



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: January 18, 2002
TO: Division of Commission Clerk and Administrative Services
FROM: Division of Economic Regulation (Clapp) *Clapp*
RE: DOCKET NO. 990374-WS: Application for Certificates to Operate a Water and Wastewater Utility in Highlands County by the Woodlands of Lake Placid, L.P., and Deletion of Portion of Wastewater Territory in Certificate No. 361-S by Highlands Utilities Corporation.

Please add to the docket file the attached letter dated December 29, 2001, which corrects the few remaining deficiencies. Please note that the original and one copy of the letter is attached.

Thank you.

Attachments

cc: Division of Economic Regulation (Daniel, Redemann)
Office of the General Counsel (Fudge)

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

DOCUMENT NUMBER-DATE

00821 JAN 23 02

FPSC-COMMISSION CLERK

The Woodlands of Lake Placid, L.P.

*1525 U.S. 27 South
Lake Placid, FL 33852
(863) 699-1936 Telephone
(863) 699-1890 Facsimile*

December 29, 2001

Ms. Stephanie Clapp
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Application for a Staff Assisted Rate Case

Dear Stephanie:

Enclosed are copies of the notice published with the revised legal description for the territory to be served by the Woodlands and the signed agreement and legal description between the Woodlands and Highlands Utilities. Also enclosed is a signed affidavit for the legal notice, which was published in a local news paper. I have also mailed the application for a staff assisted rate case and I mentioned in the cover letter, it they had questions pertaining to our file to contact you.

I was hoping to get this in the mail before now, but with the holidays, people taking off from work and just the everyday problems that I have to deal with here at the RV park, it has taken me a little longer to do. Thank you for your patience with this submittal.

If you have any questions about the information, please contact me.

Sincerely,



John H. Lovelette
Real Estate Projects Manager

file: PSC122901Notice

RECEIVED

JAN 02 2002

Florida Public Service Commission
Division of Regulatory Oversight

AGREEMENT

It is hereby mutually agreed that Highlands Utilities Corporation, whose address is 720 US Highway 27 South, Lake Placid, FL 33852, a utility operating within Highlands County, Florida, agrees to delete that portion of the waste water service area within Camp Florida Resort, and which waste water service is currently being provided by The Woodlands of Lake Placid, L. P., and is as described in Exhibit A. Highlands Utilities Corporation agrees not to withhold the described property from The Woodlands of Lake Placid, L. P. service area.

It is hereby mutually agreed that The Woodlands of Lake Placid, L.P. whose address is 1525 US 27 South, Lake Placid, FL 33852, a utility operating within Highlands County, Florida, does hereby agree to continue to provide waste water service to Camp Florida Resort that is currently within that portion of Highlands Utilities Corporation described service area. Furthermore, The Woodlands of Lake Placid L.P. does hereby agree to prepare a written agreement, provide a legal description of said service area, mail and publish notices pertaining to the deletion of that portion of Camp Florida Resort from the Highlands Utilities Corporation service area. The costs of preparation of this agreement, the legal description and mailing and publishing of the notices as required by the Florida Public Service Commission will be the sole responsibility of The Woodlands of Lake Placid, L. P. Furthermore, The Woodlands of Lake Placid, L.P. shall not look to Highlands Utilities Corporation for any remuneration whatsoever related to the costs of deleting the area from Highlands Utilities Corporation and including the area in The Woodlands of Lake Placid, L. P.

For and on the behalf of Highlands Utilities Corporation:

Dated this 2 day of July, 2001.

Witness <u>Larry Lammie</u>	<u>Dixon Pugh</u>
	Printed Name <u>DIXON PUGH</u>
Witness <u>Pue Pugh</u>	Title <u>President</u>

For and on the behalf of The Woodlands of Lake Placid, L.P.

