

YOUNG, VAN ASSENDERP & VARNADOE, P. A.
ATTORNEYS AT LAW

REPLY TO:

R. BRUCE ANDERSON
TASHA O. BUFORD
DAVID L. COOK*
DAVID B. ERWIN
C. LAURENCE KEESEY
ANDREW I. SOLIS
KENZA VAN ASSENDERP
GEORGE L. VARNADOE
ROY C. YOUNG

July 5, 1996

GALLIE'S MALL
225 SOUTH ADAMS STREET, SUITE 200
POST OFFICE BOX 1833
TALLAHASSEE, FLORIDA 32302-1833
TELEPHONE (904) 222-7206
TELECOPIER (904) 561-6834

SUNTRUST BUILDING
801 LAUREL OAK DRIVE
SUITE 300
POST OFFICE BOX 7907
NAPLES, FLORIDA 33941-7907
TELEPHONE (941) 597-2814
TELECOPIER (941) 597-1060

*BOARD CERTIFIED REAL ESTATE LAWYER

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

960803-54

Dear Ms. Bayo:

Enclosed is the application of Bonita Country Club Utilities. The application seeks authority to add territory in Lee County, Florida, to Certificate No. 281-S. The applicant was granted authority by virtue of Commission Orders Nos. 9544 and 14441.

Also enclosed is the appropriate filing fee in the amount of \$100.00.

Exhibits K, L and M will be late filed. These exhibits will be affidavits that attest to compliance with the Commission's notice requirements.


If there are any questions please contact me or the company's general manager, Pam Pass.

Sincerely,



David B. Erwin

DBE:akh
Enclosures
cc: Pam Pass

Check received with filing and
forwarded to Fiscal for deposit.
Please to forward a copy of check
to RRR with proof of deposit.
Initials of person who forwarded check:


RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
96 JUL -5 11 08 14
MAIL ROOM

DOCUMENT NUMBER-DATE

07170 JUL-5 96

FPSC-RECORDS/REPORTING

**APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION OR DELETION)**

(Pursuant to Section 367.045, Florida Statutes)

To: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of
Water Certificate No. N/A and/or Wastewater Certificate No.
281-S to add (add or delete) territory located in
Lee County, Florida, and submits the
following information:

PART I APPLICANT INFORMATION

- A) The full name (as it appears on the certificate),
address and telephone number of the applicant:

Bonita Country Club Utilities
Name of utility

(941) 263-6688 (941) 263-0265
Phone No. Fax No.

10200 Maddox Lane
Office street address

Bonita Springs, Florida 33921
City State Zip Code

Mailing address if different from street address

Internet address if applicable

- B) The name, address and telephone number of the person to
contact concerning this application:

Pam Pass (941) 263-6688
Name Phone No.

10200 Maddox Lane
Street address

Bonita Springs, FL 33923
City State Zip Code

- (7) Exhibit F - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

PART IV FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit G - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit G - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. Order 20233, Docket #881181-S
- D) Exhibit G - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

PART V TERRITORY DESCRIPTION AND MAPS

A) **TERRITORY DESCRIPTION**

Exhibit H - An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

B) **TERRITORY MAPS**

Exhibit I - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

PART II NEED FOR SERVICE

- A) Exhibit A - If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area.

- B) Exhibit N/A - If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.

- C) Exhibit B - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

PART III SYSTEM INFORMATION

- A) **WATER** N/A
 - (1) Exhibit _____ - A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, non-potable or both).

 - (2) Exhibit _____ - A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.

 - (3) Exhibit _____ - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.

 - (4) Exhibit _____ - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.

- (7) Exhibit F - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

PART IV FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit G - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit G - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. Order 20233, Docket #881181-S
- D) Exhibit G - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

PART V TERRITORY DESCRIPTION AND MAPS

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- (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.
-

- (6) Exhibit _____ - Evidence the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

B) **WASTEWATER**

- (1) Exhibit C - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
- (2) Exhibit D - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (3) Exhibit N/A - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) Exhibit N/A - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.
- (5) Exhibit E - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.

