

ORIGINAL

State of Florida



RECEIVED-FPSC

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

AUG 17 PM 3:15

COMMISSION  
CLERK

-M-E-M-O-R-A-N-D-U-M-

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DATE: August 17, 2004  
 TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director  
 FROM: Rosanne Gervasi, Senior Attorney, Office of the General Counsel *RG*  
 RE: Docket No. 031087-WU

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Please file the attached Affidavits in the above-referenced docket.

RG/mrd  
Attachments

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

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FPSC-COMMISSION CLERK

FLORIDA  
DEPARTMENT OF PUBLIC SERVICE  
COMMISSION

04 AUG 16 AM 9:37

DIVISION OF  
ECONOMIC REGULATION


**AFFIDAVIT OF MAILING**

STATE OF FLORIDA

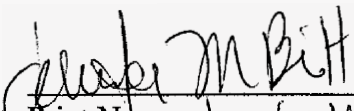
COUNTY OF POLK

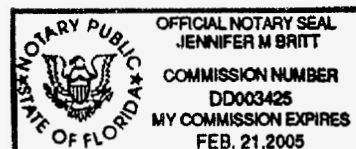
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared Charles S. Freed who, after being duly sworn on oath, did depose on oath and say that he is a legal receiver for the Lazy S Utility Company and that on December 12, 2003, he did send by regular mail, a copy of the notice attached hereto to each of the property owners in the proposed territory.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
Charles S. Freed

Sworn and subscribed before me on this 12<sup>th</sup> day of August, 2004 by Charles S. Freed, who has identified himself with his drivers license.

  
\_\_\_\_\_  
Print Name Jennifer M. Britt  
Notary Public  
My Commission Expires:



**APPLICATION FOR ORIGINAL CERTIFICATE**

**(FOR A PROPOSED OR EXISTING SYSTEM REQUESTING  
INITIAL RATES AND CHARGES)**

**(Section 367.045, Florida Statutes)**

**LEGAL NOTICE**

Notice is hereby given on 12/03/03, pursuant to Section 367.045, Florida Statutes, of the application of Lazy S Receivers to operate a water and/or wastewater utility to provide service to the following described territory in Polk County, Florida.

**DESCRIPTION OF THE LAZY S UTILITY SERVICE AREA**

Commencing at the northwest corner of Section 26, Township 28 South, Range 23 East thence south a distance of 25 feet to the south right-of-way line of Ariana Street also being THE POINT OF BEGINNING, thence easterly along the south right-of-way line of Ariana Street to the northeast corner of the of the west ½ of the east ½ of said section, thence southerly a distance of 1225', thence easterly a distance of 670' to the east line of the northwest ¼ of said section, thence southerly along the east line of the northwest ¼ of said section a distance of 1430' to the south line of the northwest ¼ of Section 26, Town 28 South, Range 23 East, thence west on the south line of said section to the west of the section, thence north along the west line of said section to the south right-of-way line of Ariana Street also the POINT OF BEGINNING. Being 142 acres more or less.

Any objection to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and 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 below. The objection must state the grounds for the objection with particularity.

**(Utility name and address)**

The Colinas Group – Receivers  
2033 E. Edgewood Drive Suite 5  
Lakeland, FL 33803

NOTE: We have made application to The Public Service Commission to assist in regulating the water system. PLEASE UNDERSTAND THAT on an average over the last 7 months the water being metered through the city's meter equates to 510 gallons per day in each home. **THIS IS THREE TIMES** what it should be. If you are allowing your water to run when not being used please turn it off or if you have leaks in your home please repair them. Should the present usage continue there may be no alternative but to increase the monthly user fees. We will take every precaution to avoid this.

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA

COUNTY OF POLK

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared Charles S. Freed who, after being duly sworn on oath, did depose on oath and say that he is a legal receiver for the Lazy S Utility Company and that on May 13, 2004, he did send by regular 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.

*Charles S. Freed*

Charles S. Freed

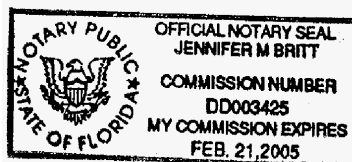
Sworn and subscribed before me on this 12<sup>th</sup> day of August, 2004 by Charles S. Freed, who has identified himself with his drivers license.

