BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of Sun Communities Finance, LLC d/b/a Water Oak Utility for Reuse Project Plan and Increase in Wastewater Rates.	)	Docket No. 01-0087-WS

APPLICATION FOR APPROVAL OF REUSE PROJECT
PLAN AND INCREASE FOR WASTEWATER RATES

Applicant, Sun Communities Finance, LLC d/b/a Water Oak Utility (hereinafter "Applicant" or "Water Oak"), pursuant to Sections 367.0817, and 403.064, Florida Statutes, files this Reuse Project Plan and Application for increase in rates for wastewater service provided to its customers in Lake County, Florida, based upon the Utility's reuse project undertaken and required pursuant to Section 403.064, Florida Statutes.

I.

The following information is provided in accordance with the requirements of Rule 25-22.036(7), F.A.C.

a. The name and address of the Applicant is:

Sun Communities Finance, LLC
d/b/a Water Oak Utility
31700 Middlebelt Road
Farmington Hills, MI 48334

b. Applicant's interest:

Applicant is a water and wastewater utility as defined by Section 367.021(3), Florida Statutes, and is not exempt from

regulation from the Commission pursuant to Section 367.022, Florida Statutes. Except as provided in Section 367.081(4), Florida Statutes, Applicant's rates and charges may not be changed without approval of the Commission.

The Applicant operates a wastewater system in Lake County, Florida. In recent years, the Utility has been evaluating its long-term method of effluent disposal and the delivery of reuse to the golf course as a long-term alternative for its system. Ongoing discussions with environmental and water management regulatory authorities about its existing effluent disposal methods and the requirements of Commission Order Nos. PSC-00-1165-PAA-WS and PSC-01-0431-FOF-WS led the Utility to agree to the development of a reuse project in order to allow delivery of reuse of reclaimed water from its existing wastewater system to the golf course within the community served. The Utility is hereby proposing that a reuse project plan be undertaken. As such, Water Oak proposes to recover the cost of such reuse project through wastewater and reuse rates in accordance with the authority granted under Sections 403.064 and 367.0817, Florida Statutes.

II.

At this time, there are no disputed issues of material fact in this matter.

III.

This Reuse Project Plan is more fully described in the attached **Exhibit "A"** to this Application. In addition to the facts as outlined therein, it should be noted that the Utility has considered other options for effluent disposal, including continued use of spray field irrigation as is currently utilized. The limited availability of land in the area, the high cost of obtaining such lands for use as spray fields on a permanent basis, as well as the water shortage circumstances currently being experienced within the Utility's service area and surrounding areas, led the Utility to the conclusion that a reuse project was the best long-term alternative for disposal of its effluent. In addition, the Utility concluded that the pursuit of a Reuse Project is in the public interest as a resource conservation measure and an environmentally sound method of effluent disposal.

The wastewater treatment facility is currently utilizing two restricted access spray irrigation fields for effluent disposal. This method of disposal meets the Florida Department of Environmental Protection (FDEP) definition of reuse in accordance with Rule 62-610, F.A.C. The St. Johns River Water Management District's (SJRWMD) definition of reuse differs from that of DEP in that it considers the beneficial use of the effluent for conserving

water. This definition looks at the potential of using the effluent for irrigation and thereby conserving water that is being pumped out of the aquifer. As such, while the FDEP's rules do not per say require this Utility to convert from spray field irrigation to golf course irrigation, the Water Management District permitting requirements and informal conversations with their staff have clearly indicated an intent to push the Utility to fully utilize the effluent available for golf course irrigation, if at all possible. The DEP supports this move and we fully expect spray irrigation to the golf course to be recommended, if not required, by the permits which will be sought after approval of this reuse project plan.

The two methods of reuse that were considered for this project were irrigation of the individual lots within the development and irrigation of the golf course within the development. The golf course irrigation is the most economical alternative, because very little infrastructure is needed in order to deliver the treated effluent to the golf course. The golf course has an existing infrastructure which can be utilized without causing a cross connection, or without any substantial investment for a distribution system. Therefore, only a pump station and a

transmission line is needed to connect to the golf course irrigation system, and deliver the treated effluent there.

Conversely, a pump station and a separate distribution system would have to be constructed to deliver treated effluent into individual homes and lots. The distribution system would have to be constructed throughout the community, and each lot would have to be provided with a service line. The cost of this alternative is much greater than the provision of reuse to the golf course, simply because of the substantial cost of the distribution system, before even considering the additional operating costs related to operating that distribution system and the billing and collection related to individual customer service. In both cases, the required improvements to the wastewater treatment plant are the same, and utilization only of the golf course alternative, is more than adequate to accept all of the effluent generated by the wastewater system at or near build out of the community.

IV.

The Utility will seek appropriate regulatory permits, which require this system immediately after the plan is approved. However, the SJRWMD intent to require utilization of effluent for golf course irrigation has already been clearly expressed to the Utility and the FDEP in its last Consumptive Use Permitting

preceding in January of 1999, and through informal discussions with the FDEP they have expressed agreement and recommended this course of action.

The SJRWMD issued the Consumptive Use Permit No. 20-069-0161M on January 4, 1999, which permit expires three years after that date. A copy of that Permit is attached hereto as **Exhibit "B."** A relatively short three year permit was issued, because the permitee had not complied with various conditions of the previous permit. Mainly, those conditions included reduction of water use, implementation of inclining block rate structure, and submission of a reuse feasibility study. During negotiations of the reissuance of the CUP in 1998 and 1999, the SJRWMD agreed that a reuse facility study would not be required until the plant flows reached 100,000 gallons per day. Condition 17 of the current permit requires the permitee to use the lowest quality water source, such as reclaimed water, etc. for irrigation. There is no specific condition in the permit regarding the use of reuse during the term of the permit. However, during permit renewal, which will have to be undertaken next year, it is anticipated that this issue will resurface and based upon discussions with the Water Management District representatives, this reuse plan will be a condition precedent to reapproval of the CUP.

V.

The Utility anticipates that from its initial startup of the reuse system, into the foreseeable future, the system will have only one reuse customer, the owner of the Water Oak Country Club Estates golf course (Sun Water Oak Golf, Inc.). As described more fully in the contents of Exhibit "A" Sections 2E and 3A, the current demand of the golf course is more than can be supplied by the wastewater treatment plant, even at its peak capacity. Once the Water Oak subdivision reaches build out, it is anticipated that the wastewater treatment facility will produce reuse water slightly in excess of the average demand of the golf course. As such, it is not anticipated that there will be a need for any alternate reuse customers for many years after the system is online and, in fact, for most of the foreseeable future the demands of the golf course will exceed the ability of the wastewater treatment plant to supply those irrigation needs with reuse service.

VI.

The Utility proposes to increase wastewater rates in order to recover the great majority of costs of the reuse project. Based upon the estimated cost of withdrawing well water for the purpose of irrigation of the golf course, the Utility is recommending that a similar cost calculated at $.10 per thousand gallons be

authorized for the provision of reuse service to the golf course by the Utility. The remaining costs of this reuse project are proposed to be recovered from the wastewater customers as discussed under Section 7 of Exhibit "A." The Utility has therein indicated the rate increase necessary in order to recover such costs.

