

LAW OFFICES
ROSE, SUNDBSTROM & BENTLEY, LLP
2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

(850) 877-6555
Fax (850) 656-4029
www.rsbatorneys.com

ORIGINAL

CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
DAVID F. CHESTER
F. MARSHALL DETERDING
MARTIN S. FRIEDMAN, P.A.
JOHN R. JENKINS, P.A.
STEVEN T. MINDLIN, P.A.
DAREN L. SHIPPY
WILLIAM E. SUNDBSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON

ROBERT M. C. ROSE, OF COUNSEL
WAYNE L. SCHIEFELBEIN, OF COUNSEL
VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

CENTRAL FLORIDA OFFICE
600 S. NORTH LAKE BLVD., SUITE 160
ALTAMONTE SPRINGS, FLORIDA 32701
(407) 830-6331
FAX (407) 830-8522

REPLY TO ALTAMONTE SPRINGS

RECEIVED-FPSC
FEB 11 PM 12:01
COMMISSION
CLERK

February 11, 2003

HAND DELIVERY

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 030160-W4 Application of O & S Water Company Inc., for
Amendment to Certificate of Authorization in Osceola County, Florida
Our File No.: 35012.09

Dear Ms. Bayo:

Enclosed for filing are the original and seven (7) copies of the Application of
O & S Water Company Inc., for Amendment to Certificate of Authorization in Osceola
Lake County, Florida. Also enclosed is our check in the amount of \$100.00,
representing the appropriate filing fee.

Should you have any questions regarding this filing, please do not hesitate to
give me a call.

Very truly yours,

MARTIN S. FRIEDMAN
For the Firm

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

MSF:dmp
Enclosures

cc: Mr. Jack Olsen

Original Exh C - MAPS
+ Exh F - Tariff
forwarded to ERP.
msf

Check received from
to Fiscal for deposit. Please to forward
deposit information to Records.

Initials of person who forwarded check:

W.S.

DOCUMENT NUMBER DATE
01395 FEB 11 2003
FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of
O&S WATER COMPANY INC., for
extension of water service
in Osceola County, Florida

Docket No. _____

RECEIVED FPSC
03 FEB 11 PM 12:01
COMMISSION
CLERK

APPLICATION FOR AMENDMENT TO
CERTIFICATE OF AUTHORIZATION

O&S WATER COMPANY INC., ("Applicant"), by and through its undersigned attorneys, and pursuant to Section 367.045(2), Florida Statutes, and Rule 25-30.036, Florida Administrative Code, files this Application for Amendment of Certificate 510-W to extend its water service area in Osceola County, and in support thereof states:

1. The exact name of the Applicant and the address of its principal business office is:

O&S Water Company Inc.
P.O. Box 422364
Kissimmee, FL 34742-2364

2. The name and address of the person authorized to receive notices and communications in respect to this application is:

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
600 S. North Lake Boulevard, Suite 160
Altamonte Springs, FL 32701
(407)830-6331
(407)830-8522 fax
mfriedman@rsbattorneys.com

3. To the best of the Applicant's knowledge, the provision of water service to this property by the Applicant is consistent with the Osceola County Comprehensive Plan at the time the

DOCUMENT NUMBER DATE

01395 FEB 11 8

FPSC-COMMISSION CLERK

application is filed, as approved by the Department of Community Affairs.

4. Attached as Exhibit "A" is a copy of the instrument confirming the Applicant's right to use the property upon which its existing water plant is located.

5. A description of the territory proposed to be served, using township, range and section references is attached hereto as Exhibit "B".

6. The expanded area includes a proposed development which, at build-out, will consist of approximately 85 single-family residential dwellings.

7. The Applicant will serve this proposed development through a Bulk Water Service Agreement with the Florida Governmental Utility Authority, which will own and operate a water treatment plant at property adjacent to Applicant's current certificated territory.

8. Detailed maps showing township, range and section with the existing and proposed territory plotted thereon are attached as Composite Exhibit "C".