 N/A

C) **SYSTEM MAPS**

Exhibit J - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

PART VI **NOTICE OF ACTUAL APPLICATION**

A) Exhibit K - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:

- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
- (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
- (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
- (4) the regional planning council;
- (5) the Office of Public Counsel;
- (6) the Public Service Commission's Director of Records and Reporting;
- (7) the appropriate regional office of the Department of Environmental Protection; and
- (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit. **THIS MAY BE A LATE-FILED EXHIBIT**

- B) Exhibit L - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit M - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART VII FILING FEE

Indicate the filing fee enclosed with the application:

\$ _____ (for water) and/or \$ 100⁰⁰ (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, the filing fee shall be \$100.
- (2) For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, the filing fee shall be \$200.
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, the filing fee shall be \$500.
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, the filing fee shall be \$1,000.
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, the filing fee shall be \$1,750.
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be \$2,250.

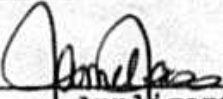
PART VIII TARIFF AND ANNUAL REPORTS

- A) Exhibit N - An affidavit that the utility has tariffs and annual reports on file with the Commission.

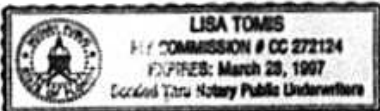
- B) Exhibit 0 - The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (The rules and sample tariff sheets are attached.)

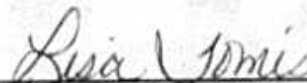
PART IX AFFIDAVIT

I PAMELA PASS (applicant) do solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitute a complete statement of the matter to which it relates.

BY: 
Applicant's Signature
Pamela Pass
Applicant's Name (Typed)
MANAGER
Applicant's Title *

Subscribed and sworn to before me this 20th day of June 1994.




Notary Public

* If the applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If the applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

EXHIBIT A

Applicant seeks to include in its certificate territory for which there are plans to build single family residential units. The developer is Michael Malagiero, 28000 West Brook Drive, Bonita Springs, Florida 33923. The developer has expressed his intent to obtain wastewater service from applicant and has requested that applicant obtain authority to provide wastewater service to the development.

EXHIBIT B

To the best of applicant's knowledge the provision of wastewater service by the applicant to the territory sought to be added to Certificate No. 281-S is consistent with the wastewater section of the Lee County comprehensive plan, as approved by the Department of Community Affairs.

Attached to this exhibit is a copy of a resolution of the Board of County Commissioners of Lee County, Florida, that rezones the development by Michael Malagiero from AG-2 to RS-1.

RESOLUTION NUMBER 2-92-022

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Michael Malagiero, in reference to St. Michael's Place has properly filed an application for a rezoning from AG-2 to the RS-1 district; and

WHEREAS, the subject property is located directly north of Woodchuck Lane along the north boundary line of Bonita Golf Club Villas Subdivision and abuts the east property line of Bonita Springs Country Club, Bonita Springs, described more particularly as:

LEGAL DESCRIPTION: In Section 25, Township 47 South, Range 25 East, Lee County, Florida:

The vacant land described as the North Half (N1/2) of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 23, Township 47 South, Range 25 East, of the Public Records of Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 23-47-25-00-00002.0030, 23-47-25-00-00002.0090, 23-47-25-00-00002.0060; and

WHEREAS, proper authorization has been given to Donald E. Gray by Michael Malagiero, the sole owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on April 21, 1992; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning to RS-1.

