

MARTIN, ADE, BIRCHFIELD & MICKLER, P.A.

ONE INDEPENDENT DRIVE - SUITE 3000  
JACKSONVILLE, FLORIDA 32202

MAILING ADDRESS  
POST OFFICE BOX 59  
JACKSONVILLE, FLORIDA 32201

TELEPHONE (904) 354-2050  
TELECOPIER (904) 354-5842

JAMES L. ADE  
LYNDA R. AYCOCK  
W. O. BIRCHFIELD  
TIMOTHY A. BURLEIGH  
CHARLES L. CRANFORD  
PHILLIP A. DELMONT  
STEPHEN H. DURANT  
T. WILLIAM GLOCHER  
MICHAEL E. GOODBREAD, JR.  
STEPHEN D. HALKER  
KOKO HEAD

SHARON ROBERTS HENDERSON  
BARBARA CHRISTIE JOHNSTON  
WILHELMINA F. KIGHTLINGER  
MYRA LOUGHRAN  
RALPH H. MARTIN  
ROBERT O. MICKLER  
JOHN D. MILTON, JR.  
DANIEL B. NUNN, JR.  
SCOTT G. SCHILDBERG  
GARY L. WILKINSON  
L. PETER JOHNSON (1942-1988)

June 14, 1996

Blanca Bayo, Director  
Department of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Building, Room 110  
Tallahassee, Florida 32399-0850

ORIGINAL  
FILE COPY

RE: Joint Application by Clay Utility Company and South Broward Utility, Inc., for Transfer of Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utility Facilities from South Broward Utility, Inc., to Clay Utility Company

960695-WS

Dear Ms. Bayo:

In connection with the above-referenced matter, please find enclosed for filing an original and seven copies of South Broward Utility, Inc.'s Notice of Filing Affidavit of Mailing Customer Notice and Affidavit of Mailing Customer Notice by Eugene F. Cassidy. Please file the original and distribute the copies in accordance with your usual procedures.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely yours,

Scott G. Schildberg

- ACK \_\_\_\_\_
- AFA 1
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

SGS:dws  
Enclosures

cc: Mr. Eugene F. Cassidy

RECEIVED  
JUN 17 10 17 AM '96  
ADMINISTRATION MAIL ROOM

Notice  
DOCUMENT NUMBER-DATE

06492 JUN 17 96

FPSC-RECORDS/REPORTING

Affidavit  
DOCUMENT NUMBER-DATE

06493 JUN 17 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Application for Approval )  
of Transfer of Certificates nos. 359-W )  
and 290-S and Utility Facilities from )  
South Broward Utility, Inc., to Clay )  
Utility Company in Broward County )

DOCKET NO.: 960695-WS

Date Submitted for  
filing: June 14, 1996

ORIGINAL  
FILE COPY

AFFIDAVIT OF MAILING CUSTOMER NOTICE BY EUGENE F. CASSIDY

STATE OF FLORIDA  
COUNTY OF SARASOTA

Before me, the undersigned authority, this day personally appeared Eugene F. Cassidy, who, after being by me first duly sworn, deposes, and says that:

1. My name is Eugene F. Cassidy and I am a Vice President of South Broward Utility, Inc. ("South Broward Utility").
2. I am over the age of eighteen, of sound mind, capable of making this affidavit, have personal knowledge of the facts set forth in this affidavit, and I am fully competent to testify to the matter stated herein.
3. I caused a copy of the Notice of Application for a Transfer of Water and Wastewater Certificates ("Notice") to be mail to South Broward Utility's customers as shown by attached Exhibit A.
4. I caused a copy of the Notice to be mailed to the entities listed on Schedule B2 of attached Exhibit B.
5. I caused a copy of the Notice to be published once in the Sun Sentinel, a newspaper of general circulation in the territory proposed to be transferred. A copy of the Proof of Publication is attached as Exhibit C.

DOCUMENT NUMBER-DATE

06493 JUN 17 1996

FPSC-RECORDS/REPORTING

Further Affiant sayeth not.

Eugene F. Cassidy  
Eugene F. Cassidy

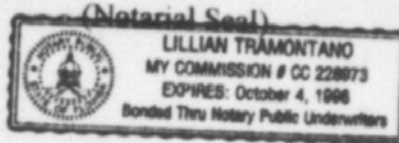
Sworn to and subscribed before me this 13<sup>th</sup> day of June, 1996, by who

- is personally known to me; or  
 produced a current Florida driver's license as identification;  
or  
 produced \_\_\_\_\_ as identification.