9. There are no existing lines and facilities which will serve the proposed territory.

10. No permits have yet to be issued, however applications are pending.

11. The Applicant has both the financial and technical ability to render reasonably sufficient, adequate and efficient

service. Attached as Exhibit "D" is a copy of the most recent Financial Statements of the Applicant.

12. With respect to its technical ability, attached as Exhibit "E" is the Department of Environmental Protection License for the plant operator. There are no outstanding Consent Orders or Notices of Violation from DEP. Its regulatory attorneys are the law firm of Rose, Sundstrom & Bentley, LLP, a preeminent firm in the regulation of water utilities in Florida.

13. There will be no material impact on the Applicant's monthly rates. The service availability charges for what is termed Applicant's Southern Service Area is subject of a Special Service Availability Contract pending before this Commission is Docket No. 030067-WU.

14. Attached as Exhibit "F" to this Application are the original and two copies of the revised tariff sheets reflecting the additional service area. A copy of the revised tariff sheets is attached to each copy of the Application.

15. Attached as Exhibit "G" is 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 territory proposed to be served is located;

- (2) the privately owned water utility that holds a certificate granted by the Public Service Commission and that is located within the county in which the utility or 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 and holding 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.

16. Late Filed Exhibit "H" will be 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 property owner in the proposed territory.

17. Late Filed Exhibit "I" will be an affidavit that the notice of application was published once a week 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 will accompany the affidavit.

18. In response to Section 367.045(2)(c), Florida Statutes, attached hereto as Exhibit "J" is an Affidavit that the Applicant has on file with the PSC a tariff and current annual report.


19. The Applicant's rates and service availability charges for the existing service area water system were set when the existing service area was certificated by Order No. PSC-92-0204-FOF-WU, issued April 4, 1992.

20. Applicant has been unable to locate Original Certificate 510-W.

21. The extension will serve less than 100 water ERCs so the appropriate filing fee is \$100.00, which is attached.

Respectfully submitted on this
11 day of February, 2003, by:

ROSE, SUNDSTROM & BENTLEY, LLP
600 S. North Lake Boulevard
Suite 160
Altamonte Springs, Florida 32701
Telephone: (407) 830-6331
Facsimile: (407) 830-8522
Email: mfriedman@rsbattaorney.com

By: 
MARTIN S. FRIEDMAN

PREPARED BY AND RETURN TO:
R Stephen Miles, Jr., Esquire
OVERSTREET, MILES, RITCH & CUMBIE, P.A.
100 Church Street
Kissimmee, FL 34741
(407) 847-5151
File No. 4-99-03-756

CL 2002112638 OR 2074/1334
KMC Date 07/03/2002 Time 16:04:00

DDC STAMPS: 0.70

WARRANTY DEED

THIS INDENTURE, made this 19th day of June, 2002, between **The Stewart Group, Inc., a dissolved Florida corporation**, whose post office address is P.O. Box 422364, Kissimmee, FL 34742, "Grantor", and **O & S Water Company, Inc., a Florida corporation**, whose post office address is 501 E. Oak Street, Suite A, Kissimmee, FL 34741, "Grantee".

WITNESSETH, that said GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Osceola, Florida, to-wit:

Lot 7, PLEASANT HILL LAKES UNIT 7, according to the Plat thereof as recorded in Plat Book 6, Page 92, Public Records of Osceola County, Florida.

Subject to taxes for the year 2002 and subsequent years, restrictions, reservations, easements and road rights-of-way, if any.

This instrument was prepared from unverified information. No examination of title was requested nor rendered and no responsibility is assumed by Overstreet, Miles, Ritch & Cumbie, P.A. for title or description defects or irregularities.