HEARING NUMBER 92-4-21-2-1
(37682/R)

RESOLUTION NUMBER 2-92-022
Page 1 of 2

6-1-9

The following findings of fact were made in conjunction with this approval of RS-1 zoning:

- A. That the subject real estate is situated within a Lee Plan Future Land Use Map (FLUM) area designated as "Suburban", and the uses permitted in the proposed residential zoning district are entirely compatible with the uses anticipated to arise in such a FLUM area.
- B. That the uses permitted in the proposed zoning district are compatible with existing and planned uses on adjacent or near vicinity real estate and will not cause damage, hazard, nuisance or other detriment to nearby persons or their property.
- C. That urban services, as defined in the Lee Plan, are or will be available to serve the proposed land use change adequately.
- D. That the location of the subject property and the nature of the anticipated residential development thereupon will not place an undue burden on existing transportation or other services and facilities, and the proposed development will be served by streets and public utilities with adequate capacity.
- E. That the proposed uses on the subject real estate will not act to adversely impact any environmentally sensitive areas or valued natural resources.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John Manning, and seconded by Commissioner Ray Judah and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas E. St. Geroy	Aye
Ray Judah	Aye
Vicki Lopez-Wolfe	Aye
Donald D. Glisher	Aye

DULY PASSED AND ADOPTED this 1st day of June, A.D., 1992.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Chris J. Donald*,
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *[Signature]*
Chairman

Approved as to form by:

[Signature]
County Attorney's Office



May 30, 1996

Mr. David Irwin
Young, VanAssenderp & Varnadoe, P.A.
225 South Adams Street
Tallahassee, FL 32301

Reference: Bonita Springs Golf and Country Club

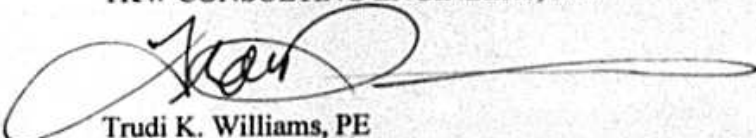
Dear Mr. Irwin:

This letter is to state that in my professional opinion, the existing wastewater treatment facility and related wastewater collection infrastructure, at the above referenced location, has adequate capacity to accept the influent for the proposed 62 unit development.

Maximum peak daily flows at the plant are approximately 210,000 gpd. The plant design capacity for this facility is 500,000 gpd. It should be noted herein we unable to assess the capacity/pumping capabilities of the existing lift stations without submittal of the engineering report/hydraulic calculations for the proposed development.

I hope this addresses your concerns. As always, should you have any questions or comments, please feel free to contact me. Thank you.

Sincerely,
TKW CONSULTING ENGINEERS, Inc.



Trudi K. Williams, PE
President

cc: Pam Pass, Plantinum Coast
File

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Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

PERMITTEE:

Bonita Country Club Utilities, Inc.
10200 Maddox Lane
Bonita Springs, Florida 33923

Attention: Pamela Bass
General Manager

I.D. No: 5236P00011
Permit/Cert. No: DC36-233685
Date of Issue: January 18, 1995
Expiration Date: October 18, 1998
County: Lee
Latitude: 26° 22' 32" N
Longitude: 81° 47' 12" W
Section/Town/Range: 14 & 23/47S/25E
Project: Bonita Springs Country
Club WWTF Expansion
Permit Modification (259068)

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-3, 62-4, 62-520, 62-522, 62-600, 62-601, 62-610, 62-640 and 62-699.

The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct an expansion of the existing wastewater treatment facility to a 0.500 MGD maximum monthly average daily flow (MMADF) Class I reliable extended aeration process domestic wastewater treatment facility with basic disinfected reclaimed water to three (3) existing on-site percolation ponds. The project is depicted in TKW Consulting Engineer's, Inc. revised engineering report dated November 18, 1994, application to construct a domestic wastewater treatment facility, Form 17-600.910(1), revisions to the engineering report received December 8, 1994 and other items submitted in support of this permit.

This permit modification supersedes the previously issued permit DC36-233685, which included an expansion of the facility to 0.750 MGD with reclaimed water to existing percolation ponds and a golf course.