Lillian Tramontano

Notary Public, State of Florida  
Printed: LILLIAN TRAMONTANO

My commission expires: \_\_\_\_\_  
Commission No. \_\_\_\_\_



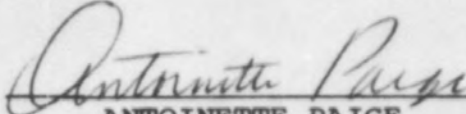
AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF DADE

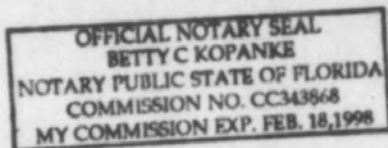
BEFORE ME, the undersigned authority, personally appeared ANTOINETTE PAIGE, who is being by me first duly sworn, deposes and says:

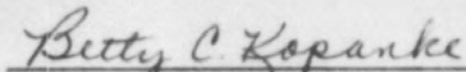
1. That she is the Customer Service Supervisor for Atlantic Utilities Corporation.
2. That as Customer Service Supervisor for Atlantic Utilities Corporation, she has actual knowledge of the facts and representations set forth in this Affidavit.
3. That she received from South Broward Utility, Inc. ("South Broward Utility") a copy of the Notice of Application for a Transfer of Water and Wastewater Certificates ("Notice"), a copy of which is attached hereto as Schedule A1.
4. That on June 5, 1996, she caused a copy of the Notice to be mailed to the customers of South Broward Utility, Inc., a copy of a list of such customers is attached as Schedule A2.

FURTHER AFFIANT SAYETH NOT.

  
ANTOINETTE PAIGE

Sworn to and subscribed before me this 10<sup>th</sup> day of June, 1996.  
Affiant is personally known to me or produced \_\_\_\_\_  
as identification and did take an oath.



  
Notary Public, State of Florida  
Printed Betty C. Kopanke



**NOTICE OF APPLICATION  
FOR A TRANSFER OF WATER AND WASTEWATER CERTIFICATES**

Notice is hereby given pursuant to Section 367.071, Florida Statutes, of the Joint Application by Clay-Utility Company and South Broward Utility, Inc., for Transfer of Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utility Facilities from South Broward Utility, Inc., to Clay Utility Company. South Broward Utility, Inc., provides water and wastewater service in Broward County pursuant to Certificate of Authorization Nos. 359-W and 290-S. The application for approval of the transfer does not request any changes in the rates charged to the customers of South Broward Utility, Inc.

The current certificated service area of South Broward Utility, Inc., in Broward County is as follows:

Water Service Area

Township 50 South, Range 40 East:

Section 27:

All of the South 1/2 lying South of the South New River Canal R/W in Section 27-50-40.

Section 28:

All of the South 1/2 lying South of the South New River Canal R/W in Section 28-50-40.

Section 29:

All of the East 1/2 of the Southeast 1/4 lying South of the South New River Canal R/W in Section 29-50-40.

Section 32:

All of the East 1/2 of the East 1/2 of Section 32-50-40.

Section 33:

All of Section 33-50-40.

Section 34:

All of Section 34-50-40.

Township 51 South, Range 40 East:

Section 3:

The North 1/2 and the North 330 feet of the South 1/2 of Section 3-51-40.

Section 4:

All of Section 4-51-40, less the South 1/2 of the North 1/2 of the Northwest 1/4 of the Southwest 1/4, and the East 180 feet of the West 982 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 4, Township 51 South, Range 40 East.

Section 5:

The East 1/2 of Section 5-51-40.

Wastewater Service Area

Township 50 South, Range 40 East:

Section 27:

All of the Southeast 1/4 lying South of the South New River Canal R/W in Section 27-50-40; and

Section 28:

All of the Southeast 1/4 lying South of the South New River Canal R/W; and all of the East 1/2 of the Southwest 1/4 lying South of the South New River Canal R/W; and the West 1/2 of the Southwest 1/4 lying South of the South New River Canal R/W, less the South 723.15 feet of the East 1/2 of the West 1/2 of the Southwest 1/4, and less the South 868.50 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of Section 28-50-40.