AND said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN OUR PRESENCE:

Parola E. B. Simpson
Witness Signature
Print Name: Parola E. B. Simpson

Christina Stewart
Witness Signature
Print Name: Christina Stewart

THE STEWART GROUP, INC., a
dissolved Florida corporation

By *Scott D. Stewart*
Scott D. Stewart, President

ATTEST:

Jack P. Olsen
Jack P. Olsen, Secretary

STATE OF FLORIDA,
COUNTY OF OSCEOLA, ss:

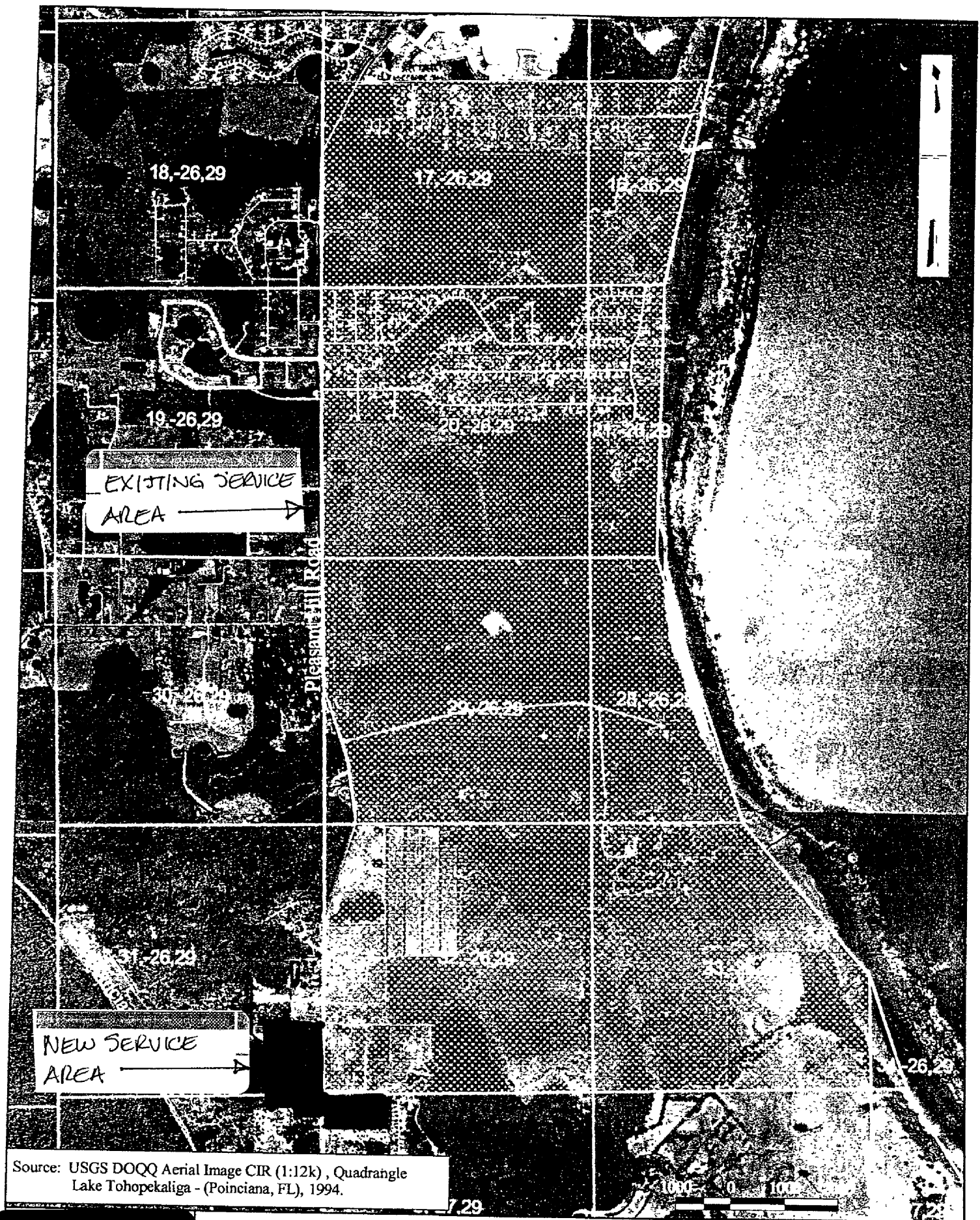
The foregoing instrument was acknowledged before me this 19th day of June, 2002, by Scott D. Stewart and Jack P. Olsen, the President and Secretary respectively of The Stewart Group, Inc., a dissolved Florida corporation, who are personally known to me or who produced n/a as identification and who did not take an oath.