VII.

Included as part of Exhibit "A" are maps, drawings and schedules calculating the appropriate rates and charges as proposed herein, and a breakdown of increased capital cost, increased operating expenses, and cost of capital, which underlie the costs and rates proposed (see Appendix A to Exhibit "A"). Also included as Appendix B and C, is information concerning the details of the reuse project, including process analysis and facility plans for the reuse system as proposed.

VIII.

In addition to what the Applicant has listed in Section 1 hereof, other people to receive copies and notices are as follows:

F. Marshall Deterding
ROSE, SUNDSTROM & BENTLEY
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

IX.

Applicant requests that the Commission consider the information supplied herein and in Exhibit "A" and approve this Reuse Project Plan and the proposed increase in wastewater rates and implementation of reuse rates as outlined in Exhibit "A," effective with the date on which the reuse system goes online and begins providing reuse water in October of 2003. Until such time as the Commission grants formal approval, the Utility cannot begin design and permitting in accordance with the schedule contained under Section 8 of Exhibit "A."

WHEREFORE, the Utility requests that the Commission approve this Reuse Project Plan for implementation in accordance with the time schedule outlined in Section 8 of Exhibit "A."

Respectfully submitted this 19th day of June, 2001, by:

ROSE, SUNDSTROM & BENTLEY
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850) 877-6555

F. Marshall Deterding

wateroak\reuse.app

EXHIBIT "A"

EXCEL
ENGINEERING CONSULTANTS, INC.
Environmental & Civil Engineers

REUSE
PROJECT PLAN

FPSC Docket No. 010087-WS

WATER OAK COUNTRY CLUB ESTATES
WASTEWATER TREATMENT FACILITY
LAKE COUNTY, FLORIDA

Prepared by:
Excel Engineering Consultants, Inc.
122 Wilshire Boulevard
Casselberry, FL 32707

Prepared for:
Water Oak Country Club Estates
3 Water Oak Blvd.
Lady Lake, FL

June 11, 2001

6/13/01

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rotary blowers and motors, control panel, internal piping and valves, and both plants share a chlorine contact chamber. The clarifiers are equipped with a sludge return/waste airlift system, scum removal system and effluent weir trough. The aeration system consists of floating aerators in each aeration tank to provide oxygen diffusion and turbulence.

The west and east trains each have three 30,107 gallon aeration tanks; one 289 s.f. clarifier; one pressure sand filter; one 5,834 gallon filtered water holding tank, and one 6,777 gallon aerobic digester. Both plants share a 5,984 gallon chlorine contact chamber. Aquamodel 3TM4 floating aerators or a similar model are used for the aeration process in the six aeration tanks. The aerobic digestors, skimmers, and eductors are aerated by two Sutorbilt 3ML blowers (5 Hp motor @ 1750 rpm), both are physically connected to the system. The facility utilizes two rapid infiltration basins to meet the definition of Reuse in accordance with 62-610 FAC.

The facility meets a Class C, Category III treatment facility. The facility requires a licensed operator with a minimum certification of Class C to be on-site for five days per week and one visit each weekend for one-half hours, as a minimum.

The service area is comprised solely of residential mobile homes, which only generate domestic wastewater. There are no industrial or commercial uses within the service area. The facility was placed in service approximately 14 years ago.

The site, currently under Florida Department of Environmental Protection (FDEP) permit No. FLA010529, is authorized to operate a 0.200 mgd extended aeration plant with chlorinated effluent disposal to two spray irrigation fields located adjacent to the facility. The WWTF meets the requirements of a Class C, Category III treatment facility.

C. Historical Flows

Flows and effluent water quality data were obtained from the Monthly Operating Reports (MORs) submitted to the FDEP. Our analysis is focused on the flows experienced between October 1995 and December 2000. The highest of these flows is being experienced during the winter months and the low flows occur during the summer months. The 30 day ADF reached a high of 91,000 gpd in February and March 1996, while the highest peak flow was 198,000 gpd on March 1996. The average, minimum, and maximum flows are summarized in the following table.

Table I
Flow Summary

FLOWS (gpd)	30 Day ADF	3 Month ADF	12 Month ADF	Peak
AVERAGE	67,000	68,000	68,000	96,000
MINIMUM	50,000	52,000	64,000	66,000
MAXIMUM	91,000	90,000	74,000	198,000

B. Wastewater Management

Chapter 62-610.450 F.A.C. governs the type of wastewater reuse systems involving the irrigation of areas accessible to the public such as residential lawns, golf course irrigation and landscaped areas. Requirements for wastewater treatment and disinfection are secondary treatment and high-level disinfection. Reclaimed water shall not contain a Total Suspended Solids (TSS) concentration greater than 5.0 mg/L. before application of a disinfectant. Filtration shall be provided to control the TSS. Chemical feed facilities for coagulation shall be provided and may be off-line if the TSS limitation is achieved. Also, the plant must meet Class I Reliability. A summary of Class I Reliability is as follows:

1. *A storage basin (i.e. surge tank) must be provided to attenuate the peak flow.*
2. *The wastewater treatment system, with one unit out of operation, shall be capable of distributing the wastewater to the remaining units. This is accomplished using a dual-train treatment system.*
3. *A minimum of two equal volume basins shall be provided for aeration of the activated sludge.*
4. *A sufficient number of final sedimentation basins shall be provided such that with the largest unit out of service, the remaining units can handle 75% of the total design flow.*
5. *A sufficient number of disinfection basins shall be provided such that with the largest unit out of service, the remaining units can handle 50% of the total design flow.*

The modified wastewater facility will need to be able to treat a flow of approximately 200,000 gpd. This design flow is based on the review of the existing flow data recorded in the monthly MOR's submitted to the FDEP; existing and planned development within the service area; and other assumptions.

4.0 RECOMMENDATIONS FOR CONSTRUCTION

Water Oak Country Club Estates uses a high volume of groundwater for golf course irrigation. In order to meet the requirements of the SJRWMD Consumptive Use Permit, alternative sources of useable water need to be developed. The most effective alternative to reducing the burden on the Floridan aquifer is to use reclaimed water for irrigation of the golf course. It is recommended that the existing facility be modified to produce a high quality effluent for irrigation of the golf course, therefore reducing the consumption of groundwater.