*Jennifer M. Britt*

Print Name Jennifer M. Britt

Notary Public

My Commission Expires:



**APPLICATION FOR ORIGINAL CERTIFICATE  
FOR A UTILITY IN EXISTANCE AND CHANGING RATES**

**LEGAL NOTICE**

Notice is hereby given on May 12, 2004, pursuant to Section 367.045, Florida Statutes, of the application of The Lazy S Utility to operate a water utility to provide service to the following described territory in Polk County, Florida, as follows:

**DESCRIPTION OF THE LAZY S WATER UTILITY SERVICE AREA**

Commencing at the Northwest corner of Section 26, Township 28 South, Range 23 East, thence South a distance of 25' to the South right -of-way line of Ariana Street also being THE POINT OF BEGINNING, thence due east along the South right-of-way line of Ariana Street to the Northeast corner of the West ½ of the East ½ of the Northwest ¼ of said section, thence Southerly a distance of 1225', thence Easterly a distance of 670' to the East line of the Northwest ¼ of said section thence, southerly along the East line of the Northwest ¼ of said section a distance of 1430' to the Centerline of said section, thence West along the Centerline of said section to the West line of the Northwest ¼ of Section 26, Township 28 South, Range 23 East, thence North along the West line of said section to the South right-of-way line of Ariana Street also being the POINT OF BEGINNING. Being 142 acres more or less.

Any objection to 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 applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

The Colinas Group, Inc Receivers  
For the Lazy S Utility  
2031 E. Edgewood Drive - Suite 5  
Lakeland, FL 33802-3601

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

<u>UTILITY NAME</u>	<u>POLK COUNTY</u>	<u>MANAGER</u>
ANGLERS COVE WEST, LTD. (WS817) P. O. BOX 5252 LAKELAND, FL 33807-5252		TODD MAXWELL (941) 647-1581
AQUASOURCE UTILITY, INC. (WS819) % AQUASOURCE, INC. 6960 PROFESSIONAL PARKWAY EAST, #400 SARASOTA, FL 34240-8432		NANCE GUTH (941) 907-7411
CAL CLAIR, INC. D/B/A BREEZE HILL UTILITY (WS863) P. O. BOX 1408 LAKE WALES, FL 33859-1408		CALVIN C. BLAKE (863) 696-1666
CHC VII, LTD. (WS816) P. O. BOX 5252 LAKELAND, FL 33807-5252		TODD MAXWELL (941) 647-1581
CROOKED LAKE PARK SEWERAGE COMPANY (SU785) 227 CALOOSA LAKE CIRCLE, NORTH LAKE WALES, FL 33859-8605		KENNETH J. KNOWLTON (863) 638-3117
CRYSTAL RIVER UTILITIES, INC. (WS772) % AQUASOURCE, INC. 6960 PROFESSIONAL PARKWAY EAST, #400 SARASOTA, FL 34240-8432		NANCE GUTH (941) 907-7411
CYPRESS LAKES UTILITIES, INC. (WS800) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027		PATRICK C. FLYNN (407) 869-1919
FLORIDA WATER SERVICES CORPORATION (WS765) P. O. BOX 609520 ORLANDO, FL 32860-9520		CARLYN KOWALSKY (407) 598-4297
FOUR LAKES GOLF CLUB, LTD. (WS815) P. O. BOX 5252 LAKELAND, FL 33807-5252		TODD MAXWELL (941) 647-1581
HIDDEN COVE, LTD. (WS814) P. O. BOX 5252 LAKELAND, FL 33807-5252		TODD MAXWELL (941) 647-1581
KEEN SALES, RENTALS AND UTILITIES, INC. (WU771) 685 DYSON ROAD HAINES CITY, FL 33844-8587		EARLENE KEEN (863) 421-6827

