

ORIGINAL
LAW OFFICES

ROSE, SUNDSTROM & BENTLEY, LLP

2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

(850) 877-6555

Fax (850) 656-4029

www.rsbatorneys.com

REPLY TO ALTAMONTE SPRINGS

CENTRAL FLORIDA OFFICE

600 S. NORTH LAKE BLVD., SUITE 160
ALTAMONTE SPRINGS, FLORIDA 32701

(407) 830-6331

Fax (407) 830-8522

MARTIN S. FRIEDMAN, P.A.

VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
DAVID F. CHESTER
F. MARSHALL DETERDING
JOHN R. JENKINS, P.A.
STEVEN T. MINDLIN, P.A.
DAREN L. SHIPPY
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON
ROBERT M. C. ROSE, OF COUNSEL
WAYNE L. SCHIEFELBEIN, OF COUNSEL

October 1, 2003

HAND DELIVERY

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

RECEIVED-FPSC
OCT -1 AM 10:59
COMMISSION
CLERK

Re: Docket No. 030958-WU; Application of Utilities, Inc. of Florida for
Amendment to Certificate of Authorization
Our File No.: 30057.74

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen (15) copies of the Application of Utilities, Inc. of Florida for an amendment to its water certificate to extend its service area. 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
MARTIN S. FRIEDMAN

For the Firm

*Original Tariffs + MAP
forwarded to ECR.*

MSF/dmp
Enclosures

cc: Mr. Steven M. Lubertozzi (w/enclosure)
Mr. Patrick C. Flynn (w/enclosure)
David L. Orr, P.E. (w/enclosure)

Check received with filing and forwarded
Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check:
MSF

DOCUMENT NUMBER-DATE

09455 OCT-1 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of
UTILITIES, INC. OF FLORIDA
for extension of water
service in Seminole County,
Florida

Docket No. 030958-WU

APPLICATION FOR AMENDMENT TO
CERTIFICATES OF AUTHORIZATION

UTILITIES INC. OF FLORIDA, ("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 No. 278-W to extend its water service area to include the land more fully described in Exhibit "A" ("Extension Area"), in Seminole County, and in support thereof states:

1. The exact name of the Applicant and the address of its principal business offices are:

Utilities, Inc. of Florida
200 Weathersfield Avenue
Altamonte Springs, Florida 32714

and

c/o Utilities, Inc.
2335 Sanders Road
Northbrook, IL 60062

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. The Applicant has not been able to locate the original certificate and requests a replacement certificate. A copy of original Water Certificate 278-W is attached hereto as Exhibit "B".

4. The Applicant is making this Application because the Applicant has been requested to provide, and is currently providing, water service to the Extension Area. The Extension Area is adjacent to the Applicant's existing certificated water service area.

5. To the best of Applicant's knowledge, the provision by the Applicant of water service to the Extension Area is consistent with the water section of the Seminole County Comprehensive Plan at the time this Application is filed, as approved by the Department of Community Affairs.

6. Applicant is an established water and wastewater utility which has been providing service for many years. Documentary evidence of its ownership of the land on which its plants are constructed will be provided as Late File Exhibit "C".

7. A map of the territory to be served, using township, range and section references, will be provided as Late Filed Exhibit "D".

8. The approval of this Application is in the public interest because there is a need for water service to the Extension Area; the Applicant has been providing water service to the

Extension Area; and it is in the public interest for the Applicant, as the utility whose certificated water service area adjoins the Extension Area, to continue to provide such service.

9. The existing lines and treatment facilities currently serving the Applicant's existing certificated water service area have sufficient capacity to serve the Extension Area. The Applicant has been providing water service to 79 customers in the Extension Area. The Applicant's current water systems serving the existing certificated water service area and the Extension Area have sufficient capacity to serve these customers.

10. The amendment of the Applicant's water certificate to include the Extension Area within its certificated water service area will not interrupt, curtail or otherwise affect the provision of water service to existing customers.

11. The inclusion of the Extension Area within the Applicant's certificated water service area will not have any impact on the Applicant's rates or service availability charges. Rates for the Applicant are the subject of an Application to Increase Rates which is currently before this Commission. Interim rates were set in Order No. PSC-03-0568-PCO-WS. An Order establishing final rates is expected to be issued in December, 2003.