Dated this 13th day of July, 2001

Witness <u>Theresa Danielle</u>	<u>John H. Lovellette</u>
	Printed Name <u>JOHN H. LOVELLETTE</u>
Witness <u>[Signature]</u>	Title <u>MANAGER</u>

EXHIBIT A

LEGAL DESCRIPTION FOR THE WOODLANDS OF LAKE PLACID SEWER DISTRICT

Begin at a point on the North line of Section 17, Township 37 South, Range 30 East, Highlands County, Florida, 660 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles; thence run Easterly along the North line of Section 17 a distance of 2,975 feet more or less, to the shore line of Lake Grassy; thence run Southerly and Southwesterly along the shore line of Lake Grassy (a straight line to this point is a distance of 2,250 feet more or less) to a point that is 413.15 feet North of the South line of the Northeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of Section 17; thence run Westerly, along a line 413.15 North of the South line of said Northeast $\frac{1}{4}$ and 413.15 North of the South line of said Northwest $\frac{1}{4}$ a distance of 1,630 feet more or less, to a point that is 660 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles; thence run Northwesterly, 660 feet East of and parallel with the Easterly right-of-way line of US Highway 27, a distance of 2,500 feet more or less to the Point of Beginning.

AND

The North 300 feet of the South 750 feet of the West 410 feet of the East $\frac{1}{2}$, of the East $\frac{1}{2}$, of the Southwest $\frac{1}{4}$ of Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

AND

The West 210 feet of the South 450 feet of the East $\frac{1}{2}$, of the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

AND

That portion of *Lake Placid Camp Florida Resort*, as recorded in Plat Book 15, Page 93, Highlands County, Florida, previously being a part of the territory described in Highlands Utilities Corporation service area, being more particularly described as follows: Commence on the North line of Section 17, Township 37 South, Range 30 East, 660 feet Easterly of, as measured at right angles to the East right of way line of US 27; thence Southeasterly along a line that is 660 feet East of and parallel with the said East right of way line, 300 feet more or less to the North line of said *Lake Placid Camp Florida Resort* and the **Point of Beginning**; thence continuing Southeasterly along the line 660 feet East of and parallel with said right of way line, 778.39 feet more or less to the South line of said *Lake Placid Camp Florida Resort*, the following 15 calls are along the boundary of said *Lake Placid Camp Florida Resort*, (1) thence N81°58'06"W, 29.61 feet; (2) thence N35°18'13"W, 256.10 feet; (3) thence S88°19'15"W, 135.89 feet; (4) thence N69°05'48"W, 8.86 feet; (5) thence S65°07'11"W, 291.84 feet; (6) thence N24°52'49"W, 174.00 feet; (7) thence S65°07'11"W, 165.76 feet to said right of way line; (8) thence N24°49'46"W, 157.95 feet; (9) thence N65°08'22"E, 25.57 feet; (10) thence N24°51'38"W, 219.42 feet; (11) thence N80°20'00"E, 107.91 feet; (12) thence N87°00'00"E, 218.15 feet; (13) thence N50°00'00"E, 166.49 feet; (14) thence N75°29'10"E, 115.12 feet; (15) thence along the arc of a curve to the right with a central angle of 08°24'16", whose radius is 377.51 feet, with a chord bearing of N79°41'18"E, and a chord distance of 55.33 feet, an arc distance of 55.38 feet to the **Point of Beginning**.

LAKE PLACID JOURNAL

Published Weekly
in Highlands County, Florida
at Lake Placid

STATE OF FLORIDA
COUNTY OF HIGHLANDS:

Before the undersigned authority personally appeared

Mat Delaney

who on oath says that he is Publisher of the LAKE PLACID JOURNAL, a weekly newspaper published at Lake Placid in Highlands County, Florida; that the attached copy of the advertisement, being a

Legal Advertisement

in the matter of Application for Original Certificate

in the Circuit Court,

was published in said newspaper in the issues of:

July 19, 2001

Affiant further says that said LAKE PLACID JOURNAL is a newspaper published at Lake Placid, in said Highlands County, Florida, and that said newspaper has heretofore been continuously published in said Highlands County, Florida, each week and has been entered as second-class mail matter at the post office in Lake Placid, in said Highlands County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Mat Delaney
(Signature of Affiant)

Personally Known X Identification Shown

Sworn to and subscribed before me
this 19th day of July, 2001.