EXHIBIT "B"

DESCRIPTION OF AREA TO BE ADDED
TO O&S WATER COMPANY'S TERRITORY BOUNDARY

The Northeast 1/4 of Northeast 1/4 of Northeast 1/4, and North 1/2 of Northwest 1/4 of Northeast 1/4 of Section 6, Township 27 South, Range 29 East, Osceola County, Florida; and the Southeast 1/4 of the Southeast 1/2 of Section 31, Township 26 South, Range 9 East, Osceola County, Florida; and the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 27 South, Range 29 East, in Osceola County, Florida.



Source: USGS DOQQ Aerial Image CIR (1:12k), Quadrangle Lake Tohopekaliga - (Poinciana, FL), 1994.

EXHIBIT
(Composite)

O&S WATER COMPANY SERVICE AREA

EXHIBIT

January 2003



Source: USGS DOQQ Aerial Image CIR (1:12k), Quadrangle Lake Tohopekaliga - (Poinciana, FL), 1994.

EXHIBIT
(Composite)

O&S WATER COMPANY SERVICE AREA

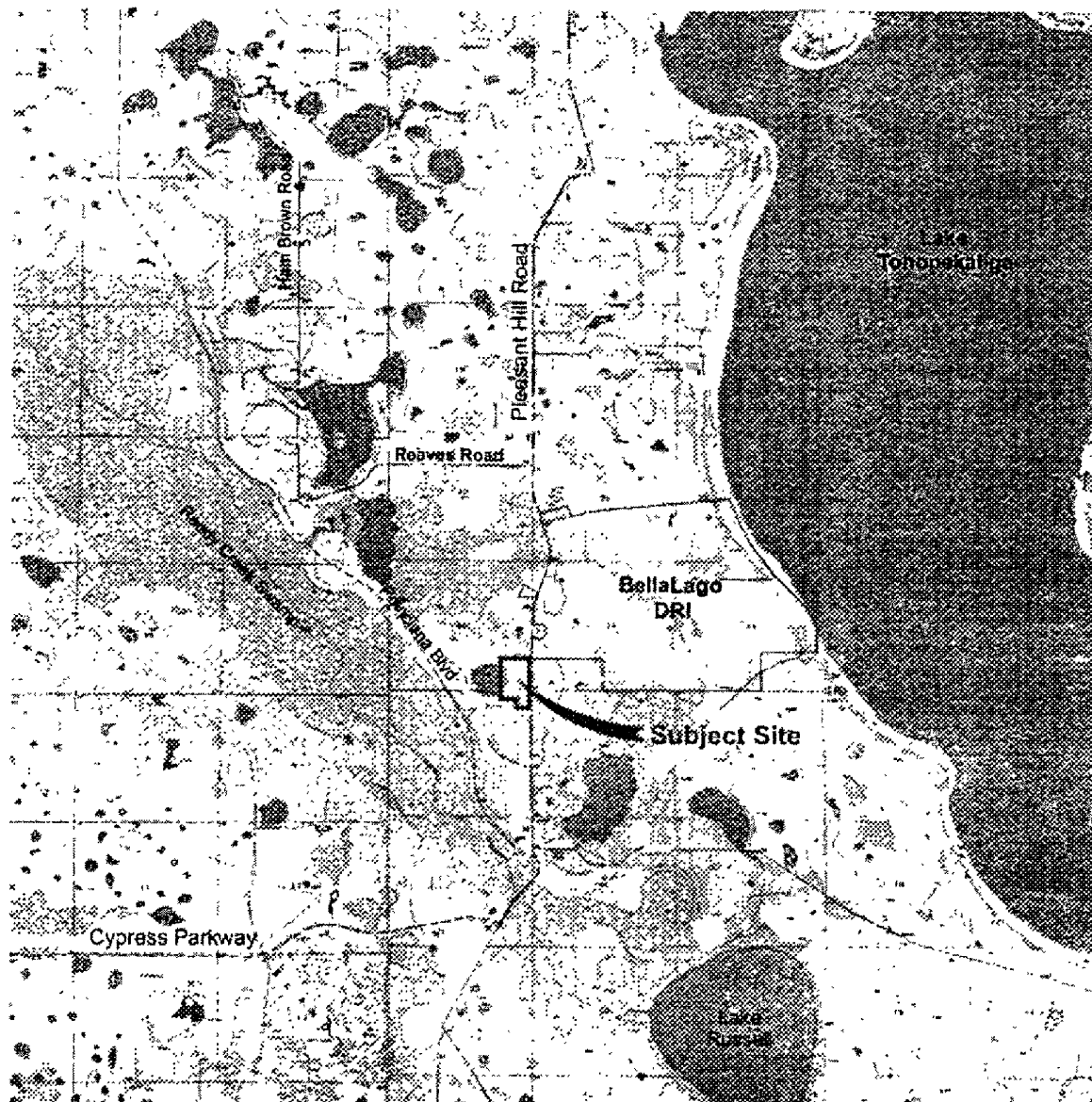
EXHIBIT
 January 2003

Audubon Preserve

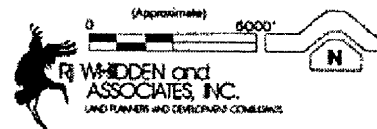
Planned Residential Development

Section 31, Township 26 South, Range 29 East and
Section 6, Township 27 South, Range 29 East
Osceola County, Florida

