

# RUTLEDGE, ECENIA, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA  
RICHARD M. ELLIS  
KENNETH A. HOFFMAN  
JOHN M. LOCKWOOD  
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  
MAGGIE M. SCHULTZ  
GOVERNMENTAL CONSULTANTS  
JONATHAN M. COSTELLO  
MARGARET A. MENDUNI

April 4, 2008

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center  
Room 110  
Tallahassee, FL 32399-0850

**HAND DELIVERY**

RECEIVED-FPSC  
08 APR -4 PM 2:29  
COMMISSION  
CLERK

Re: Docket No. 080183-WU  
Joint Application of Tamiami Village Water Company, Inc. and Ni Florida, LLC  
for Approval of Transfer of Tamiami Village Water Company, Inc.'s Wastewater  
System

Dear Ms. Cole:

Enclosed for filing on behalf of Tamiami Village Water Company, Inc. ("Tamiami") and Ni Florida, LLC ("Ni Florida") are the following documents:

1. Original and five copies of Late Filed Exhibit Exhibit "L";
2. Original and five copies of Notice of Filing Late Filed Exhibit "L".

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,



Marsha E. Rule

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL 1 \_\_\_\_\_  
OPC \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA \_\_\_\_\_  
SEC Enclosures \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

02624 APR -4 08

FPSC-COMMISSION CLERK

**NEWS-PRESS**

*Published every morning - Daily and Sunday*

*Fort Myers, Florida*

**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kathy Allebach**

who on oath says that he/she is the

**Legal Assistant**

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**Notice of Action**

In the matter of

**Approval of Tamiami Village Water Company, Inc's Water System to NI Florida, LLC**

In the court was published in said newspaper in the issues of

**April 1, 2008**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she 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.

Sworn to and subscribed before me this

1st day of April 2008 by

**Kathy Allebach**

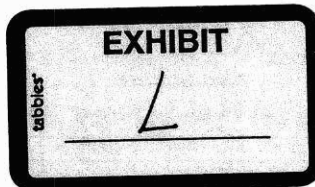
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Print Name

My commission Expires:



APPLICATION OF TAMAMIAMI VILLAGE WATER COMPANY, INC.

AND NI FLORIDA, LLC FOR

APPROVAL OF TRANSFER OF TAMAMIAMI VILLAGE WATER COMPANY, INC.'S

WATER SYSTEM TO NI FLORIDA, LLC

Notice is hereby given on the 1st day of April, 2008, pursuant to Section 367.071, Florida Statutes, of the Joint Application for Tamiami Village Water Company, Inc. ("Tamiami") and NI Florida, LLC ("NI Florida") for Approval of the Transfer of Tamiami's Water System and Certificate No. 388-W to NI Florida, in Lee County, Florida, providing water service to the following described territory in Lee County, Florida:

The following described lands located in portions of Section 27, Township 43 S, Range 24 E, Lee County, Florida:

Tract or Parcel of land in the South Half (S 1/2) of the Northwest Quarter (NW 1/4) and in the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of Section 27, Township 43 South, Range 24 East, Lee County, Florida and in Leesure Village, a Mobile Home Park as recorded in Condominium Plat Book 3, pages 60 through 76 of the Lee County, Florida Public Records which is described as follows: From the Southwest corner of said North Half (N 1/2) of the Southwest Quarters (SW 1/4); thence North 89 degrees 48 minutes 29 seconds East along the South line of said fraction for 25.0 feet; thence North 0 degrees 19 minutes 10 seconds West parallel with the West line of said Section for 1937.92 feet to the Point of Beginning; thence continue North 0 degrees 19

minutes 10 seconds West for 378.77 feet; thence North 89 degrees 33 minutes 50 seconds East for 575.62 feet; thence South 0 degrees 18 minutes 50 seconds East for 169.78 feet; thence South 0 degrees 26 minutes 10 seconds East for 209.19 feet; thence South 89 degrees 33 minutes 50 seconds West for 576.03 feet to the Point of Beginning.

Subject to easements, restrictions and reservations of record.

A tract or parcel of land in the Southeast 1/4 of the Southwest 1/4 of Section 27, Township 43 South, Range 24 East, Lee County, Florida, which is described as follows:

From the Southwest corner of said fraction of Section; thence N.0°19'10"W. along the West line of said Section for 25.0 feet; thence S. 89°53'40" E. along the North right of way (25.0 feet from center line) of Littleton Road and parallel with the South line of said Section for 1877.70 feet to an intersection with a Southerly prolongation of a line parallel with and 290.00 feet (as measured on a

DOCUMENT NUMBER-DATE  
02624 APR-4 08

...measured on a perpendicular from the Westerly line (S.05°56'20"W.) of the Tamiami Trail (U.S. 41) State Road No. 45) and the Point of Beginning. Thence N. 05°56'20"E. along said prolongation for 348.19 feet; thence S. 84°03'40"E. for 290.00 feet; thence S. 05°56'20"W. along the Westerly right of way (100.00 feet from center line) of said Tamiami Trail for 208.00 feet to a point of curvature of a curve to the left (radius 5829.58 feet; Delta Angle 01°05'08"); thence Southwesterly along the arc of said curve for 110.46 feet; thence N. 89°53'40"W. along said North right of way of Littleton Road for 292.55 feet to the Point of Beginning. Containing 2.220 acres more or less.

A tract or parcel of land in the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 43, South, Range 24 East, Lee County, Florida, which is described as follows:

From the Southwest corner of said Section; thence N. 0°39'10"W. along the West line of said Section for 25.0 feet; thence S. 89°53'40"E. along the North right of way (25.0 feet from center line) of Littleton Road; and parallel with the South line for said Section for 187.50 feet to an intersection with a southerly prolongation of a line parallel with and 290.00 feet (as measured on a perpendicular) from the Westerly right of way (S.05°56'20"W.) of the Tamiami Trail (U.S. 41) State Road 45); thence N. 05°56'20"E. along said prolongation for 348.19 feet to the Point of Beginning.

Thence continue N. 05°56'20"E. along said prolongation for 371.45 feet; thence S. 89°53'40"E. along the Southerly line of an 80.00 feet wide parcel of land as recorded in O.R.B. 1687 pages 0106 for 291.50 feet; thence S. 05°56'20"W. along said Westerly right of way (100.00 feet from the center line) of said Tamiami Trail for 408.00 feet; thence N. 84°03'40"W. for 290.00 feet to the Point of Beginning. Containing 2.2572 acres more or less.

Any objections to the Joint Application must be made in writing and filed within 30 days from the date of this Notice with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Kenneth A. Hoffman, