

BEFORE THE PUBLIC SERVICE COMMISSION

IN RE: Application by Crooked Creek)
Utility Company for Original)
Certificate for Proposed Wastewater)
Systems and Request for Initial)
Rates and Charges)
_____)

Docket No. 040358-SU
Filed: April 30, 2004

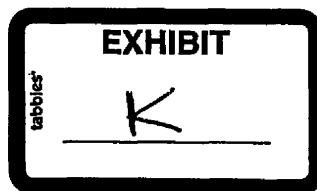
AFFIDAVIT

STATE OF FLORIDA:
COUNTY OF LEON:

BEFORE ME, the undersigned authority, personally appeared KEVIN G. FOX, who after being duly sworn, deposes and says:

1. That I, KEVIN G. FOX, am the President of Crooked Creek Utility Company.
2. That on April 26, 2004, in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, Crooked Creek Utility Company provided notice of its Application for Original Certificate for Proposed Wastewater System and Request for Initial Rates and Charges by regular mail to the attached list of governmental agencies, state officials, and certificated utilities obtained from the Florida Public Service Commission.
3. Further, Affiant sayeth not.

By: Kevin G. Fox
Name: Kevin G. Fox
Title: President



DOCUMENT NUMBER-DATE
05004 APR 30 08
FPSC-COMMISSION CLERK

STATE OF FLORIDA:
COUNTY OF LEON:

Subscribed and sworn to before me this 30th day of April, 2004, by Kevin G. Fox, who is personally known to me.

Mary Katherine Clayton
Notary Public's Signature



Print, Type or Stamp Commissioned
Name of Notary Public

**NOTICE OF APPLICATION FOR AN INITIAL CERTIFICATE
OF AUTHORIZATION FOR WASTEWATER**

(Section 367.045, Florida Statutes)

LEGAL NOTICE

NOTICE is hereby given on April 26, 2004, pursuant to Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code, of the application of Crooked Creek Utility Company for Original Certificate for Proposed Wastewater System and Request for Initial Rates and Charges. The name and address of the applicant utility is:

Crooked Creek Utility Company
3800 Esplanade Way, Suite 100
Tallahassee, Florida 32311
Attn: Bryan Duke

The abbreviated legal description of the territory proposed to be served is as follows:

A TRACT OF LAND BEING LOCATED IN SECTION 14, FRACTIONAL SECTION 21, SECTION 22, SECTION 23, FRACTIONAL SECTION 24, FRACTIONAL SECTION 25, FRACTIONAL SECTION 26, FRACTIONAL SECTION 27 AND FRACTIONAL SECTION 28, TOWNSHIP 2 SOUTH, RANGE 16 WEST, BAY COUNTY, FLORIDA, AND SITUATED BETWEEN THE EASTERLY MEAN HIGH WATER LINE OF THE U.S. ARMY CORPS OF ENGINEERS INTRACOASTAL WATERWAY, THE NORTHERLY MEAN HIGH WATER LINE OF WEST BAY, THE WESTERLY MEAN HIGH WATER LINE OF CROOKED CREEK, AND THE SOUTHERLY RIGHT-OF-WAY BOUNDARY LINE OF COUNTY ROAD NO. 388 (FORMERLY KNOWN AS STATE ROAD NO. 388).

The full legal description of the territory proposed to be served is available upon written request to the applicant utility listed above.

Any objection to the application must be made in writing and filed with the Director, Division of the Commission Clerk & Administrative Services, 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 applicant whose address is set forth above. The objection must state the grounds for the objection with particularity.