12. The Applicant is an established utility and has both the financial and technical ability to render reasonably sufficient,

adequate and efficient service. Attached as Exhibit "E" is a copy of the most recent Financial Statements from the Applicant's 2002 Annual Report.

13. With respect to the Utility's technical ability, attached as Exhibit "F" is a schedule listing the operators and their license numbers. There are no outstanding Consent Orders or Notices of Violation from DEP.

14. Attached as Exhibit "G" to this Application are the original and two copies of the revised tariff sheets reflecting the inclusion of the Extension Area. Copies of the revised tariff sheets are attached to each copy of the Application.

16. Attached as Exhibit "H" 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 to be served is located;
- (2) the privately owned water and wastewater 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.

17. Late Filed Exhibit "I" 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 Extension Area.

18. Late Filed Exhibit "J" 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.

19. In response to Section 367.045(2)(c), Florida Statutes, attached hereto as Exhibit "K" is an Affidavit that the Applicant

has on file with the PSC a tariff and current annual report.

20. The Extension Area is currently serving 79 ERCs. Pursuant to Rule 25-30.020, Florida Administrative Code, the appropriate filing fee is \$100.00.

Respectfully submitted on this
1st day of October, 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@rsbattorneys.com

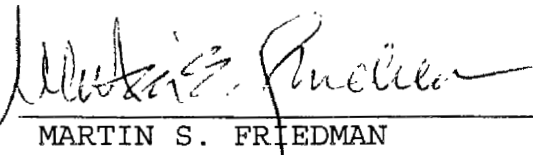
By: 
MARTIN S. FRIEDMAN

EXHIBIT "A"

Extension Area

TO BE ADDED TO WATER CERTIFICATE:

CRYSTAL LAKE WATER SYSTEM

Commencing at the Northwest corner of Section 3, Township 20 South, Range 30 East run South along the West line of Section 3 to the South right-of-way of Country Club Road; thence East to the West right-of-way of Vinewood Road and the Point of Beginning; thence South along the West right-of-way of Vinewood Road to the South right-of-way of Sunset Drive; thence East along said right-of-way to the Northwest corner of Lot 176, Loch Harbor, Crystal Lakes Club Section, Plat Book 5, Page 74, Seminole County, Florida; thence within said subdivision run North to the Southeast corner of Lot 55 A; thence West to the Southwest corner of Lot 47; thence North to the Northeast corner of Lot 30; thence West to the Point of Beginning.

And

Commencing at the Northwest corner of Section 3, Township 20 South, Range 30 East run East along the North line of Section 3 to the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of Section 3; thence South to the North right-of-way of Lake Boulevard; thence East along said right-of-way to a point North of Lot 8, Symes Loch Arbor, Plat Book 13, Page 82, Seminole County, Florida; thence South along the East line of said subdivision to De Forest Lake; thence North along said Lake Shore to the Southwest corner of Lot 224, Loch Arbor Crystal Lakes Club Section, Plat Book 5, Page 74 Seminole County, Florida; thence West to the Northwest corner of said Lot 224 and the South right-of-way of Lake Boulevard; thence South along said right-of-way to the West right-of-way of Crystal Drive; thence South to the Southeast corner of Lot 11, Loch Arbor George S. Witmer Replat, Plat Book 8, Page 76, Seminole County, Florida; thence West to the Southwest corner of said Lot 11; thence North to the North right-of-way of Lake Boulevard; thence East to the Southwest corner of Lot 196, Loch Arbor Crystal Lakes Club Section, Plat Book 5, Page 74, Seminole County, Florida; thence within said subdivision run North to the Northwest corner of Lot 196; thence East to the Southeast corner of Lot 146; thence North to the Southwest corner of Lot 171; thence East to the Southeast corner of Lot 171; thence North to the South right-of-way of Orange Drive; thence East to the West right-of-way of Lake Boulevard; thence North along said right-of-way to the Point of Beginning.

And

Commencing at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of Section 3, Township 20 South, Range 30 East; thence South to the South right-of-way of Lake Boulevard; thence West along said right-of-way to the Northeast corner of Lot 9, Loch Arbor George S. Witmer Replat, Plat Book 8, Page 76, Seminole County, Florida; thence within said subdivision run South to the Southeast corner of Lot 9; thence West and North along said Plat Boundary to the Northwest corner of Lot 4 and a

point on the South right-of-way of Lake Boulevard; thence East along said right-of-way to the Point of Beginning.