The existing treatment facility is located at 10200 Maddox Lane, Bonita Springs, Lee County, Florida.



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wetherell
Secretary

December 21, 1995

Paul Pass, General Manager
Bonita Country Club Utilities, Inc.
10200 Maddox Lane
Bonita Springs, Florida 33923

COPY

Re: Lee County - DW
Bonita Country Club WWTP
Permit No.: DC36-233685

Dear Mr. Pass:

The notification of completion of construction for wastewater facilities, DEP Form 62-620.910(12) dated December 20, 1995, as submitted by Trudi K. Williams, P.E. of TKW Consulting Engineers for the project authorized by the above referenced permit number has been reviewed. Accordingly, the 0.500 MGD maximum monthly average daily flow (MMADF) Class I reliable extended aeration process domestic wastewater treatment facility with basic disinfected reclaimed water to three (3) on-site percolation ponds may be placed into operation.

The fuel tank for generator shall be installed within 60 days from the date of issuance of this certification.

Please be advised that according to Rule 62-620.410, Florida Administrative Code (F.A.C.), within 6 months after placing this facility into operation a notification of availability of record drawings and final operation and maintenance manuals, DEP Form 62-620.910(13), shall be submitted to the Department.

If you have any questions concerning this matter please call Selvi Kongara at (941) 332-6975.

Sincerely,

Harley W. Young, P.E.
Water Facilities
Section Manager

HWY/SK
cc: Trudi K. Williams, P.E.

EXHIBIT E

The territory that the applicant requests be added to its certificate will contain 55 single family residences and one non-commercial community center.

120.00 Doc charges
This Document Prepared By:
Ralph A. Richardson Attorney at Law
7725 Old 41 Road, #104
Bonita Springs, FL 33923

EXHIBIT F

OR2652 PG0871

3869274

Documentary Tax Pd. \$ 420.00
Intangibles Tax Pd.
by CHARLE GREEN LEE, CLERK, LEE COUNTY
Deputy Clerk

Parcel ID Number: 14-47-25-05-00000.0010
Genesee #1 TR# 59-2620039

RECORD VERIFIED - CHARLE GREEN LEE, CLERK
BY: J. TURNER, D.C.

Warranty Deed

This Indenture, Made this 9th day of November, 1995 A.D., Between PLATINUM COAST FINANCIAL CORP., a corporation existing under the laws of the state of Florida

of the County of Lee, State of Florida, grantor, and BONITA COUNTRY CLUB UTILITIES, INC., a corporation existing under the laws of the state of Florida

whose address is: 10200 Maddox Lane, Bonita Springs, Florida 33923

of the County of Lee, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of TEN & NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S successors and assigns forever, the following described land, situate, lying and being in the County of Lee, State of Florida to wit:

A parcel of land, being part of Lot 1 of BONITA SPRINGS COUNTRY CLUB, UNIT 2, according to Plat Book 30, page 132 of the public records of Lee County, Florida, more particularly described as follows:

Commencing at the Southwest corner of Section 14, Township 47 South, Range 25 East, and Lot 1, per the recorded plat of Bonita Springs Country Club, Unit 2; thence Northerly along the West property line of said Lot 1, N 00°46'57" E a distance of 502.35 feet to the point of beginning; thence continue along the West side of Lot 1, N 00°46'57" E a distance of 164.19 feet; thence N 88°03'31" E a distance of 674.93 feet; thence S 00°44'16" W a distance of 164.18 feet; thence S 88° 03' 31" W a distance of 675.06 feet to the point of beginning.

Subject to restrictions, reservations and easements of record, if any, and taxes for the calendar year 1996, and subsequent years.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever. In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written. Signed, sealed and delivered in our presence: PLATINUM COAST FINANCIAL CORP.