The most cost-effective means of accomplishing this goal is to modify the existing facility to provide public access golf course irrigation. This can be accomplished by modifying the existing facility to a Class 1 reliability plant capable of producing public access spray irrigation. It is estimated that construction will take approximately 6 to 9 months. This will be accomplished by the construction of the following modifications:

1. *Add two new 450 s.f. clarifiers.*
2. *Add two new 12,500 gallon aerobic digesters*
3. *Add two 2,000 gallon dosing tanks*
5. *Add one pressurized sand filter*
6. *Add one new 3,000 gallon chlorine contact tank.*
7. *Construct golf course irrigation pumping station.*
8. *Construct 1,500 feet of reuse transmission line to golf course irrigation system.*
9. *Site filling, grading and stormwater management.*
10. *Install stand-by emergency generator.*
11. *Repair / retrofit existing WWTF.*
12. *Backflow Preventers at both irrigation ponds.*
13. *Construct 24 hour ADF reject holding pond.*

Table III
Proposed Expansion Requirements

Item	Component	Cost
1.00	Two new clarifiers and digesters	150,000
2.00	Dosing Tanks	20,000
3.00	Pressure sand filter	25,000
4.00	Chlorine contact tank	7,500
5.00	Effluent Monitoring Equipment	15,000
6.00	Irrigation Pumping Station and Transmission Main	80,000
7.00	Emergency Generator	45,000
8.00	Retrofit / repair existing WWTP	25,000
9.00	Backflow preventers	20,000
10.00	24-hour reject holding pond	15,000
11.00	Sub-total:	402,500
12.00	Engineering, Surveying and Permitting	35,000
13.00	Contingency Allowance: 15%	65,625
14.00	Total:	$503,125

5.0 OPERATIONS AND MAINTENANCE COSTS

The costs of operating and maintaining a Class I reliability reuse facility is considerably higher than operating a conventional extended aeration plant. Operator attendance will increase to a minimum of 6 hours per day and 7 days per week as required. Additional monitoring and sampling will also be required. Power and chemical costs are expected to increase as well. The expected total costs of operating and maintaining the new plant (excluding depreciation and taxes other than income taxes, etc.) is shown on Table 2 in the Appendix and is summarized below:

Table IV
Operating Costs

Item	Component	Cost
1.00	Cost of Contract Operator	$76,440
2.00	Power Costs	$25,929
3.00	Chemical Costs	$3,137
4.00	Repair/Maintenance/Lab/Billing	$39,125
5.00	Sludge Removal	$22,134
6.00	Other Operating Costs	$53,573
	Total	$220,338

6.0 FINANCING

The financing of the project is expected to come from a bank loan, or an intercompany loan of approximately $376,543 and from customer revenue in the form of CIAC. The terms of the loan have not been determined at this time. In order to establish a preliminary water and wastewater rate the loan will have an assumed term of fifteen (15) years with an assumed interest rate of 8%.

In a previous FPSC order, the company was required to collect and set aside 23.07% of the monthly wastewater revenue that is to be used to pay for the reuse facility. The company began setting aside the required amounts each month in NARUC account 181 in July 2000.

The amount of wastewater revenue billed from July 2000 to March 2001 was $128,449. It is estimated that by the time the facility is constructed and on line in October 2003, approximately $548,449 in wastewater revenue will have been billed and that a total of $126,582 will have been deferred to pay for the construction of the reuse facility.

7.0 RATES

The present rates for wastewater service will need to be adjusted to recover the increased costs of providing service from the new facility. Once the new facility is on line, the golf course will begin receiving treated reuse water for irrigation. It is recommended that the Sun Communities golf course be charged $0.10 per thousand gallons for reuse water. This is the estimated current cost to irrigate the golf course using the existing wells. It is estimated that approximately 75,000 gpd can be provided to the golf course currently during the seasonal months of October through March when the residents ARE present. During the off-season months, It is estimated that 35,000 gpd of reuse

water can be provided to the golf course. As such, 182 days will occur at the higher flow and 183 days at the lower irrigation flow. Therefore, the estimated revenue billed to the golf course on an annual basis is $2,006. This amount of estimated revenue has been recognized in the proposed rate design.

The proposed rates for wastewater service are as follows:

Base charge per Month:	*$13.49*
Gallonage Charge – No Cap ($/000 gallons)	*$2.45*

The rates have been designed based upon the estimated increased O&M costs, depreciation expense, and an appropriate overall rate of return on the net investment in rate base as shown in Tables 1 through 3 attached.

8.0 Project Schedule

It is estimated that it will take the FPSC approximately 90 days to approve the Reuse Project Plan. Therefore, the project assumes that the work will commence 90 days after submittal of this report and that it will generally proceed in accordance with the flowing schedule:

Submit Reuse Project Plan	*June 29, 2001*
Project Plan Approved by FPSC	*September 30, 2001*
Start Design	*October 1, 2001*
Complete Design / Start Permitting	*April 1, 2002*
Complete Permitting / Start Construction	*October 1, 2002*
Complete Construction / Start-up	*October 1, 2003*

APPENDIX A

TABLES

Table 1
Water Oak Utilities
Summary of Utility Plant Investment
Projected Wastewater Rate Base

Line No.		Balance @ 12/31/00	Balance @ 12/31/01	Balance @ 12/31/02	Balance @ 12/31/03
1	Gross Utility Plant In Service	$ 513,202	$ 513,202	$ 513,202	$ 513,202
	Add:				
2	Investment in Reuse Facility	-	-		503,125 (1)
	Deduct:				
3	Accumulated Depreciation	(313,657)	(334,189) (5)	(354,721)	(392,032) (4)
4	CIAC	(207,844)	(221,754) (3)	(260,529)	(289,609)
5	Accumulated Amortization CIAC	65,639	71,937	78,235	84,533
6	Cash Working Capital (2)	15,603	15,993	16,393	27,542
7	Estimated Net Rate Base	$ 72,943	$ 45,189	$ (7,419)	$ 446,761
8	Required Return to Meet LTD				$ 43,991
9	Overall Rate of Return Required				9.847%

Footnotes:

(1) Assumes facility on line by 10/1/03 per project schedule.

(2) Based on 1/8 of O&M expense assuming inclusion of 12 months of estimated operating and maintenance expense associated with new facility.

(3) Reflects estimated funds deferred thru 12/31/01 based on actual revenue collected July00-March01 and estimated wastewater revenue of $14,000 per month for the period April01 through September 30, 2003 at 23.08%.

(4) Assumes 1/2 year depreciation at an annual rate of 6.67% (service life of 15 yrs.).

(5) Reflects annual depreciation on current gross plant in service.

(6) Assumes intercompany loan at 8% for 15 years as follows:

Total Project Costs	$ 503,125
Less Cost Free Capital	126,582
Net Amount Financed	$ 376,543
Annual Principal & Interest Payment	$ 43,991

Table 2
Water Oak Utilities
Estimated O & M Expense Associated
With First Year Operation of Reuse Facility