And

Commencing at the Northeast corner of Section 4, Township 20 South, Range 30 East, Seminole County, Florida; thence South to the South right-of-way of Country Club Road; thence West to the West right-of-way of Mirror Drive; thence South to the South right-of-way of Sunset Drive and the Northeast corner of Lot 11, Loch Arbor Country Club Entrance Section Plat Book 5, Page 71, Seminole County, Florida the Point of Beginning; thence South to the South right-of-way of Pine Drive; thence East to the West right-of-way of Ridge Drive; thence South to the Southeast corner of Tax Parcel 1.D of said Section 4; thence West to the Southwest corner of Tax Parcel 1.B of said Section 4; thence North to the Northwest corner of the previously referenced Lot 11, said corner lying on the South Right-of-way of Sunset Drive; thence East along the said right-of-way to the Point of Beginning.

BEAR LAKE MANOR WATER SYSTEM

Commencing at the Northwest corner of Southwest 1/4 of Section 17, Township 21 South, Range 29 East, Seminole County, Florida run South 330 feet to the Point of Beginning; thence East, 660 feet; thence South 330 feet; thence West 660 feet; thence North 330 feet to the Point of Beginning;

And

Commencing at the Northeast corner of the Northeast corner of the Southeast 1/4 of Section 18, Township 21 South, Range 29 East, Seminole County, Florida run South 1320 feet to the Point of Beginning; thence West along the centerline of Jamison Drive for 1320 feet; thence North to the North right-of-way of Holliday Avenue; thence West along said right-of-way to the Southeast corner of Lot 99, Lynnwood, Plat Book 12, Page 70, Seminole County, Florida; thence South for 550 feet to Bear Lake; thence East along Bear Lake for 400 feet; thence North along the East line of Lot 35, Holliday Bear Lake, Plat Book 3, Page 53, Seminole County, Florida to Holliday Avenue; thence East along said right-of-way to a point lying South of the Southerly project of the West line of Lot 43, Holliday Bear Lake Subdivision No. 2, Plat Book 4, Page 46, Seminole County, Florida; thence within said subdivision run North to the Northwest corner of said Lot 43; thence East to the Northeast corner of Lot 51; thence East to the Northeast corner of Lot 71; thence North to the Northeast corner of Lot 73; thence East to the centerline of Bear Lake Road; thence North along said centerline to the Point of Beginning.

And

Begin at the East 1/4 corner of Section 18, Township 21 South, Range 29 East; thence West to a point South of the Southwest corner

of Lot 15, West Beverly Terrace, Plat Book 15, Page 92, Seminole County, Florida; thence North to the Northwest corner of said Lot 15; thence within said subdivision run East to the Northeast corner of Lot 19; thence South to the Northwest corner of tax parcel 7A; thence East to the West line of Lot 12, Block "A", Beverly Terrace, Plat Book 11, Page 50, Seminole County, Florida; thence North to the South right-of-way of Lina Lane; thence East along said right-of-way to a point South of the Southwest corner of Lot 17, Block "B", of the aforesaid subdivision; thence North to the Northwest corner of said Lot 17, Block "B"; thence East to the East line of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 29 East, Seminole County, Florida; thence South to the South line of the Northwest 1/4 of said Section 17; thence West to the Point of Beginning.

EXHIBIT "B"

(COPY OF WATER CERTIFICATE)



FLORIDA PUBLIC SERVICE COMMISSION

CERTIFICATE NUMBER

278-W

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to

UTILITIES, INC. OF FLORIDA

Whose principal address is

200 Weathersfield Avenue

Altamonte Springs, Florida 32701 (Seminole)

to provide water service in accordance with the provisions of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER 7562 DATED 12/27/76 DOCKET 760421-WS

ORDER 9317 DATED 04/04/80 DOCKET 790969-W

ORDER 10643 DATED 03/04/82 DOCKET 810389-WS

ORDER 17445-A DATED 05/04/87 DOCKET 870306-WU

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION

(SEAL)

Steve Jubb
Commission Clerk
Don [Signature]
Executive Director

SEMINOLE COUNTY
418-W

*Original - sent to Kitty Hughes
3/19/91*

EXHIBIT "C"

(COPY OF DEED TO PLANT SITE)

TO BE LATE FILED

EXHIBIT "D"

(MAP)

EXHIBIT "E"

(2002 FINANCIAL STATEMENTS)