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

MANAGER

POLK COUNTY

LAKE HAVEN UTILITY ASSOCIATES, LTD. D/B/A LAKE WALES UTILI (WS786)  
P. O. BOX 9076  
LAKESHORE, FL 33854-9076

DAVID K. PEARCE  
(863) 696-1128

MOUNTAIN LAKE CORPORATION (WU791)  
P. O. BOX 832  
LAKE WALES, FL 33859-0832

ROBERT E. MARTIN  
(863) 676-3494

ORCHID SPRINGS DEVELOPMENT CORPORATION (WS789)  
295 FIRST STREET SOUTH  
WINTER HAVEN, FL 33880-3272

CAROL C. RHINEHART  
(863) 324-3698

PARK WATER COMPANY INC. (WU776)  
25 FIRST AVENUE NORTH  
LAKE WALES, FL 33859-8761

ANTHONY STAIANO  
(863) 638-1285

PINECREST RANCHES, INC. (WU779)  
P. O. BOX 2427  
BARTOW, FL 33831-2427

S. NORMAN DUNCAN  
(863) 559-7997

PLANTATION LANDINGS, LTD. (WS813)  
P. O. BOX 5252  
LAKELAND, FL 33807-5252

TODD MAXWELL  
(941) 647-1581

RIVER RANCH WATER MANAGEMENT, L.L.C. (WS850)  
5601 WINDHOVER DRIVE  
ORLANDO, FL 32819-7936

MARK WALTRIP  
(407) 351-3315 EXT 101

S. V. UTILITIES, LTD. (WS812)  
P. O. BOX 5252  
LAKELAND, FL 33807-5252

TODD MAXWELL  
(941) 647-1581

SPORTS SHINKO UTILITY, INC. D/B/A GRENELEFE UTILITIES (WS770)  
3200 STATE ROAD 546  
GRENELEFE, FL 33844-9732

GREG MAULTSBY  
(863) 421-5037

TEVALO, INC. D/B/A MCLEOD GARDENS WATER COMPANY (WU841)  
P. O. BOX 2898  
WINTER HAVEN, FL 33883-2898

JAMES O. VAUGHN  
(863) 293-2577

WEST LAKELAND WASTEWATER, INC. (SU836)  
P. O. BOX 2303  
EATON PARK, FL 33840-2303

SUZZANE AVERETT BRITT  
(863) 665-1748 EXT 25

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CENTRAL FL. REGIONAL PLANNING COUNCIL  
P.O. BOX 2089  
BARTOW, FL 33831