General Location Map



 PRD Boundary

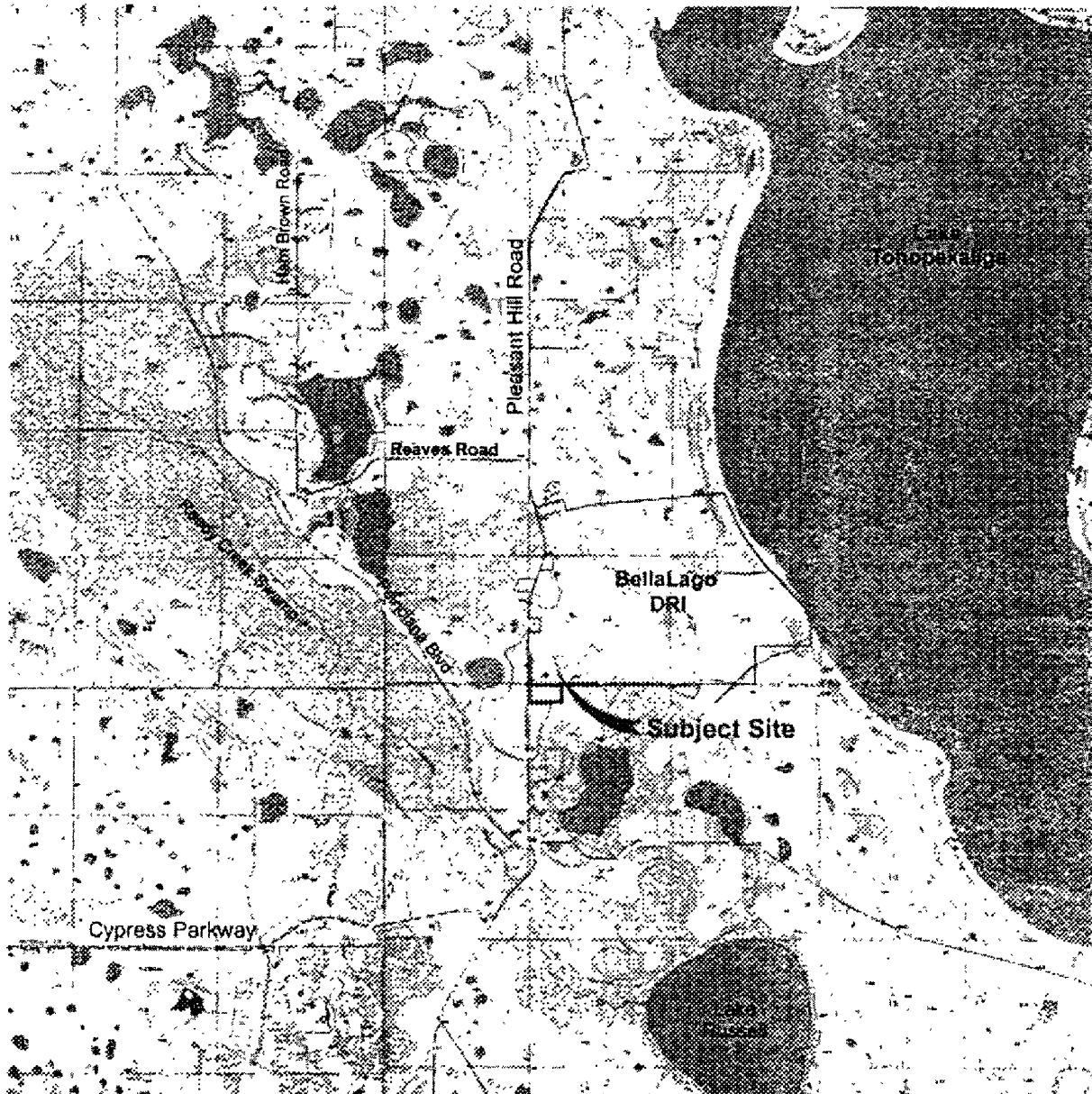


Orangebranch Bay

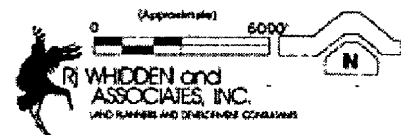
Planned Residential Development

Section 32, Township 26 South, Range 29 East and
Section 5, Township 27 South, Range 29 East
Osceola County, Florida

General Location Map



 PRD Boundary



Computer Tax and Accounting Services, Inc.

1900 SW 57 Avenue - Suite 2
Miami, Florida 33155

Celebrating Our Fifty Second Year

Roy F. Woodruff
Senior Tax Advisor

Phone: 305-269-0255
Fax: 305-269-0272

October 10, 2002

Scott Stewart, President
Jack Oisen, Vice President and Business Manager
O & S Water Company, Inc.
501 E. Oak Street - Suite B
Kissimmee, Florida 34744

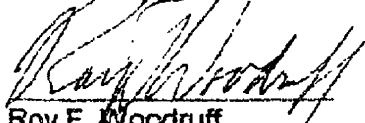
Dear Mr. Stewart and Mr. Oisen:

We have compiled the accompanying Balance Sheet of O & S Water Company, Inc. as of July 31, 2002, and the related Statements of Income and Retained Earnings for the period then ended. . .

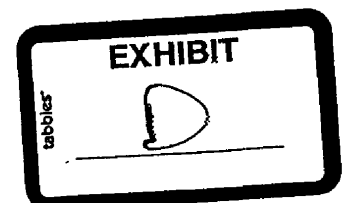
These Financial Statements are for presentation to the Management and Board of Directors and have been prepared from the books and records of the Corporation after compilation by our office.