Line No.		Actual 2000 (1)	Estimated 2001 (2)	Estimated 2002 (2)	Estimated 2003 (2)	Adjusted 2003 to Reflect Reuse	
1	Salaries and Wages - Employees	31,411	32,196	33,001	33,826	33,826	
2	Salaries and Wages - Officers, Directors	-	-	-	-	-	
3	Employee Pensions and Benefits	4,001	4,101	4,204	4,309	4,309	
4	Purchased Wastewater Treatment	-	-	-	-	-	
5	Sludge Removal Expense	20,554	21,068	21,595	22,134	22,134	
6	Purchased Power	18,521	18,984	19,459	19,945	25,929	(4)
7	Fuel for Power Production	-	-	-	-	-	
8	Chemicals	2,913	2,986	3,060	3,137	3,137	
9	Materials and Supplies	755	774	793	813	813	
10	Contractual Services:						
11	Professional (Contract Plant Operation)	5,961	6,110	6,263	6,419	76,440	(3)
12	Lab Testing	3,957	4,056	4,157	4,261	6,000	
13	Other (Repair and Maintenance)	30,760	31,529	32,317	33,125	33,125	
14	Rents	3,115	3,193	3,273	3,355	6,627	
15	Transportation Expense	1,261	1,293	1,325	1,358	2,683	
16	Insurance Expense	-	-	-	-	-	
17	Regulatory Commission Expenses	248	254	261	267	528	
18	Regulatory Commission Expenses-Amortization	-	-	-	-	1,875	(5)
19	Bad Debt Expense	-	-	-	-	-	
20	Miscellaneous Expenses & Conservation	1,369	1,403	1,438	1,474	2,913	
21	Sub-Total Operation and Maintenance Expenses	124,826	127,947	131,145	134,424	220,338	
22	Depreciation & Amortization	14,234	14,234	14,234	31,013	31,013	
	Taxes Other Than Income Taxes:						
23	Property Tax	9,580	9,820	10,065	10,317	10,317	
24	Regulatory Assessment Fees	5,885	6,000	6,000	6,000	6,000	
25	Payroll Taxes	2,271	2,328	2,386	2,446	2,446	
26	Total Taxes Other Than Income Taxes	17,736	18,147	18,451	18,762	18,762	
27	Total Operation and Maintenance Expenses	$ 156,796	$ 160,328	$ 163,830	$ 184,199	$ 270,114	

Footnotes:

(1) Based on data contained in the FPSC 2000 Annual Report.

(2) Expenses escalated by 2.5% per year.

(3) Assumes 6 hours/day, 7 days/week and $35 per hour for contract operation on an annualized basis.

(4) Assumes power costs increase by 30% for additional reuse pumping requirements on an annualized basis.

(5) Estimated expense associated with this filing through PAA as follows:

Legal	$ 2,500
Engineering/Rate Consultant	$ 5,000
Total	$ 7,500

Annual Amortization Over Four Years: $ 1,875

Table 3
Water Oak Utilities
Summary of Annual Revenue Requirement
And Rate Design

Line No.		Adjusted 2003	Base Facility Charge	Gallonage Charge
1	Salaries and Wages - Employees	33,826	16,913	16,913
2	Salaries and Wages - Officers, Directors	-	-	-
3	Employee Pensions and Benefits	4,309	2,154	2,154
4	Purchased Wastewater Treatment	-	-	-
5	Sludge Removal Expense	22,134	-	22,134
6	Purchased Power	25,929	-	25,929
7	Fuel for Power Production	-	-	-
8	Chemicals	3,137	-	3,137
9	Materials and Supplies	813	407	407
10	Contractual Services:			
11	Professional (Contract Plant Operation)	76,440	38,220	38,220
12	Lab Testing	6,000	3,000	3,000
13	Other (Repair and Maintenance)	33,125	16,563	16,563
14	Rents	6,627	6,627	-
15	Transportation Expense	2,683	1,341	1,341
16	Insurance Expense	-	-	-
17	Regulatory Commission Expenses	528	264	264
18	Regulatory Commission Expenses-Amortization	1,875	938	938
19	Bad Debt Expense	-	-	-
20	Miscellaneous Expenses/Conservation	2,913	1,456	1,456
21	Sub-Total Operation and Maintenance Expenses	220,338	87,883	132,456
22	Depreciation & Amortization	31,013	31,013	-
	Taxes Other Than Income Taxes:			
23	Property Tax	10,317	10,317	-
24	Regulatory Assessment Fees	14,424	7,212	7,212
25	Payroll Taxes	2,446	1,223	1,223
26	Total Taxes Other Than Income Taxes	27,186	18,751	8,435
27	Minimum Return on Investment	43,991	-	43,991
28	Total Gross Revenue Requirement	322,528	137,647	184,881
	Less:			
29	Estimated Reuse Revenue	(2,006)	-	(2,006)
30	Total Net Revenue Requirement	$ 320,523	$ 137,647	$ 182,875
31	No. of ERC's (estimated)	10,200		
32	Revenue Gallons 000's (estimated)	74,786		
	Proposed Rates (No Usage Cap)			
33	**Base Charge 5/8x3/4" ($/month)**		**$ 13.49**	
34	**Gallonage Charge ($/1,000 gallons)**			**$ 2.45**

	Typical Residential Bill:	Proposed	Current	Increase
35	At 5,000 gallons per month	$ 25.74	$ 18.00	$ 7.74
36	At 10,000 gallons per month	$ 37.99	$ 20.07	$ 17.92
37	At 15,000 gallons per month	$ 50.24	$ 20.07	$ 30.17

APPENDIX B

PROCESS ANALYSIS

1.0 INTRODUCTION

This report is being provided to the Florida Public Service Commission as directed by Order No. PSC-00-1165-PAA-WS dated June 27, 2000 and further amended by Order No. PSC-01-0431-FOF-WS dated February 22, 2001. The purpose of this reuse plan is to evaluate the costs to construct a Class 1 reliability reuse facility for the Water Oak Country Club Estates and to propose user charges in the form of monthly rates. The reuse facility's purpose is to provide reclaimed water for irrigation of the golf course. Conditions of the Consumptive Use Permit # 20-069-0161M issued by the St. John's River Water Management District on January 4, 1999 state that reclaimed water "must be used when deemed feasible pursuant to District rules and applicable state law". In order to provide reclaimed water from the wastewater treatment facility, the Florida Department of Environmental Protection's requirements must be achieved. The FDEP rules require that the plant meet Class I Reliability and provide high level disinfection for the safety of the public.

Water Oak currently has 790 home sites, two swimming pools, pro shop, sales office, two clubhouses, a restaurant and an 18 hole golf course. The project is planned to have 1, 312 home site at total build out. The project is planned for a 30 year fill rate which means that total build out is planned to occur by the year 2018.

2.0 EXISTING CONDITIONS

A. General Conditions

Water Oak Country Club Estates is located in Section 9,16, & 17, Township 18 South, Range 24 East, in Lady Lake, Lake County, Florida. The mobile home community is located approximately ½ mile north of the U.S. 27 and C.R. 466 intersection. The community has two swimming pools, pro shop, sales office, two clubhouses, a restaurant, an 18 hole golf course, and 790 mobile home sites. The golf course currently irrigates with one well that is permitted by the St. Johns Water Management District.

B. Wastewater Management

The wastewater treatment facility is a 200,000 gallon per day extended aeration facility based on the annual average daily flow. The facility utilizes a lined 3-day polishing pond and two restricted access spray irrigation fields (2.9 and 16.4 wetted area acres) for effluent disposal. The wastewater residuals are transferred to an aerobic digester and transported to an off-site facility for disposal. The average daily flow of the community is 67,000 gpd and increases to about 85,000 gpd during the winter season. The maximum day flow reaches up to 198,000 gpd. The wastewater residuals are transferred to an aerobic digester and transported to an off-site facility.