Signature of Kaye D. Ebersole
(Signature of notary public)

Kaye D. Ebersole
(Name of Notary typed, printed or stamped)



APPLICATION FOR ORIGINAL CERTIFICATE
(FOR A UTILITY IN EXISTENCE AND CHARGING RATES) AND APPLICATION FOR DELETION OF TERRITORY
(Section 367.045, Florida Statutes)

LEGAL NOTICE

Notice is hereby given on 13 July 01, pursuant to Section 367.045, Florida Statutes, of this application of The Woodlands of Lake Placid, L. P. to operate a wastewater utility to provide service to the following described territory in Highlands County, Florida listed below and includes the deletion of territory of Highlands Utilities Corporation and amendment of its Wastewater Certificate No. 361-S to delete territory in Highlands County, Florida as listed below.

The Woodlands of Lake Placid, L. P. (Original Certificate - Wastewater Service Area)

Begin at a point on the North line of Section 17, Township 37 South, Range 30 East, Highlands County, Florida, 660 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles; thence run Easterly along the North line of Section 17 a distance of 2,975 feet more or less to the Shore line of Lake Grassy, thence run Southerly and Southwesterly along the shore line of Lake Grassy (a straight line to this point is a distance of 2,250 feet more or less) to a point that is 413.15 feet North of the South line of the Northeast 1/4 and the Northwest 1/4 of Section 17; thence run Westerly along a line 413.15 feet North of the South line of said Northeast 1/4 and 413.15 feet North of the South line of said Northwest 1/4 to a point that is 600 feet Easterly of the East right-of-way line of US Highway 27, as measured at right angles, thence run Northwesterly, 660 feet East of and parallel to the Easterly right-of-way line of US Highway 27 to the Point of Beginning. And, The North 300 feet of the South 750 feet of the West 410 feet of the East 1/2 of the East 1/2 of the Southwest 1/4 of Section 8, Township 37 South, Range 30 East, Highlands County, Florida, And, The West 210 feet of the South 450 feet of the East 1/2 of the East 1/2 of the SW 1/4 of Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

Wastewater Service Area (Original Certificate) to be added to The Woodlands of Lake Placid, L. P. and Deleted from Highlands Utilities Corporation Service Area

Township 37 South, Range 30 East, Section 17 - That portion of Lake Placid Camp Florida Resort, as recorded in Plat Book 15, Page 93, Highlands County, Florida, previously being part of the territory described in Highlands Utilities Corporation service area, being more particularly described as follows: Commence on the North line of Section 17, Township 37 South, Range 30 East, 660 feet Easterly of, as measured at right angles to the East right of way line of U.S. 27; thence Southeasterly along a line that is 660 feet East of and parallel with the said East right of way line, 300 feet more or less to the North line of said Lake Placid Camp Florida Resort and the Point of Beginning; thence continuing South easterly along the line 660 feet East of and parallel with said right of way line, 778.39 feet more or less to the South line of said Lake Placid Camp Florida Resort the following 15 calls are along the boundary of said Lake Placid Camp Florida Resort, (1) thence N81°58'06"W, 29.61 feet; (2) thence N35°18'13"W, 256.10 feet; (3) thence S88°19'15"W, 135.89 feet; (4) thence N69°05'48"W, 8.86 feet; (5) thence S65°07'11"W 291.84 feet to said right of way line; (6) thence N24°52'49"W, 174.00 feet; (7) thence S65°07'11"W, 165.76 feet to said right of way line (8) thence N24°49'46"W, 157.95 feet; (9) thence N65°08'22"E, 25.57 feet; (10) thence N24°51'38"W, 219.42 feet; (11) thence N80°20'00"E, 107.91 feet; (12) thence N87°00'00"E, 218.15 feet; (13) thence N50°00'00"E, 166.49 feet; (14) thence N75°29'10"E, 115.12 feet; (15) thence along the arc of a curve to the right with a central angle of 08°24'16", whose radius is 377.51 feet, with chord bearing of N79°41'18"E, and a chord distance of 55.33 feet, an arc distance of 55.38 feet to the Point of Beginning.