TO BE LATE FILED

EXHIBIT "F"

List of Operators

Mike Garaletz

W 5642C

EXHIBIT "G"

(REVISED TARIFF SHEETS)

DESCRIPTION OF TERRITORY SERVED

ORDER NO. _____

BEAR LAKE AND CRYSTAL LAKE EXTENSIONS

BEAR LAKE

Commencing at the Northwest corner of Southwest 1/4 of Section 17, Township 21 South, Range 29 East, Seminole County, Florida run South 330 feet to the Point of Beginning; thence East, 660 feet; thence South 330 feet; thence West 660 feet; thence North 330 feet to the Point of Beginning;

And

Commencing at the Northeast corner of the Northeast corner of the Southeast 1/4 of Section 18, Township 21 South, Range 29 East, Seminole County, Florida run South 1320 feet to the Point of Beginning; thence West along the centerline of Jamison Drive for 1320 feet; thence North to the North right-of-way of Holliday Avenue; thence West along said right-of-way to the Southeast corner of Lot 99, Lynnwood, Plat Book 12, Page 70, Seminole County, Florida; thence South for 550 feet to Bear Lake; thence East along Bear Lake for 400 feet; thence North along the East line of Lot 35, Holliday Bear Lake, Plat Book 3, Page 53, Seminole County, Florida to Holliday Avenue; thence East along said right-of-way to a point lying South of the Southerly project of the West line of Lot 43, Holliday Bear Lake Subdivision No. 2, Plat Book 4, Page 46, Seminole County, Florida; thence within said subdivision run North to the Northwest corner of said Lot 43; thence East to the Northeast corner of Lot 51; thence East to the Northeast corner of Lot 71; thence North to the Northeast corner of Lot 73; thence East to the centerline of Bear Lake Road; thence North along said centerline to the Point of Beginning.

(Continued on Original Sheet No. 3.5-L)

Lawrence N. Schumacher
Issuing Officer

President
Title

DESCRIPTION OF TERRITORY SERVED

ORDER NO. _____

BEAR LAKE (CONTINUED)

And

Begin at the East 1/4 corner of Section 18, Township 21 South, Range 29 East; thence West to a point South of the Southwest corner of Lot 15, West Beverly Terrace, Plat Book 15, Page 92, Seminole County, Florida; thence North to the Northwest corner of said Lot 15; thence within said subdivision run East to the Northeast corner of Lot 19; thence South to the Northwest corner of tax parcel 7A; thence East to the West line of Lot 12, Block "A", Beverly Terrace, Plat Book 11, Page 50, Seminole County, Florida; thence North to the South right-of-way of Lina Lane; thence East along said right-of-way to a point South of the Southwest corner of Lot 17, Block "B", of the aforesaid subdivision; thence North to the Northwest corner of said Lot 17, Block "B"; thence East to the East line of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 29 East, Seminole County, Florida; thence South to the South line of the Northwest 1/4 of said Section 17; thence West to the Point of Beginning.

CRYSTAL LAKE

Commencing at the Northwest corner of Section 3, Township 20 South, Range 30 East run South along the West line of Section 3 to the South right-of-way of Country Club Road; thence East to the West right-of-way of Vinewood Road and the Point of Beginning; thence South along the West right-of-way of Vinewood Road to the South right-of-way of Sunset Drive; thence East along said right-of-way to the Northwest corner of Lot 176, Loch Harbor, Crystal Lakes Club Section, Plat Book 5, Page 74, Seminole County, Florida; thence within said subdivision run North to the Southeast corner of Lot 55 A; thence West to the Southwest corner of Lot 47; thence North to the Northeast corner of Lot 30; thence West to the Point of Beginning.

(Continued on Original Sheet No. 3.5-M)

Lawrence N. Schumacher
Issuing Officer

President
Title

DESCRIPTION OF TERRITORY SERVED

ORDER NO. _____

CRYSTAL LAKE (CONTINUED)