The facility is comprised of a dual train, concrete plant enclosed by a locked chain link fence. The principal items included in the main processing facility consist of a west plant and an east plant. Each train has three aeration tanks, one clarifier, one pressure sand filter, filtered water holding tank, and one digester tank. The system as a whole has two

D. Seasonal Variations

The flows peak during the winter months, which coincides with the arrival of Florida's tourist season. The tourists arriving in Florida for the winter months causes increased flows at the Water Oak Country Club Estates. The ratio of the average 3 month adf to the maximum 12 month adf is as follows:

Table II
Flow Ratio

YEAR	ANNUAL AVERAGE	HIGHEST 3 MONTH AVG	RATIO
1997	66,000	80,000	1.21
1998	65,000	81,000	1.25
1999	63,000	72,000	1.14
2000	66,000	77,000	1.17
AVERAGES	65,000	77,500	1.19

E. Golf Course Water Demand

Based on the limit imposed by the SJRWMD Consumptive Use Permit though evaluation of the golf course's water demand, irrigation for the golf course is allowed a maximum of 134,000 gpd. Water use data for the golf course from April 1998 to December 2000 show an average daily water demand of 155,000 gpd. The average wastewater flowrate of the community is approximately 67,000 gpd which would constitute 50% of the SJRWMD permitted capacity and 43% of the actual water demand required by the golf course.

3.0 FUTURE CONDITIONS

A. Future Wastewater Flow Rates

The Water Oak Country Club Estates average wastewater demand is approximately 67,000 gpd based on the annual average. The 3-month average is approximately 68,000 gpd, which is approximately 34% of the wastewater treatment facility's permitted capacity. In order to estimate the ability of the wastewater facility to treat wastewater for future connections a demand of 150 gpd per unit was used.

The community has 790 occupied lots with a total build-out of approximately 1,312 lots. The average population is approximately 1.7 residents per lot. Therefore, the present population is approximately 1,343 people and the population at build-out will be approximately 2,230 people.

The estimated demand (ADF) including the future development is as follows:

Total flow = 1,312 units x 150 gpd / unit = 196,800 gpd at built-out

Water Oak Country Club Estates WWTF - Reuse Modifications

Extended Aeration Process Analysis

FLOW = 200,000 gpd 0.2000 mgd

SURGE TANKS

	Volume, gallons	% of Total Flow
Tank #1	43,238	
Total:	43,238	21.62%

AERATION TANKS

	Volume, gallons	Detention Time, hrs	Loading #/1,000 cf
Tank #1-east	30,107		
Tank #2-east	30,107		
Tank #3-east	30,107		
Tank #1-west	30,107		
Tank #2-west	30,107		
Tank #3-west	30,107		
Total	180,642	21.68	13.12

CLARIFIER TANKS

	Area s.f.	Loading Rate gpdpsf
Clarifier-east	450.00	
Clarifier-west	450.00	
Total:	900.00	222.22

FILTRATION UNITS

	Area s.f.	Loading Rate gpmpsf
Filter #1	28.00	2.48
Filter #2	28.00	2.48
Filter #3	28.00	2.48
Total:	84.00	0.83

CHLORINE CONTACT TANKS

	Volume, gallons	Detention Time(adf,min)	Detention Time(peak,min)
Tank #1	3,000	43.20	17.28
Tank #2	6,000	86.40	34.56

AEROBIC DIGESTER

	Volume, gallons	Sludge Prod. gpd	Retention Time, days	Sludge Prod. tons/yr
Digester-east	12,528			
Digester-west	12,528			
Total:	25,056	1,187.50	21.10	34.70

EFFLUENT DISPOSAL

	Volume gallons	Detention Time days
Polishing Pond	620,840	3.10

	Area (acres)	Loading Rate gpdpsf	Loading Rate inches/week
New Perc. Pond	1.04	4.40	49.36
Spray Field #1	2.90	1.58	17.78
Spray Field #2	16.40	0.28	3.14
Total:	19.30	0.24	2.67

AIR REQUIREMENTS

SURGE TANK

Total Volume gallons	Mixing cfm	Aerobic cfm
43,238.00	86.48	0.99

AERATION TANKS

	Total Vol. gallons	Mixing cfm	Aerobic cfm	Safety Factor # Air/# BOD	Min. Air @ 1.5 BOD
Eckenfelder	180,642.00	361.28	1,099.45	2.52	653.56
Monod	180,642.00	361.28	1,305.19	4.12	653.56

AEROBIC DIGESTER

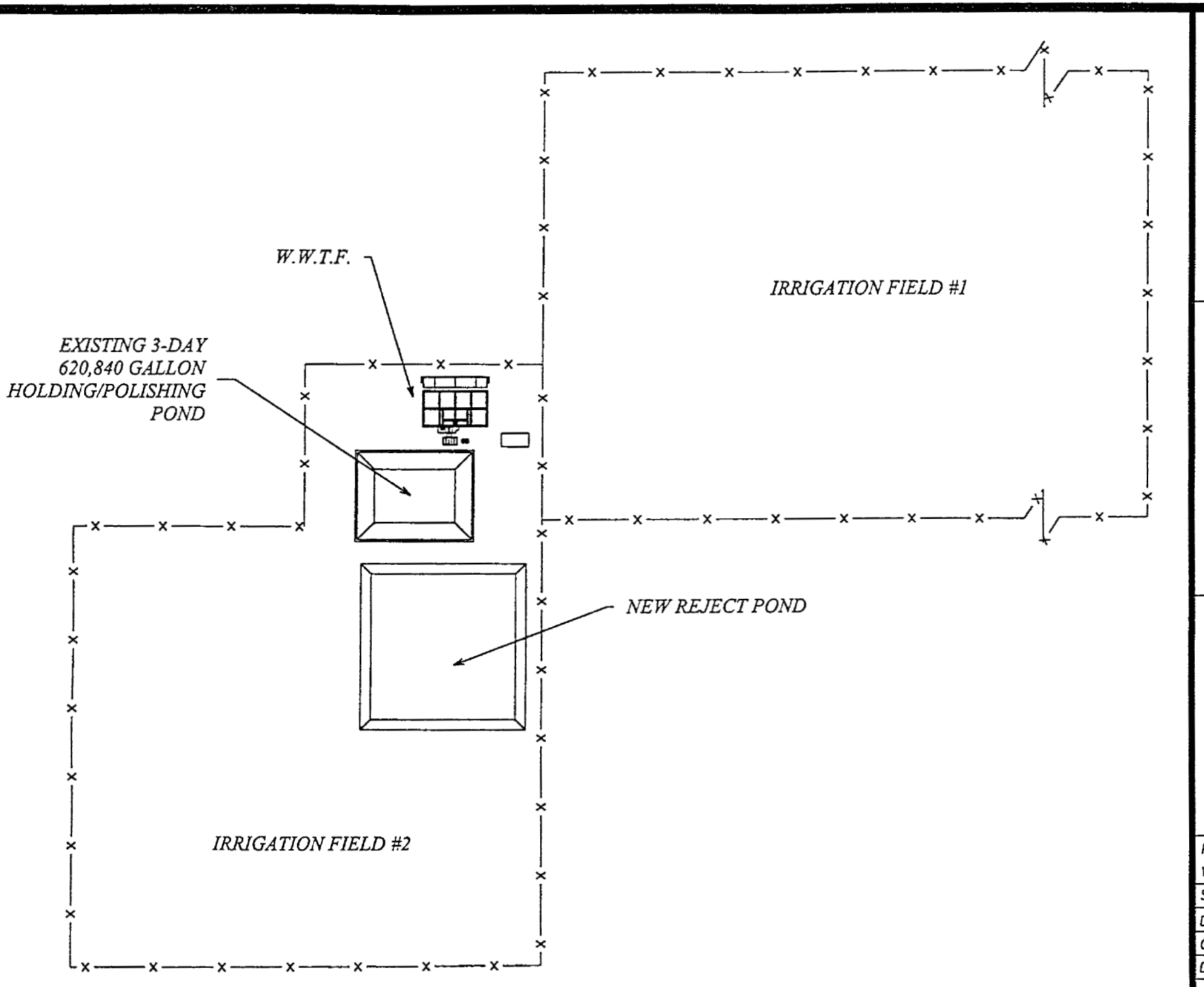
Total Volume gallons	Aerobic cfm
25,056.00	146.40