Any objection to the said application must be made in writing and filed with the Direct Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oaks Boulevard, Tallahassee, Florida 32399-085 within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicants whose address is set forth below. The objection must state the ground for the objection with particularity.

The Woodlands of Lake Placid, L.P.
1525 U. S. Highway 27 South
Lake Placid, Florida 33852

Highlands Utilities Corporation
720 U. S. Highway 27 South
Lake Placid, Florida 33852

Publish:
July 19, 2001
Lake Placid Journal

"OFFICIAL SEAL"
Kaye D. Ebersole
My Commission Expires 11-17-02
Commission #CC762188

AFFIDAVIT

State of Florida

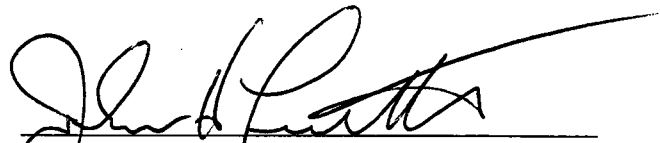
) ss.

County of Highlands

Before me the undersigned authority duly authorized to administer oaths and take acknowledgments personally appeared **John H. Lovelette**, General Manager of **THE WOODLANDS OF LAKE PLACID, L.P.**, 1525 U.S. 27 South, Lake Placid, FL 33852, who being by me duly sworn, on oath, deposes and says:

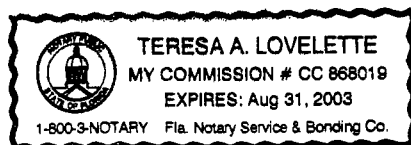
1. He personally mailed the attached Notice to all of **THE WOODLANDS OF LAKE PLACID, L.P.'s** customers by regular United States Mail on the 13th day of July, 2001.
2. He personally mailed the attached Notice to the utilities listed in the attached Notice on the 13th day of July, 2001.
3. He caused the attached Notice to be published in the Lake Placid Journal on the 19th day of July, 2001.
4. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature.
5. Affiant further certifies that he has read, or has had read to him, the fully facts of this affidavit, and understands its context.

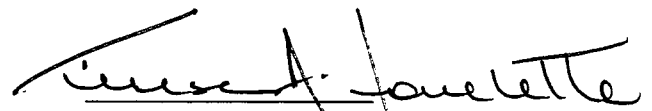
Dated this 31st day of December, 2001.



JOHN H. LOVELETTE, General Manager
The Woodlands of Lake Placid, L.P.

Sworn to and subscribed before me this 31st day of December, 2001, by **John H. Lovelette**, General Manager of **THE WOODLANDS OF LAKE PLACID, L.P.**, who is personally known to me.





Teresa A. Lovelette
NOTARY PUBLIC
My Commission expires:
08/31/03

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

HIGHLANDS COUNTY

AQUASOURCE UTILITY, INC. (WU827) % DQE, INC 400 FAIRWAY DRIVE, SUITE 400 CORAPOLIS, PA 15108-3190	RICHARD S. HERSKOVITZ (412) 393-3662
BUTTONWOOD BAY WATER & SEWER COMPANY, LLC (WS387) % ROSE, SUNDSTROM & BENTLEY, LLP 2548 BLAIRSTONE PINES DRIVE TALLAHASSEE, FL 32301-5915	MARTIN S. FRIEDMAN (850) 877-6555
C & H UTILITIES, INC. (SU526) P. O. BOX 1088 SEBRING, FL 33871-1088	WENDELL L. FAIRCLOTH (941) 471-1400
C & H UTILITIES, INC. (WU649) P. O. BOX 1088 SEBRING, FL 33871-1088	WENDELL L. FAIRCLOTH (941) 471-1400
COUNTRY CLUB OF SEBRING (WS654) 3035 WYNSTONE DRIVE SEBRING, FL 33875-4745	R. GREG HARRIS (863) 385-6330
CREOLA, INC. (SU658) P. O. BOX 1346 SEBRING, FL 33871-1346	DAVID L. HICKMAN (863) 385-0981
CWS COMMUNITIES LP D/B/A CRYSTAL LAKE CLUB (WS831) 533 EAST CRYSTAL LAKE DIRVE AVON PARK, FL 33825-9739	GENA F. LARISON (863) 385-7727
DAMON UTILITIES, INC. (WS551) 47 LAKE DAMON DRIVE AVON PARK, FL 33825-8902	LISA DAVIS (863) 453-0773
FAIRMOUNT UTILITIES, THE 2ND, INC. (SU648) P. O. BOX 488 AVON PARK, FL 33826-0488	ROGER E. MILLER (941) 385-8542
FLORIDA WATER SERVICES CORPORATION (WS618) P. O. BOX 609520 ORLANDO, FL 32860-9520	FREDERICK W. LEONHARDT (407) 598-4152

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

HIGHLANDS COUNTY (continued)

HARDER HALL - HOWARD, INC. (SU644)
122 EAST LAKE DRIVE BLVD.
SEBRING, FL 33872-5018

PAUL E. HOWARD
(941) 382-8725

HEARTLAND UTILITIES, INC. (WU566)
P. O. BOX 1991
SEBRING, FL 33871-1991

HOWARD SHORT
(863) 655-4300

HIGHLANDS RIDGE ASSOCIATES, INC. (WS672)
3003 EAST FAIRWAY VISTA DRIVE
AVON PARK, FL 33825-6001

DAVID B. MESEROLL, JR.
(863) 471-1171

HIGHLANDS UTILITIES CORPORATION (SU299)
720 U.S. HIGHWAY 27 SOUTH
LAKE PLACID, FL 33852-9515

DIXON PUGH
(863) 465-1296

HOLMES UTILITIES, INC. (WU760)
760 HENSCRATCH ROAD
LAKE PLACID, FL 33852-8397

DANIEL HOLMES
(941) 465-6044 OR -6911

LAKE PLACID UTILITIES, INC. (WS709)
% UTILITIES, INC.
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FL 32714-4099

DONALD RASMUSSEN
(407) 869-1919

LANDMARK ENTERPRISES, INC. (SU686)
62 LAKE HENRY DRIVE
LAKE PLACID, FL 33852-6000

DAVID S. PLANK
(941) 382-3030

PLACID LAKES UTILITIES, INC. (WU193)
2000 JEFFERSON AVENUE, NORTH
LAKE PLACID, FL 33852-9749

ROLAND TOBLER
(863) 465-0345

SEBRING RIDGE UTILITIES, INC. (WS345)
3625 VALERIE BLVD.
SEBRING, FL 33870-7814

CHRISTOPHER F. MILLER
(863) 385-8542

LIST OF WATER AND WASTEWATER UTILITIES IN HIGHLANDS COUNTY

(VALID FOR 60 DAYS)
05/23/2001-07/21/2001

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL
C/O THE HOUSE OF REPRESENTATIVES
THE CAPITOL
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

**APPLICATION FOR ORIGINAL CERTIFICATE
(FOR A UTILITY IN EXISTENCE AND CHARGING RATES) AND
APPLICATION FOR DELETION OF TERRITORY**

(Section 367.045, Florida Statutes)

LEGAL NOTICE

Notice is hereby given on 13 July 01, pursuant to Section 367.045, Florida Statutes, of the application of The Woodlands of Lake Placid, L.P. to operate a wastewater utility to provide service to the following described territory in Highlands County, Florida listed below and includes the deletion of territory of Highlands Utilities Corporation and amendment of its Wastewater Certificate No. 361-S to delete territory in Highlands County, Florida as listed below.

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Any objection to the said application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicants whose address is set forth below. The objection must state the grounds for the objection with particularity.

The Woodlands of Lake Placid, L.P.
1525 U.S. Highway 27 South
Lake Placid, Florida 33852

Highlands Utilities Corporation
720 U.S. Highway 27 South
Lake Placid, Florida 33852