And

Commencing at the Northwest corner of Section 3, Township 20 South, Range 30 East run East along the North line of Section 3 to the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of Section 3; thence South to the North right-of-way of Lake Boulevard; thence East along said right-of-way to a point North of Lot 8, Symes Loch Arbor, Plat Book 13, Page 82, Seminole County, Florida; thence South along the East line of said subdivision to De Forest Lake; thence North along said Lake Shore to the Southwest corner of Lot 224, Loch Arbor Crystal Lakes Club Section, Plat Book 5, Page 74 Seminole County, Florida; thence West to the Northwest corner of said Lot 224 and the South right-of-way of Lake Boulevard; thence South along said right-of-way to the West right-of-way of Crystal Drive; thence South to the Southeast corner of Lot 11, Loch Arbor George S. Witmer Replat, Plat Book 8, Page 76, Seminole County, Florida; thence West to the Southwest corner of said Lot 11; thence North to the North right-of-way of Lake Boulevard; thence East to the Southwest corner of Lot 196, Loch Arbor Crystal Lakes Club Section, Plat Book 5, Page 74, Seminole County, Florida; thence within said subdivision run North to the Northwest corner of Lot 196; thence East to the Southeast corner of Lot 146; thence North to the Southwest corner of Lot 171; thence East to the Southeast corner of Lot 171; thence North to the South right-of-way of Orange Drive; thence East to the West right-of-way of Lake Boulevard; thence North along said right-of-way to the Point of Beginning.

(Continued on Original Sheet No. 3.5-N)

Lawrence N. Schumacher
Issuing Officer

President
Title

DESCRIPTION OF TERRITORY SERVED

ORDER NO. _____

CRYSTAL LAKE (CONTINUED)

And

Commencing at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of Section 3, Township 20 South, Range 30 East; thence South to the South right-of-way of Lake Boulevard; thence West along said right-of-way to the Northeast corner of Lot 9, Loch Arbor George S. Witmer Replat, Plat Book 8, Page 76, Seminole County, Florida; thence within said subdivision run South to the Southeast corner of Lot 9; thence West and North along said Plat Boundary to the Northwest corner of Lot 4 and a point on the South right-of-way of Lake Boulevard; thence East along said right-of-way to the Point of Beginning.

And

Commencing at the Northeast corner of Section 4, Township 20 South, Range 30 East, Seminole County, Florida; thence South to the South right-of-way of Country Club Road; thence West to the West right-of-way of Mirror Drive; thence South to the South right-of-way of Sunset Drive and the Northeast corner of Lot 11, Loch Arbor Country Club Entrance Section Plat Book 5, Page 71, Seminole County, Florida the Point of Beginning; thence South to the South right-of-way of Pine Drive; thence East to the West right-of-way of Ridge Drive; thence South to the Southeast corner of Tax Parcel 1.D of said Section 4; thence West to the Southwest corner of Tax Parcel 1.B of said Section 4; thence North to the Northwest corner of the previously referenced Lot 11, said corner lying on the South Right-of-way of Sunset Drive; thence East along the said right-of-way to the Point of Beginning.

Lawrence N. Schumacher
Issuing Officer

President
Title

EXHIBIT "H"

(AFFIDAVIT OF NOTICE TO GOVERNMENTAL AGENCIES)

TO BE LATE FILED

EXHIBIT "I"

(AFFIDAVIT OF NOTICE TO PROPERTY OWNERS)

TO BE LATE FILED

EXHIBIT "J"
(AFFIDAVIT OF PUBLICATION)
TO BE LATE FILED

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF SEMINOLE

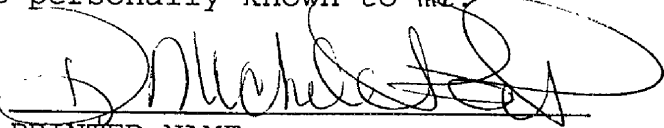
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared MARTIN S. FRIEDMAN, ESQUIRE, who, after being duly sworn on oath, did depose on oath and say that he is the attorney for Utilities, Inc. of Florida, that Utilities, Inc. of Florida, has a Tariff on file with the Public Service Commission; and that on Sept 29, 2003, he verified on the Public Service Commission's website that Utilities, Inc. of Florida, has a current Annual Report on file.

FURTHER AFFIANT SAYETH NAUGHT.



MARTIN S. FRIEDMAN

Sworn to and subscribed before me this 29th day of September 2003, by MARTIN S. FRIEDMAN, who is personally known to me.



PRINTED NAME: _____
NOTARY PUBLIC
My Commission Expires:



D. Michele Parks
MY COMMISSION # DD152693 EXPIRES
September 24, 2006
BONDED THRU TROY FARM INSURANCE, INC.

EXHIBIT "K"