AIR LIFT PUMPS

	No. ALP	cfm	
	8.00	40.00	
Total System Air Requirements:		186.40	(Not including surge tank)

APPENDIX C

FACILITY PLANS



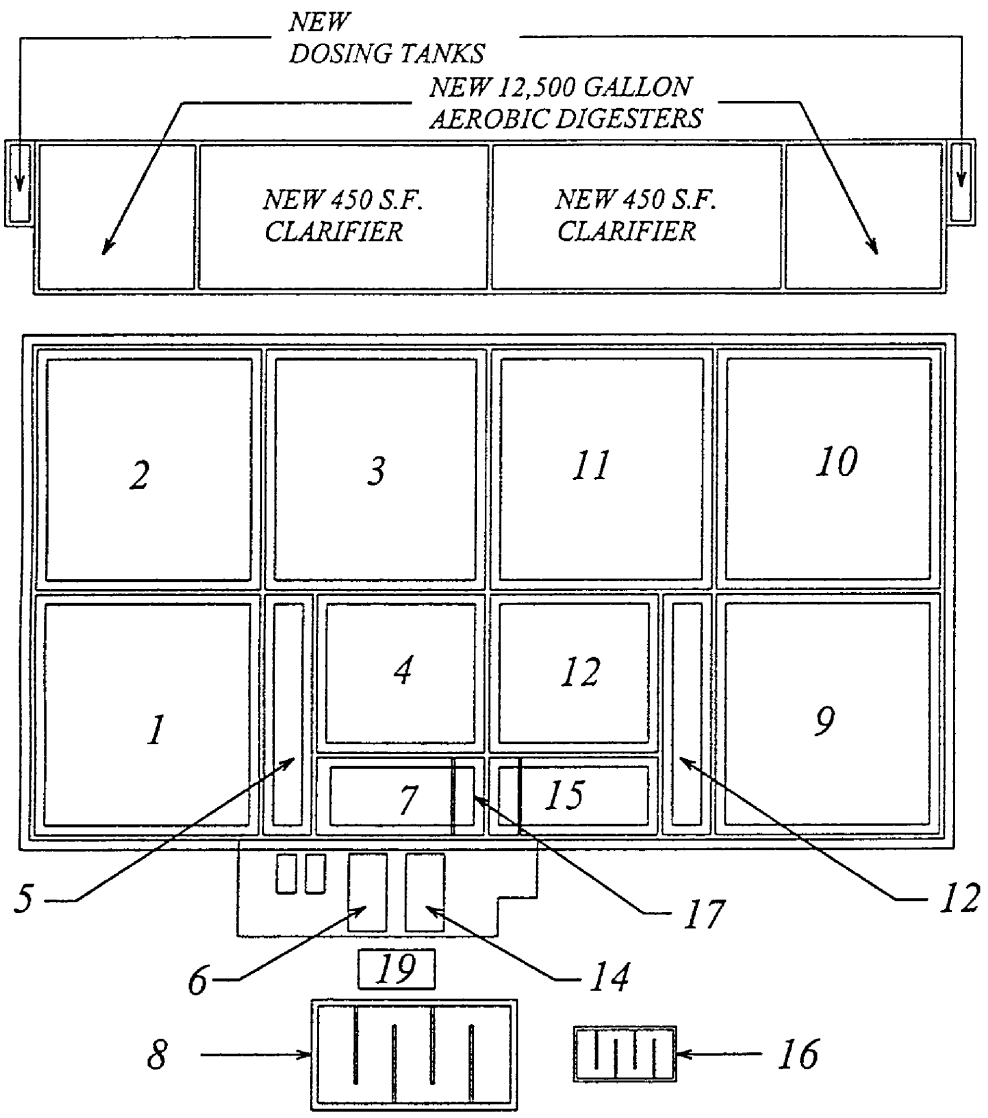
WASTEWATER TREATMENT
FACILITY MODIFICATIONS

WATER OAKS
COUNTRY CLUB ESTATES
MARION COUNTY FLORIDA

EXCEL ENGINEERING
CONSULTANTS, INC.
ENVIRONMENTAL AND CIVIL ENGINEERS
CASSELBERRY FLORIDA
TELEPHONE: (407) 260-2292
FACSIMILIE: (407) 260-1193

PROJECT:
WAT000
SCALE: 1" = 200'
DRAWN: J.K.R.
CHECKED: J.R.C.
DATE: 2/16/99

SHEET 1 OF 3



TRAIN #1

1. *30,000 GALLON AERATION TANK*
2. *30,000 GALLON AERATION TANK*
3. *30,000 GALLON AERATION TANK*
4. *289 S.F. CLARIFIER*
5. *6,777 GALLON AEROBIC DIGESTER*
6. *SAND PRESSURE FILTER*
7. *FILTERED WATER HOLDING TANK*
8. *EXISTING 6,000 GALLON CHLORINE CONTACT CHAMBER*

TRAIN #2

9. *30,000 GALLON AERATION TANK*
10. *30,000 GALLON AERATION TANK*
11. *30,000 GALLON AERATION TANK*
12. *289 S.F. CLARIFIER*
13. *6,777 GALLON AEROBIC DIGESTER*
14. *SAND PRESSURE FILTER*
15. *FILTERED WATER HOLDING TANK*
16. *NEW CHLORINE CONTACT CHAMBER*