We have also prepared Projection Statements as part of a Business Plan in which the Corporation will provide water service to various developments in our franchise area. These Projection Statements are presented to you in a separate package.

Yours Truly,


Roy F. Woodruff
Accountant/Enrolled Agent

rfw/ejk



C & S Water Company, Inc.
Statement of Income (Loss) and Retained Earnings
For the period ending July 31, 2002

<u>OPERATING REVENUE</u>		
Sales	\$ 38,857.19	\$ 38,857.19
 <u>COST OF GOODS SOLD</u>		
Management Services	\$ 21,222.50	
		<u>21,222.50</u>
Gross profit/(loss)		17,634.69
 <u>OPERATING EXPENSES</u>		
Insurance	1,726.80	
Legal And Accounting	7,362.00	
Office Expenses	11,969.75	
Rental Expenses	3,425.28	
Repairs And Maintenance	13,034.50	
Utilities	3,893.53	
Plant Costs	600.00	
Telephone	3,538.96	
Bank Charges	176.17	
Computer Expense	760.97	
Taxes	<u>12,900.79</u>	
Total Operating Expenses		\$ 59,188.75
Net Income/(loss)		(41,554.06)
Retained Earnings, Beginning		(522,533.48)
Retained Earnings, Ending		\$ (564,087.54)

EXHIBIT "B"



State of Florida
Department of Environmental Protection

ISSUED: 3/1/01

LICENSE NO. 0004143

THE A DRINKING WATER TREATMENT PLANT OPERATOR
NAMED BELOW IS LICENSED UNDER THE PROVISIONS OF
CHAPTER 403, FLORIDA STATUTES

VALID UNTIL: 4/30/03

Ronnie W. Clark

Jeb Bush
GOVERNOR

DISPLAY IS REQUIRED BY LAW

David Struhs
SECRETARY

EXHIBIT "F"

TARIFF SHEETS ARE LOCATED IN THE ORIGINAL APPLICATION

↓ attached

Name of Company: O & S WATER COMPANY, INC.
WATER TARIFF

TERRITORY SERVED

CERTIFICATE NUMBER - 510-W

COUNTY - OSCEOLA

COMMISSION ORDERS APPROVING TERRITORY SERVED -

<u>ORDER NUMBER</u>	<u>DATE ISSUED</u>	<u>DOCKET NO.</u>	<u>FILING TYPE</u>
20583	1/10/89	870392-WU	Original
PSC-92-0195-FOF-WU	4/13/92	910894-WU	Amendment
PSC-92-0204-FOF-WU	4/14/92	910895-WU	Transfer
PSC-92-0195A-FOF-WU	4/22/92	910894-WU	Correction
PSC-92-1339-FOF-WU	11/18/92	920941-WU	Name Change Amendment

DOUGLAS B. STEWART, PRESIDENT

Name of Company: O & S WATER COMPANY, INC.
WATER TARIFF

DESCRIPTION OF TERRITORY SERVED

The Northeast 1/4 of Northeast 1/4 of Northeast 1/4, and North 1/2 of Northwest 1/4 of Northeast 1/4 of Section 6, Township 27 South, Range 29 East, Osceola County, Florida; and the Southeast 1/4 of the Southeast 1/2 of Section 31, Township 26 South, Range 9 East, Osceola County, Florida; and the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 27 South, Range 29 East, in Osceola County, Florida.

DOUGLAS B. STEWART, PRESIDENT

AFFIDAVIT OF MAILING

STATE OF FLORIDA

COUNTY OF SEMINOLE

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared MICHELE PARKS, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of Martin S. Friedman, attorney for O&S Water Company Inc., and that on February 11, 2003, she did send by regular U.S. mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

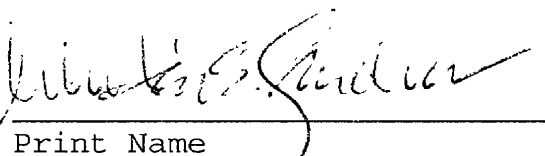


MICHELE PARKS

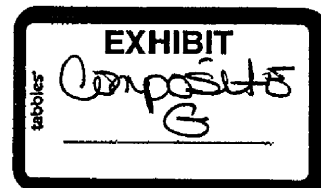
Sworn to and subscribed before me this 11th day of February, 2003, by Michele Parks, who is personally known to me.



Martin S. Friedman
MY COMMISSION # CC928326 EXPIRES
August 16, 2004
BONDED THROUGH TROY FAIN INSURANCE, INC.



Print Name
NOTARY PUBLIC
My Commission Expires:



**NOTICE OF APPLICATION FOR AN EXTENSION
OF WATER SERVICE AREA**

Notice is hereby given on this 11th day of February 2003, pursuant to Section 367.045(2), Florida Statutes, of the application of O & S Water Company Inc., of its intent to apply to the Florida Public Service Commission for an extension of its service area to provide water service to the property in Osceola County, Florida, more particularly described as follows:

The Northeast 1/4 of Northeast 1/4 of Northeast 1/4, and North 1/2 of Northwest 1/4 of Northeast 1/4 of Section 6, Township 27 South, Range 29 East, Osceola County, Florida; and the Southeast 1/4 of the Southeast 1/2 of Section 31, Township 26 South, Range 9 East, Osceola County, Florida; and the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 27 South, Range 29 East, in Osceola County, Florida.