**LIST OF WATER AND WASTEWATER UTILITIES IN BAY COUNTY
(VALID FOR 60 DAYS)
04/12/2004 - 06/10/2004**

UTILITY NAME

BAY COUNTY

MANAGER

BAYSIDE UTILITY SERVICES, INC. (WS818)
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN
(407) 869-1919

SANDY CREEK UTILITY SERVICES, INC. (WS845)
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN
(407) 869-1919

**LIST OF WATER AND WASTEWATER UTILITIES IN BAY COUNTY
(VALID FOR 60 DAYS)
04/12/2004 - 06/10/2004**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, BAY COUNTY
P. O. BOX 2269
PANAMA CITY, FL 32402-2269

DEP NORTHWEST DISTRICT
160 GOVERNMENT CENTER
PENSACOLA, FL 32501-5794

MAYOR, CITY OF CALLAWAY
6601 EAST HIGHWAY 22
CALLAWAY, FL 32404-9542

MAYOR, CITY OF LYNN HAVEN
825 OHIO AVENUE
LYNN HAVEN, FL 32444-2351

MAYOR, CITY OF PANAMA CITY
P. O. BOX 1880
PANAMA CITY, FL 32402-1880

MAYOR, CITY OF PARKER
P. O. BOX 10619
PARKER CITY, FL 32404-1619

MAYOR, CITY OF SPRINGFIELD
P. O. DRAWER 3717
SPRINGFIELD, FL 32401-0717

MAYOR, PANAMA CITY BEACH
110 SOUTH ARNOLD ROAD
PANAMA CITY BEACH, FL 32413-2199

MAYOR, TOWN OF CEDAR GROVE
2728 EAST 14TH STREET
PANAMA CITY, FL 32401-5022

MAYOR, TOWN OF MEXICO BEACH
P. O. BOX 13425
MEXICO BEACH, FL 32410-3425

N.W. FLORIDA WATER MANAGEMENT DISTRICT
RT. 1 BOX 3100
HAVANA, FL 32333

**LIST OF WATER AND WASTEWATER UTILITIES IN BAY COUNTY
(VALID FOR 60 DAYS)
04/12/2004 - 06/10/2004**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

WEST FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 486
PENSACOLA, FL 32593-0486

**LIST OF WATER AND WASTEWATER UTILITIES IN BAY COUNTY
(VALID FOR 60 DAYS)
04/12/2004 - 06/10/2004**

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

RUTLEDGE, ECENIA, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

ORIGINAL

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KENNETH A. HOFFMAN
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MICHAEL G. MAIDA
MARTIN P. McDONNELL
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551
215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT
HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE

GOVERNMENTAL CONSULTANTS
MARGARET A. MENDUNI
M. LANE STEPHENS

April 30, 2004

RECEIVED FPSC
APR 30 AM 10:46
COMMISSION CLERK

Ms. Blanca Bayo, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket No. 040358-SU - Application to Provide Wastewater Service in Bay County
by Crooked Creek Utility Company

Dear Ms. Bayo:

Pursuant to Rule 25-30.030 (7) and (8), Florida Administrative Code, enclosed for filing on behalf of Crooked Creek Utility Company ("Crooked Creek") are the original and five copies of the following documents:

1) Late-filed Exhibit "K" to Crooked Creek's Application filed in the above-referenced docket, consisting of an affidavit of Kevin G. Fox, President of Crooked Creek, affirming that the appropriate legal notice was mailed to the required entities, a copy of the mailed legal notice, and a list of the entities noticed.

2) Late-Filed Exhibit "L" to Crooked Creek's Application consisting of an affidavit of Kevin G. Fox, President of Crooked Creek, affirming that the appropriate legal notice was published once in a newspaper of general circulation in the territory Crooked Creek is seeking to serve through its Application, and proof of publication of the legal notice.

CMP _____
COM _____
CTR _____
ECR to cover L&R
GCL _____
OPC _____
MMS _____
RCA _____
SCR _____
SEC 1 + cover L&R

L-F EXH K RECEIVED & FILED
DOCUMENT NUMBER - DATE
05004 APR 30 8
FPSC-BUREAU OF RECORDS
FPSC-COMMISSION CLERK

L-F EXH L
DOCUMENT NUMBER - DATE
05005 APR 30 8
FPSC-COMMISSION CLERK

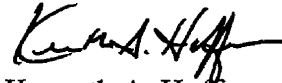
RUTLEDGE, ECENIA, PURNELL & HOFFMAN

Ms. Blanca Bayo, Director
April 30, 2004
Page 2

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,



Kenneth A. Hoffman

KAH/tls
Enclosures