

STATE OF FLORIDA



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DIVISION OF ENGINEERING  
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# Public Service Commission

October 20, 2017

Mr. Brian R. Keller  
The Harbor  
2840 West Bay Drive, #174  
Belleair Bluffs, FL 33770  
[bk@primeincome.properties](mailto:bk@primeincome.properties)

VIA EMAIL & US MAIL

**Re: Docket No. 20170178-WS - Application for original certificates of authorization for existing utility currently charging for water and wastewater service in Polk County, by The Harbor.**

Dear Mr. Keller:

Florida Public Service Commission (Commission) staff reviewed the documents submitted by The Harbor in response to staff's September 20, 2017 deficiency letter. After reviewing this information we find the application to still be deficient. The specific deficiencies are identified as:

- 1. Technical Ability – Florida Department of Environmental Protection (DEP) reports.** Rule 25-30.034(1)(j)3., F.A.C., requires the Utility to provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report. Staff's September 20, 2017 deficiency letter requested that The Harbor provide a copy of the most recent compliance inspection report for the wastewater treatment system, and the most recent secondary standards drinking water report for the water treatment system. The Harbor provided the secondary standards drinking water report for the water treatment system, but the cover letter for a wastewater treatment system compliance inspection report was followed by a water treatment system sanitary survey. Please provide the most recent wastewater treatment system compliance inspection report.
- 2. Territory map.** Rule 25-30.034(1)(k)3., F.A.C., requires an official county tax assessment map or other map showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.034(1)(k)1., F.A.C. Staff recognizes that The Harbor has retained the services of a surveyor to generate a territory map that meets the requirements of Rule 25-30.034(1)(k)3., F.A.C., as well as a legal description of the territory plotted thereon that meets the requirements of Rule 25-30.029, F.A.C.

3. This item will remain deficient until both the map and the legal description have been submitted and verified by staff.
4. **Notice of Application.** Before staff can approve the notices required by Rule 25-30.030(5), F.A.C., staff must first verify the legal description that must be either included in the notice or substituted with an abbreviated version contingent upon the complete legal description being available from the applicant, pursuant to Rule 25-30.030(4)(f), F.A.C. Finally, pursuant to Rule 25-30.030(6), F.A.C., the application shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), F.S., along with a copy of the notice, are filed with the Office of Commission Clerk. To summarize, for The Harbor to clear this deficiency, it must:
  - a. Submit the legal description and territory map that meet the requirement of Rules 25-30.034(1)(k)1. and 25-30.034(1)(k)3., F.A.C., respectively, and obtain staff's approval;
  - b. Submit its draft customer notice and obtain staff's approval;
  - c. Issue the notices in accordance with the requirements of Rule 25-30.030(5), F.A.C.; and
  - d. Submit affidavits of noticing in accordance with Rule 25-30.030(6), F.A.C.

Based on staff's discussions with The Harbor and the surveyor that it has retained, staff believes that an additional 14 days should be sufficient to address items one and two. Staff recognizes that item three will require staff review and approval between steps 3a, 3b, and 3c. Therefore, please submit items one and two no later than November 3, 2017, to the following address:

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Once staff has verified the accuracy of the legal description and territory map, staff will advise The Harbor of the date it should submit its draft customer notice for review and approval.

Mr. Brian R. Keller  
October 20, 2017  
Page 3

Should you have any questions concerning the information in this letter, please feel free to contact Mrs. Melinda Watts by phone at (850) 413-6952 or email at [mwatts@psc.state.fl.us](mailto:mwatts@psc.state.fl.us) for technical questions, or Mr. Walter Trieweiler by phone at (850) 413-6584 or email at [wtrierwe@psc.state.fl.us](mailto:wtrierwe@psc.state.fl.us) for legal questions. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,

A handwritten signature in black ink that reads "Melinda Watts" followed by a stylized flourish.

Melinda Watts  
Engineering Specialist  
Division of Engineering

MW:tj

cc: Office of the Commission Clerk (Docket No. 20170178-WS)