Any objections to the Application must be made in writing and filed with the Director, Division of Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 600 S. North Lake Boulevard, Suite 160, Altamonte Springs, Florida 32701, within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

LIST OF WATER AND WASTEWATER UTILITIES IN OSCEOLA COUNTY

(VALID FOR 60 DAYS)
01/27/2003-03/27/2003

UTILITY NAME

MANAGER

OSCEOLA COUNTY

EAST CENTRAL FLORIDA SERVICES, INC. (WU643)
4550 DEER PARK ROAD
ST. CLOUD, FL 34773

JAMES B. PAYNE
(407) 957-6744

FLORIDA WATER SERVICES CORPORATION (SU733)
P. O. BOX 609520
ORLANDO, FL 32860-9520

CARLYN KOWALSKY
(407) 598-4297

FLORIDA WATER SERVICES CORPORATION (WU229)
P. O. BOX 609520
ORLANDO, FL 32860-9520

CARLYN KOWALSKY
(407) 598-4297

MORNINGSIDE UTILITIES, INC. (WU795)
4144 OAKWOOD DRIVE
ST. CLOUD, FL 34772-8187

GARY K. TURNER
(407) 892-4675

O&S WATER COMPANY, INC. (WU538)
P. O. BOX 422364
KISSIMMEE, FL 34742-2364

RON CLARK
(407) 396-6025

LIST OF WATER AND WASTEWATER UTILITIES IN OSCEOLA COUNTY

(VALID FOR 60 DAYS)
01/27/2003-03/27/2003

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, OSCEOLA COUNTY
COURTHOUSE
17 SOUTH VERNON AVENUE, ROOM 17B
KISSIMMEE, FL 32741-3603

DEP CENTRAL DISTRICT
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FL 32803-3767

EAST CENTRAL FLORIDA PLANNING COUNCIL
1011 WYMORE ROAD, SUITE 105
WINTER PARK, FL 32789

MAYOR, CITY OF KISSIMMEE
101 NORTH CHURCH STREET
KISSIMMEE, FL 34741-5054

MAYOR, CITY OF ST. CLOUD
1300 NINTH STREET
ST. CLOUD, FL 34769-3339

SO. FLORIDA WATER MANAGEMENT DISTRICT
P.O. BOX 24680
WEST PALM BEACH, FL 33416-4680

ST. JOHNS RIVER WTR MANAGEMENT DISTRICT
P.O. BOX 1429
PALATKA, FL 32178-1429

LIST OF WATER AND WASTEWATER UTILITIES IN OSCEOLA COUNTY

(VALID FOR 60 DAYS)
01/27/2003-03/27/2003

UTILITY NAME

MANAGER

STATE OFFICIALS

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

DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

EXHIBIT "H"

NOTICE OF APPLICATION TO PROPERTY OWNERS IN EXTENDED AREA

(To be late filed)

EXHIBIT "I"

AFFIDAVIT OF PUBLICATION

(To be late filed)

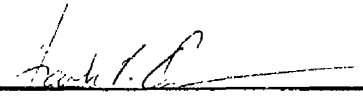
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF OSCEOLA

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared JACK OLSEN, who, after being duly sworn on oath, did depose on oath and say that he is the Vice President of O & Water Company, Inc., and that O & S Water Company, Inc., has a Tariff and current Annual Report on file with the Public Service Commission.

FURTHER AFFIANT SAYETH NAUGHT.



JACK OLSEN, VICE PRESIDENT
O & S Water Company, Inc.

Sworn to and subscribed before me this 27th day of Jan, 2003, by Jack Olsen, as Vice President of O & S Water Company, Inc., who is personally known to me. ~~or produced~~
_____ ~~as identification.~~



NOTARY PUBLIC
My Commission Expires  Expires November 29, 2003
Kathleen K Pace
My Commission CC887040