G. Helen Athan
Printed name: G. Helen Athan
Witness

By: Vincent Palmieri (Seal)
VINCENT L. PALMIERI
Vice President
P.O. Address 10200 Maddox Lane, Bonita Springs, FL 33923

Dolores R. Gamble
Printed name: DOLORES R. GAMBLE
Witness

STATE OF Florida
COUNTY OF

(Corporate Seal)

The foregoing instrument was acknowledged before me this 9th day of November, 1995 by VINCENT L. PALMIERI, Vice President of PLATINUM COAST FINANCIAL CORP., Florida Corporation,

on behalf of the corporation. He is personally known to me or has produced his identification.

OFFICIAL NOTARY SEAL
G HELEN ATHAN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC211497
MY COMMISSION EXP. JUNE 29, 1996

G. Helen Athan
Printed name: G. Helen Athan
NOTARY PUBLIC
My Commission Expires:

55 NOV 16 PM 12:22

CHARLE GREEN LEE CLERK

EXHIBIT G

The applicant has provided reasonably sufficient, adequate and efficient service for a period of many years, since the acquisition of Certificate No. 281-S from Bonita Springs Golf and Country Club, in Docket No. 840050-SU.

The applicant intends to file a service availability application with the Florida Public Service Commission in the near future and complete the application process before providing service to the developer.

Because of the Developer Agreement and increased service availability charges, the facility expansion will not create any financial problems, and the applicant will continue to have the financial ability to provide reasonably sufficient, adequate and efficient service, without increasing monthly rates.

The Developer will pay for line extensions and any tax due as a result of the contribution of those lines to the applicant.

EXHIBIT H

The territory sought to be added to Certificate No. 281-S is as follows:

The North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 23, Township 47 South, Range 25 East, Lee County, Florida.

EXHIBIT I

The territory to be added is reflected on the following:

1) Map of territory served by applicant as reflected on Florida Public Service Commission map of regulated utilities in Lee County.

2) Section of a new map prepared by Lee County.

Together these two maps clearly show the location of the territory described on Exhibit H.

KORESHAN STATE PARK

NORTH TOWN

LINE OF SHIP 47

SOUTH

SEABOARD SYSTEM RAILROAD

Coconut Rd.

Coconut B

Johnson Cem.