17. *EXISTING DOSING TANK*
18. *MAINTENANCE SHOP*
19. *NEW FILTER*

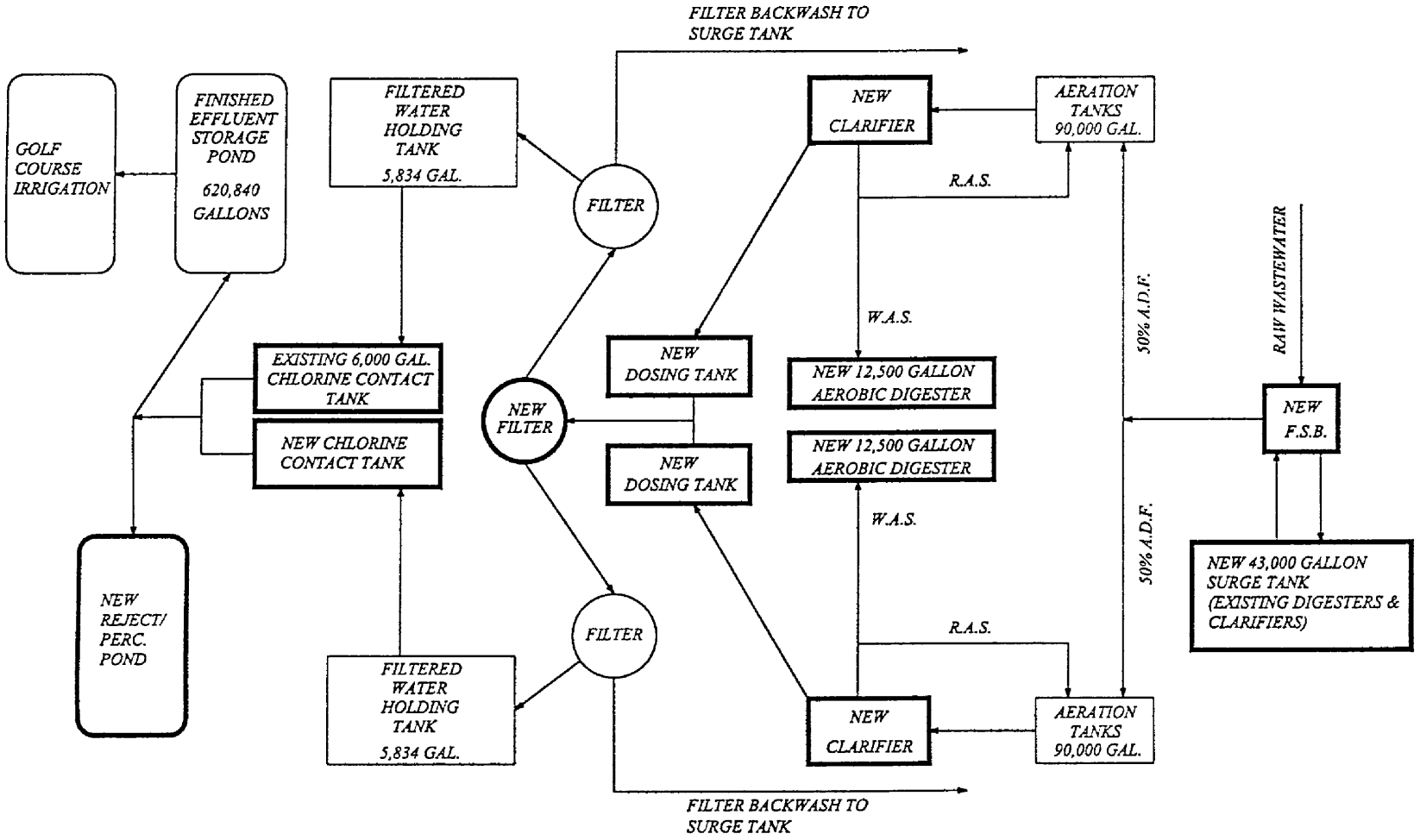
NOTE 1: EXISTING CLARIFIERS & AEROBIC DIGESTERS TO BE CONVERTED TO A NEW SURGE TANK (43,000 GALLON CAPACITY)

WASTEWATER TREATMENT FACILITY MODIFICATIONS

WATER OAKS
COUNTRY CLUB ESTATES
MARION COUNTY FLORIDA

EXCEL ENGINEERING CONSULTANTS, INC.
ENVIRONMENTAL AND CIVIL ENGINEERS
CASSELBERRY FLORIDA
TELEPHONE: (407) 260-2292
FACSIMILIE: (407) 260-1193

PROJECT: WAT000
SCALE: 1" = 20'
DRAWN: J.K.R.
CHECKED: J.R.C.
DATE: 2/16/99



MODIFIED PROCESS FLOW SCHEMATIC

WATER OAKS COUNTRY CLUB ESTATES
MARION COUNTY FLORIDA

EXCEL ENGINEERING CONSULTANTS, INC.
ENVIRONMENTAL AND CIVIL ENGINEERS
CASSELBERRY FLORIDA
TELEPHONE: (407) 260-2292
FACSIMILIE: (407) 260-1193

PROJECT: WAT000
SCALE: N.T.S.
DRAWN: J.K.R.
CHECKED: J.R.C.
DATE: 2/16/99

SHEET 3 OF 3

EXHIBIT 13 tabbies

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904-329-4500 1-800-451-7106 SUNCOM 904-860-4500
TDD 904-329-4450 TDD SUNCOM 860-4450
FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

SERVICE CENTERS

618 E. South Street
Orlando, Florida 32801
407-897-4300
1-877-228-1658
TDD 407-897-5960

7775 Baymeadows Way
Suite 102
Jacksonville, Florida 32256
904-730-6270
1-800-852-1563
TDD 904-448-7900

PERMITTING
305 East Drive
Melbourne, Florida 32904
407-984-4940
1-800-295 3264
TDD 407-722-5368

OPERATIONS
2133 N Wickham Road
Melbourne, Florida 32935-8109
407-752-3100
TDD 407-752-3102

CONSUMPTIVE USE PERMIT
CHAPTER 40C-20, F.A.C.

PERMIT NO. 20-069-0161M DATE ISSUED: January 4, 1999

AUTHORIZATION:

USE OF GROUND WATER FROM THE FLORIDAN AQUIFER FOR PUBLIC SUPPLY USE TO SERVE AN ESTIMATED POPULATION OF 1,575 IN 3 YEARS WITH WATER FOR HOUSEHOLD, COMMERCIAL/INDUSTRIAL, AND WATER UTILITY TYPE USES AND FOR IRRIGATION OF 9 ACRES OF URBAN LANDSCAPE AND 72 ACRES OF GOLF COURSE TURF.

LOCATION: Sections 9, 16, 17; Township 18 South; Range 24 East
Lake County
WATER OAK UTILITY

ISSUED TO:
(owner)

WATER OAK UTILITIES CO., INC.
ATTN: CHRIS PALMER-GEN. MGR.
216 MAGNOLIA DR
LADY LAKE, FL 32159

This document shall serve as the formal permit for water use in accordance with Chapter 40C-20, Florida Administrative Code (F.A.C.) **This permit is** issued by the St. Johns River Water Management District and subject to the enclosed limiting conditions.

This permit is a legal document and should be read and kept with your other important records. The referenced permit conditions may require submittal of additional information including water use reporting on form EN-50. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit number.

Permit issuance does not relieve the permittee from the reponsibility of obtaining permits from any federal, state, and/or local agencies asserting concurrent jurisdiction over this work. Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof. **This permit does** not convey to Permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the Permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

20-069-0161M
WATER OAK UTILITIES CO., INC.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has 26 days from the date on which the notice is received or 21 days from the date on which the notice is published, to file a petition for an administrative hearing pursuant to Chapter 120.57, F.S. Receipt of such a petition by the District may result in this permit becoming null and void.

