

Commissioners:
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CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Public Service Commission

December 29, 1998

STAFF'S SECOND DATA REQUEST

Scott G. Schildberg, Esquire
Martin, Ade, Birchfield & Mickler, P.A.
One Independent Drive
Suite 3000
Jacksonville, Florida 32202

RE: Docket No. 980992-WS - Complaint by D.R. Horton Custom Homes, Inc. against Southlake Utilities, Inc. in Lake County regarding the collection of certain AFPI charges.

Dear Mr. Schildberg:

By this letter, Commission staff requests that Southlake Utilities, Inc. (Southlake or utility) provide responses to the following data requests:

- 1) With regard to the September 16, 1996, developer agreement, did Southlake make any representations to D.R. Horton Custom Homes, Inc. (D.R. Horton or developer) that the developer would receive a savings or discount on its Allowance For Funds Prudently Invested (AFPI) charges if it were to prepay the AFPI charges?
- 2) By Order No. PSC-96-1082-FOF-WS, issued August 22, 1996, the utility was required to make certain refunds, including but not limited to D.R. Horton. Since the Commission ordered refunds in Order No. PSC-96-1082-FOF-WS, why did Southlake use the term rebate in the September 16, 1996, developer agreement between the utility and D.R. Horton?

Please file the original and five copies of the requested information by January 29, 1999, with Ms. Blanca Bayo, Director, Division of Records and Reporting, 2540 Shumard Oak

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Boulevard, Tallahassee, Florida 32399-0850. If you have any questions, please contact me at (850) 413-6202.

Sincerely,

A handwritten signature in cursive script that reads "Samantha A. McRae".

Samantha A. McRae
Staff Attorney

SAM/lw

cc: F. Marshall Deterding, Esquire
Division of Records and Reporting
Division of Water and Wastewater (Willis, Fletcher, Merchant, Fuchs)

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