Council

ALISTING AS TERRITORY AS SHOWN ON FPSC MAP

TERRITORY TO BE ADDED

BONITA SPRINGS DELIMITED AREA
Est. Pop. 8,900

COLLIER

TO NAPLES

TO NAPLES

R 25 E

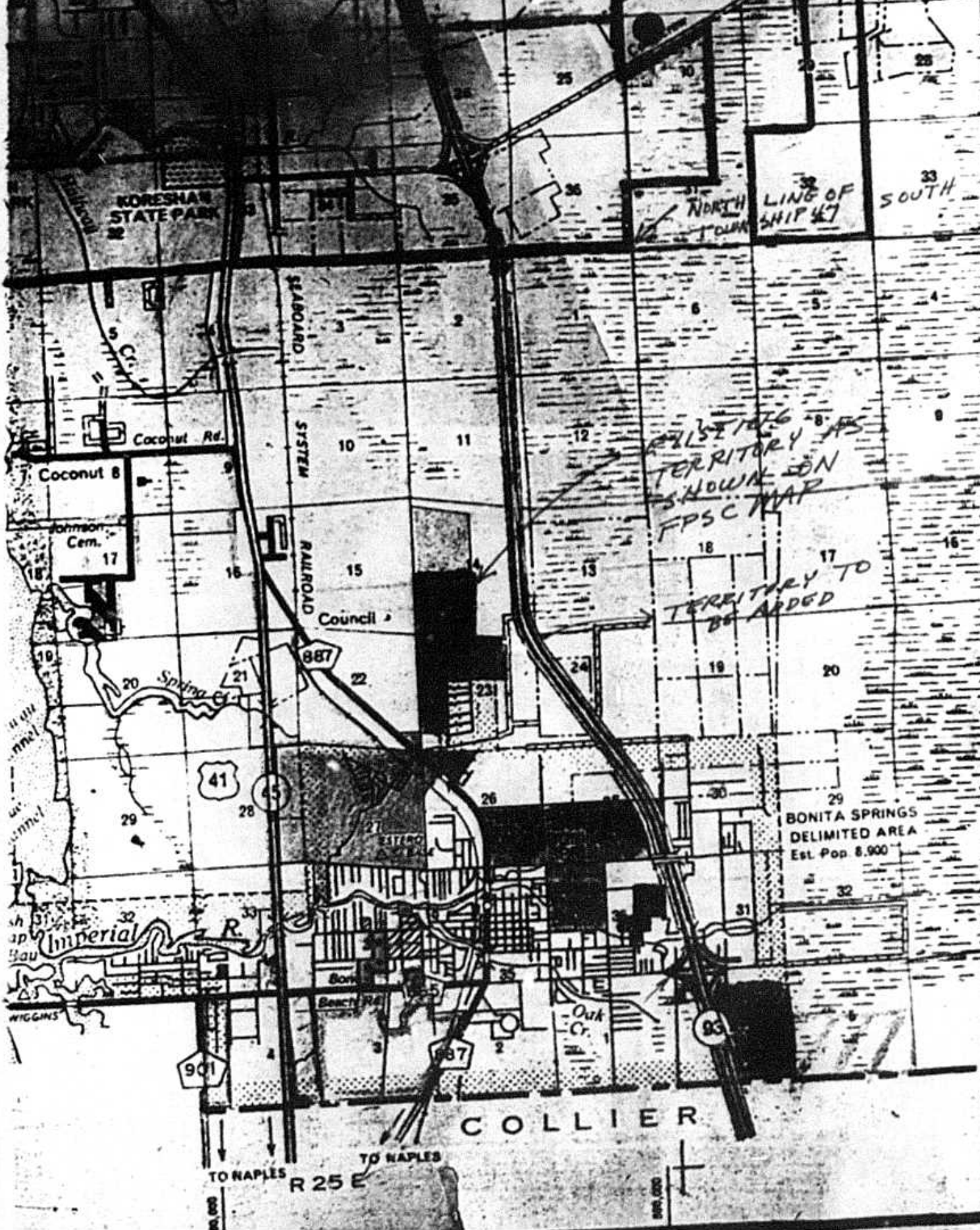
901

887

85

5,000

5,000



BONITA COUNTRY CLUB UTILITIES

□ - EXISTING TERRITORY

▨ - TERRITORY TO BE ADDED

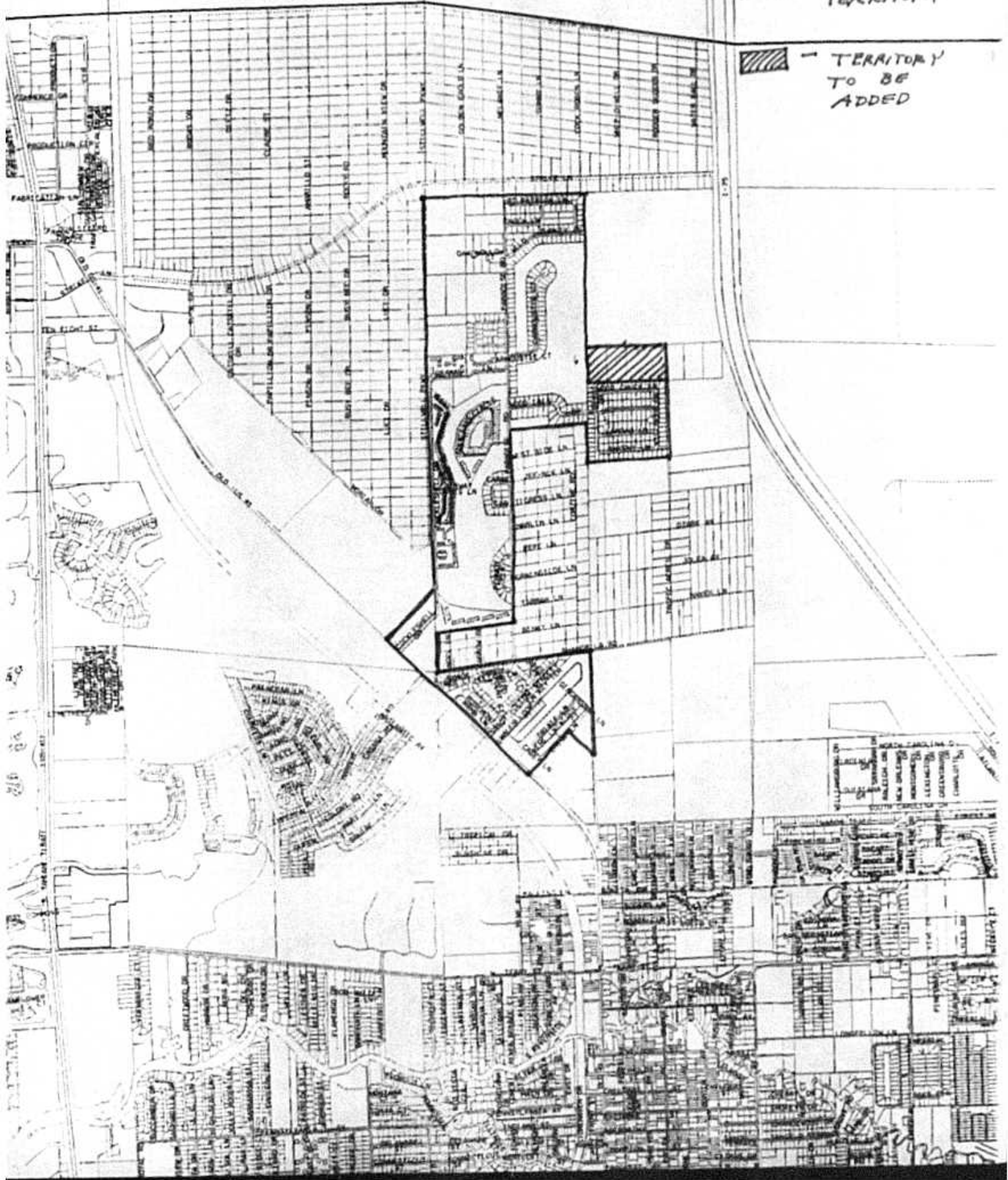


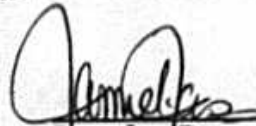
EXHIBIT J

(Engineering drawing of proposed lines in the territory to be added.)

EXHIBIT N

AFFIDAVIT


I, Pamela Pass, General Manager of Bonita Country Club Utilities, having been duly sworn, hereby state that the utility has tariffs and all annual reports due to date on file with the Florida Public Service Commission.



Pamela Pass

STATE OF FLORIDA
COUNTY OF Collier

The foregoing instrument was acknowledged before me this 21st day of June, 1996, by Pamela Pass, who is personally known to me and who did take an oath.



Notary Public
State of Florida

My Commission Expires: 3/28/97

Seal

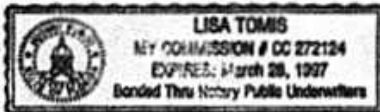


EXHIBIT O

First Revised Sheet No. 3.1
Cancels Original Sheet No. 3.1

NAME OF COMPANY: Bonita Country Club Utilities, Inc.
WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED
Order No. 9544

Township 47 South, Range 25 East, Lee County

Section 14

The Southwest 1/4 less and except the North 330 feet.

