VIA US MAIL & EMAIL

Re: Docket No: 160248-WS - Application for original certificates to provide water and wastewater service in Polk County by Deer Creek RV Golf & Country Club, Inc.

Dear Mr. Buhr:

The above-referenced application has been received and reviewed by Commission staff. Please complete the following deficiencies and provide the requested additional information to clarify the application.

Deficiencies

1. **Financial Ability.** Rule 25-30.034(1)(i)1, F.A.C., requires that the applicant provide a detailed financial statement (balance sheet and income statement), audited if available, of the financial condition of the applicant, which shows all assets and liabilities of every kind and character. The financial statements shall be for the preceding calendar or fiscal year. The financial statement shall be prepared in accordance with Rule 25-30.115, F.A.C. Although the applicant provided financial statements, they were for the fiscal year ended September 30, 2015. Additionally, the financial statements were not in accordance with Rule 25-30.115, F.A.C. Please provide more recent financial statements that are in accordance with Rule 25-30.115, F.A.C.
2. **Technical Ability.** Rule 25-30.034(2)(j)3, F.A.C., requires that the applicant provide a copy of the most recent sanitary survey, the compliance inspection report available from DEP or County Health Department, and the most recent secondary standards drinking water report. The applicant indicated that this portion was not applicable because the Utility only has distribution and collection systems. However, the Utility should have chemical analysis. Please provide the most recent chemical analysis.

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Additional Information

1. **Technical Ability.** Rule 25-30.034(2)(j)4, F.A.C., requires that the applicant provide a copy of all correspondence with DEP, County Health Department and water management district, including consent orders and warning letters, and the Utility's responses to the same, for the past five years. The applicant indicated that this portion was not applicable. Please verify that the Utility did not receive any complaints filed with DEP or the County Health Department during the referenced time period.
2. **Need For Service.** Please explain in greater detail why the Utility is asking for a certificate to provide water and wastewater services to the communities in the Deer Creek service area.

Please respond to this letter no later than February 22, 2017. The response should reference the docket number and should be filed with the Commission Clerk at the address below:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Should you have any legal questions concerning the information in this letter, please contact Wesley Taylor by email at wtaylor@psc.state.fl.us or by phone at (850) 413-6175 or for technical questions contact Penelope Buys by email at pbuys@psc.state.fl.us or by phone at (850) 413-6518.

Sincerely,



Tom Ballinger, Director
Division of Engineering
Public Service Commission

PDB:tj

cc: Office of Commission Clerk (Docket No. 160248-WS)