Section 29:

All of the East 1/2 of the Southeast 1/4 lying South of the South New River Canal R/W, less the South 330 feet in Section 29-50-40.

Section 33:

All of the East 1/2, and the East 1/2 of the West 1/2, and the South 1,650 feet of the West 1/2 of the West 1/2 of Section 33-50-40; and

Township 51 South, Range 40 East:

Section 4:

All of Section 4-51-40, less the South 1/2 of the North 1/2 of the Northwest 1/4 of the Southwest 1/4, and the East 180 feet of the West 982 feet of the North 1/2 of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 4, Township 51 South, Range 40 East.

Section 5:

The East 1/2 of Section 5-51-40.

South Broward Utility, Inc., has pending before the Florida Public Service Commission an application for an extension of service area to include in its certificated water and wastewater service areas the following territory in Broward County:

Township 50 South, Range 40 East, Broward County, Florida:

Section 21:

All of the Southeast one-quarter (SE 1/4) of Section 21, Township 50 South, Range 40 East.

Section 26:

All of that part of the West one-half (W 1/2) of Section 26, Township 50 South, Range 40 East, lying North of the South right-of-way line of the South New River Canal; excepting therefrom the following described parcel of land;

Beginning at the Northeast corner of said West one-half (W 1/2) of Section 26; Thence Southerly, along the East line of said West one-half (W 1/2), a distance of 620 feet; Thence Westerly, parallel with the North line of said West one-half (W 1/2), a distance of 670 feet; Thence Northerly, parallel with said East line of the West one-half (W 1/2), a distance of 620 feet to the intersection with said North line of the West one-half of Section 26; Thence Easterly, along said North line, a distance of 670 feet to the Point of Beginning.

AND

All of that part of the East one-half (E 1/2) of Section 26, Township 50 South, Range 40 East, lying North of the South right-of-way line of the South New River Canal; excepting therefrom the following described parcel of land;

Beginning at a point on the East line of said Section 26, which is 603 feet South of the Northeast corner of said Section 26; Thence Westerly, along a line which is 603 feet South of and parallel with the North line of said Section 26 a distance of 2641 feet more or less to the West line of said Northeast one-quarter (NE 1/4).

Thence Northerly, along said West line, a distance of 603 feet more or less to the Northwest corner of said Northeast one-quarter (NE 1/4) of Section 26; Thence Easterly, along said North line of Section 26 a distance of 2641 feet more or less to said Northeast corner of said Section 26; Thence Southerly, along said East line of Section 26 a distance of 603 feet more or less to the Point of Beginning.

Section 27:

All of that part of the Southwest one-quarter (SW 1/4) of Section 27, Township 50 South, Range 40 East, lying north of the South right-of-way line of the South New River Canal, excepting therefrom the North one-half (N 1/2), of the North one-half (N 1/2), of the Northwest one-quarter (NW 1/4), of said Southwest one-quarter (SW 1/4) of Section 27 and also excepting therefrom the following described parcel of land;

Beginning at the Northeast corner of said Southwest one-quarter (SW 1/4) of Section 27; Thence Southerly, along the East line of said Southwest one-quarter (SW 1/4) of Section 27, a distance of 375 feet more or less; Thence Westerly, along a line 375 feet South of and parallel with the North line of said Southwest one-quarter (SW 1/4), a distance of 385 feet more or less; Thence Northerly, along a line 385 feet West of and parallel with the said East line of the Southwest one-quarter (SW 1/4) of Section 27 a distance of 375 feet more or less to the intersection with the said North line of the Southwest one-quarter (SW 1/4) of Section 27; Thence Easterly, along said North line a distance of 385 feet more or less to the Point of Beginning.

AND

All of that part of the East one-half (E 1/2) of Section 27, Township 50 South, Range 40 East, lying North of the South right-of-way line of the South New River Canal, excepting therefrom the North one-half (N 1/2) of the North one-half (N 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NE 1/4) of said Section 27.

Section 28:

All that part of Section 28, Township 50 South, Range 40 East, lying North of the South right-of-way line of the South New River Canal.

Any objection to the application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0870. A copy of said objection should be mailed to the applicants whose address for purposes of this Notice is: South Broward Utility, Inc. and Clay Utility Company, 1408 North Westshore Boulevard, Suite 908, Tampa, Florida 33607.

DATED this 5 day of JUNE, 1996.

South Broward Utility, Inc.