Section 22

Area C:

Beginning at the Southeast corner of Section 22, Township 47 South, Range 25 East, run west along the South line of said Section 22 for 192.31 feet to an intersection with the northeasterly right-of-way line of State road #45 (Tamiami Trail); thence run northwesterly along said northeasterly right-of-way line (50 feet from the center line) for 550.0 feet; thence run northeasterly perpendicular to said northeasterly right-of-way line for 806.62 feet to the east line of said Section 22; thence run south along said east line for 932.28 feet to said southeast corner of Section 22 and the point of beginning;

Section 23

The West 1/2 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4, the Northwest 1/4 of the Northeast 1/4, the North 1/2 of the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southwest 1/4, and the North 1/2 of the Southwest 1/4 of the Southwest 1/4. N

Section 26

Area D: Sandy Hollow

A tract or parcel of land lying in Section 26, Township 47 South, Range 25 East, Lee County, Florida. Being Lot 1 of Helfenstein Estates, Plat Book 8, Page 40 of the Public Records of Lee County, Florida.

More particularly described as follows: from the northwest corner of Section 26, Township 47 South, Range 25 East, run South 0° 30' 00" East a distance of 173.32 feet to the Northerly right-of-way line of State Road 45 (U.S. 41); thence run South 44° 29' 16" East along said right-of-way line a distance of 36.00 feet to the point of beginning; thence run south 44° 29' 16" East along said right-of-way line a distance of 1301.00 feet; thence run North 45° 30' 44" East a distance of 1971.40 feet to the Southerly right-of-way boundary of Shangrila Road; thence run South 83° 07' 00" West a distance of 2336.43 feet along said Southerly right-of-way boundary; thence run South 0° 30' 00" East a distance of 173.32 feet to the point of beginning;

(Continues to Sheet No. 3.2)

Pamela Pass
General Manager

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Pamela Pass
General Manager

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(Continues to Sheet No. 3.2)

Pamela Pass
General Manager

YOUNG, VAN ASSENDERP & VARNADOE, P. A.
ATTORNEYS AT LAW

REPLY TO:

R. BRUCE ANDERSON
TASHA O. BUFORD
DAVID L. COOK*
DAVID B. ERWIN
C. LAURENCE KEESEY
ANDREW I. SOLIS
KENZA VAN ASSENDERP
GEORGE L. VARNADOE
ROY C. YOUNG

July 5, 1996

GALLIE'S HALL
225 SOUTH ADAMS STREET, SUITE 200
POST OFFICE BOX 1833
TALLAHASSEE, FLORIDA 32302-1833
TELEPHONE (904) 222-7206
TELECOPIER (904) 561-6834

SUNTRUST BUILDING
801 LAUREL OAK DRIVE
SUITE 300
PORT OFFICE BOX 7907
NAPLES, FLORIDA 33941-7907
TELEPHONE (941) 597-2814
TELECOPIER (941) 597-1060

*BOARD CERTIFIED REAL ESTATE LAWYER

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

960803-54

Dear Ms. Bayo:

Enclosed is the application of Bonita Country Club Utilities. The application seeks authority to add territory in Lee County, Florida, to Certificate No. 281-S. The applicant was granted authority by virtue of Commission Orders Nos. 9544 and 14441.

Also enclosed is the appropriate filing fee in the amount of \$100.00.

Exhibits K, L and M will be late filed. These exhibits will be affidavits that attest to compliance with the Commission's notice requirements.

If there are any questions please contact me or the company's general manager, Pam Pass.

Sincerely,

96 JUL 5 11 11 AM '96

FOR application fee for amendment of ccf

Northern Trust Bank of Florida, N.A.
Tallahassee Office

DOLLARS

one hundred dollars 00/100

\$ 100.00

DOCUMENT NUMBER-DATE

Florida Public Service Commission

19 96

7170 JUL 5-1996

BONITA SPRINGS, FLORIDA 33923

REPORTING/RECORDS

BONITA COUNTRY CLUB UTILITIES, INC
10200 MADDOX LANE

PAY TO THE ORDER OF