This permit may be revoked or transferred at anytime pursuant to the appropriate provisions of Chapter 373, Florida Statues.

Sincerely,

Dwight T. Jenkins, Esq., P.G.
Director
Division of Water Use Regulation

Enclosures: Notice of Rights
Conditions for Issuance

CC: District Permit File

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 20-069-0161M

WATER OAK UTILITIES CO., INC.

DATED January 4, 1999

1. District authorized staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this permit.

2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event a water shortage, as declared by the District Governing Board, the permittee must adhere reductions in water withdrawals as specified by the District.

3. Prior to the construction, modification, or abandonment of a well, the permittee must obtain a Water Well Construction Permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, Florida Administrative Code. Construction, Modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification or abandonment is other than that specified and described on the consumptive use permit application form.

4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.

5. Off-site land uses existing at the time of permit application may not be significantly adversely impacted as a result of the consumptive use. If unanticipated significant adverse impacts occur, the District shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the permittee.

6. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 40C-1.612, F.A.C..

7. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.

8. If the permittee does not serve a new projected demand located within the service area upon which the annual allocation was calculated, the annual allocation will be subject to modification.

9. The permittee must ensure that all service connections are metered.

10. Landscape irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:

    A. Irrigation using a micro-irrigation system is allowed anytime.

    B. The use of reclaimed water for irrigation is allowed anytime, provided appropriate signs are placed on the property to inform the general public and District enforcement personnel of such use. Such signs must be in accordance with local restrictions.

    C. Irrigation of, or in preparation for planting, new landscape is allowed any time of day for one 30 day period provided irrigation is limited to the amount necessary for plant establishment.

    D. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices is allowed anytime within 24 hours of application.

    E. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.

11. Golf course and recreational irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:

    A. Irrigation using a micro-irrigation system is allowed anytime.

    B. Facilities using reclaimed water for irrigation may do so at anytime provided appropriate signs are placed on the property to inform the general public and District personnel of such use. Such signs must be in accordance with local restrictions.

C. The use of recycled water from wet detention treatment ponds to irrigate golf courses and recreational areas is allowed anytime provided the ponds are not augmented from any ground or off-site surface water sources.

D. Irrigation of, or in preparation for planting, new golf courses and recreational areas is allowed at any time of day for one 30 day period provided irrigation is limited to the amount necessary for plant establishment. Irrigation of newly seeded or sprigged golf course areas is allowed any time of day for one 60 day period.

E. Chemigation and fertigation are allowed at any time of day one time per week, and anytime during the normal 4:00 p.m. to 10:00 a.m. irrigation hours.

F. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer or best management practices is allowed anytime within 24 hours of application.

G. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.

H. The use of water to protect golf course turf from heat stress damage is allowed anytime, provided the watering does not exceed ten minutes per hour per zone.

12. If chemicals are injected into the irrigation system, the well or surface pump must be equipped with backflow prevention devices installed pursuant to Section 5E-2.030, F.A.C.

13. Whenever feasible, the permittee must use native vegetation that requires little supplemental irrigation for landscaping within the service area of the project.

14. All submittals made to demonstrate compliance with this permit must have the CUP number 20-069-0161AM plainly labeled on the submittal.

15. This permit will expire three years from the date of issuance.

16. Legal uses of water existing at the time of the permit application may not be interfered with by the consumptive use. If unanticipated interference occurs, the District may revoke the permit in whole or in part to curtail or abate the interference unless the permittee mitigates for the interference. In those cases where other permit holders are

identified by the District as also contributing to the interference, the permittee may choose to mitigate in a cooperative effort with these other permittees. The permit must submit a mitigation plan to the District for approval prior to implementing such mitigation.

17. The lowest quality water source, such as reclaimed water and surface/storm water, must be used as irrigation water when deemed feasible pursuant to District rules and applicable state law.

18. Maximum annual ground water withdrawals for public supply and urban landscape irrigation use from well numbers 1 and 3, as listed in the application, must not exceed:

    125.20 million gallons in 1999;
    116.47 million gallons in 2000;
    106.14 million gallons in 2001, and
    110.34 million gallons in 2002.

19. Maximum annual ground water withdrawals for golf course irrigation from well number 2, as listed in the application, must not exceed 48.91 million gallons.

20. Maximum daily ground water withdrawals for essential use (fire protection) must not exceed 2.26 million gallons.

21. The permittee must continue to measure the quantity of water withdrawn from wells 1, 2, and 3, as listed in the application, by in-line flow meters. The totalizing flow meters must maintain 95% accuracy, be verifiable and be installed according to manufacturer specifications.

22. Total withdrawal from wells 1, 2, and 3, as listed in the application, must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Form No. EN-50. The reporting dates each year will be as follows for the duration of the permit:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

23. The permittee must maintain all meters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

24. The permittee must have all flow meters checked for accuracy at least once every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.

25. The permittee must implement the Water Conservation Plans submitted to the District on July 7, 1997, in accordance with the schedule contained therein.

26. The permittee must implement a District approved inclined block water conservation rate structure within one year of permit issuance. A copy of the final Public Service Commission (PSC) approved rate structure must be submitted to the District within 30 days of the PSC approval.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Sections 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.

2. If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to District Rule 40C-1.1007, Florida Administrative Code,the petition must be filed at the office of the District Clerk at the address described above, within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within twenty-one (21) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with Rule Chapter 28-106, Florida Administrative Code.

3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party reqarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.

4. A substantially interested person has the right to an informal hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

5. A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District headquarters in Palatka, Florida.

6. Failure to file a petition for an administrative hearing, within the requisite time frame shall constitute a waiver of the right to an administrative hearing (Section 28-106.111, Florida Administrative Code).

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code and Section 40C-1.1007, Florida Administrative Code.

8. An applicant with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of his property, has the right to, within 30 days of receipt of notice of the District's written desision regarding a permit application, apply for a special master proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the office of the District Clerk located at District headquarters, P. O. Box 1429, Palatka, FL 32178-1429 (4049 Reid St., Palatka, Florida 32177). A request for relief must contain the information listed in Subsection 70.51(6), Florida Statutes.

9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph no. 1 or 2 above (Paragraph 70.51(10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph no. 1 or 2 above waives the right to a special master proceeding (Subsection 70.51(10)(b), Florida Statutes).

10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special master proceeding (Subsection 70.51(3), Florida Statutes).

11. Any substantially affected person who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of the rendering of the final District action, (Section 373.617, Florida Statutes).

12. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action.

13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

NOTICE OF RIGHTS

14. For appeals to the District Court of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

15. Failure to observe the relevant time frames for filing a petition for judicial review described in paragraphs #11 and #12, or for Commission review as described in paragraph #13, will result in waiver of that right to review.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

WATER OAK UTILITIES CO., INC.
ATTN: CHRIS PALMER-GEN. MGR.
216 MAGNOLIA DR
LADY LAKE, FL 32159

at 4:00 p.m. this 5 day of JANUARY 1999

Gloria Jean Lewis

Permit Data Services
Director, Gloria Lewis

St. Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(904) 329-4152

20-069-0161AM

NOR.DOC.001
Revised 7/17/98