CITY MANAGER, CITY OF BARTOW  
450 NORTH WILSON  
BARTOW, FL 33831-3954

CLERK, BOARD OF COUNTY COMMISSIONERS, POLK COUNTY  
P. O. BOX 9000, DRAWER CC-1  
BARTOW, FL 33831-9000

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

DEP SOUTHWEST DISTRICT  
3804 COCONUT PALM DRIVE  
TAMPA, FL 33618-8318

MAYOR, CITY OF AUBURNDALE  
P. O. BOX 186  
AUBURNDALE, FL 33823-0186

MAYOR, CITY OF DAVENPORT  
P. O. BOX 125  
DAVENPORT, FL 33836-0125

MAYOR, CITY OF EAGLE LAKE  
P. O. BOX 129  
EAGLE LAKE, FL 33839-0129

MAYOR, CITY OF FROSTPROOF  
P. O. BOX 308  
FROSTPROOF, FL 33843-0308

MAYOR, CITY OF FT. MEADE  
P. O. BOX 856  
FT. MEADE, FL 33841-0856

MAYOR, CITY OF HAINES CITY  
P. O. BOX 1507  
HAINES CITY, FL 33845-1507



**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

MAYOR, CITY OF LAKE ALFRED  
120 EAST POMELO STREET  
LAKE ALFRED, FL 33850-2136

MAYOR, CITY OF LAKE WALES  
P. O. BOX 1320  
LAKE WALES, FL 33859-1320

MAYOR, CITY OF LAKELAND  
228 SOUTH MASSACHUSETTS AVENUE  
LAKELAND, FL 33801-5086

MAYOR, CITY OF MULBERRY  
P. O. BOX 707  
MULBERRY, FL 33860-0707

MAYOR, CITY OF WINTER HAVEN  
P. O. BOX 2277  
WINTER HAVEN, FL 33883-2277

MAYOR, TOWN OF DUNDEE  
P. O. BOX 1000  
DUNDEE, FL 33838-1000

MAYOR, TOWN OF HILLCREST HEIGHTS  
151 SCENIC HIGHWAY, N.  
P. O. BOX 129  
BABSON PARK, FL 33827-0127

MAYOR, TOWN OF LAKE HAMILTON  
P. O. BOX 126  
LAKE HAMILTON, FL 33851-0126

MAYOR, TOWN OF POLK CITY  
P. O. BOX 1139  
POLK CITY, FL 33868-1139

MAYOR, VILLAGE OF HIGHLAND PARK  
1337 NORTH HIGHLAND PARK  
LAKE WALES, FL 33853-7422

S.W. FLORIDA WATER MANAGEMENT DISTRICT  
2379 BROAD STREET  
BROOKSVILLE, FL 34609-6899

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

GOVERNMENTAL AGENCIES

MANAGER

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

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

STATE OFFICIALS

MANAGER

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

**LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY  
(VALID FOR 60 DAYS)  
04/28/2004 - 06/26/2004**

UTILITY NAME

STATE OFFICIALS

MANAGER

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

The Colinas Group, Inc.  
Receivers for the Lazy S Utility Company  
2031 E. Edgewood Drive Suite 5  
Lakeland, FL 33803-3601  
863-669-9141  
May 26, 2004

Patti Daniel  
Supervisor, Bureau of Certification  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Lazy S Utilities

Dear Ms. Daniel:

Enclosed for your records is the Affidavit of Publication for the advertisement for the Lazy S Utility Company's rate increase.

This will also serve to inform you that the same notice was mailed to 44 governmental and private water companies in Polk County.

So far we have received two letters of objection from persons in the utility area.

Very truly yours,

*Charles S. Freed*  
Charles S. Freed

For the receivers of  
the Lazy S Utility

04 MAY 28 11:03:59  
LAKELAND, FL 33803

Colinas Group - Receivers  
2031 E. Edgewood # 5  
Lakeland, FL 33803



Patti Daniel  
Supervisor, Bureau of Certification  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Lazy S Utilities



# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

Case No .....

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Morgan Miller, who on oath says that he is Classified Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

**Public Notice of Application**

.....  
in the matter of **Utility in Existence and Changing Rates** .....

.....  
Concerning **Lazy S Water Utility Service Area** .....

.....  
was published in said newspaper in the issues of **5-19; 2004**.....

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one 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.

Signed.....  
*Morgan Miller*  
Morgan Miller  
Classified Manager  
Who is personally known to me.

Sworn to and subscribed before me this 19TH .....

day of May ..... A.D. 2004  
*Patricia Ann Rouse*  
Notary Public



My Commission Expires..... Oct 17, 2004

Attach Ad Here

APPLICATION FOR ORIGINAL CERTIFICATE FOR A UTILITY IN EXISTENCE AND CHANGING RATES

Notice is hereby given on May 19, 2004, pursuant to Section 360.07(1)(a), Florida Statutes, of this application being filed with the Public Service Commission to provide service to the following described portion in Polk County, Florida, as follows:

DESCRIPTION OF THE LAZY S WATER UTILITY SERVICE AREA

Commencing at the Northwest Corner of Section 20, Township 23 South, Range 23 East, thence South a distance of 65' to the South right-of-way line of Atlanta Street, thence along the South right-of-way line of Atlanta Street to the Northwest corner of the West 1/2 of the East 1/2 of the Northwest 7/8 of said section; thence South a distance of 125' to the East line of said section; thence East a distance of 200' to the East line of the Northwest 1/4 of said section; thence North along the West line of said section to the South right-of-way line of Atlanta Street, thence along the South right-of-way line of Atlanta Street to the POINT OF BEGINNING, being 1.22 acres more or less.

Any objection to this application must be made in writing and filed with the Director, Division of Records and Information, Florida Public Service Commission, 2031 E. Edgewood Drive, Suite 200, Lakeland, Florida 33802-3001, within sixty (60) days from the date of the notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

The Colman Group, Inc. Receives For the Lazy S Utility 2031 E. Edgewood Drive-Suite 200 Lakeland, Florida 33802-3001 1257 5-19-2004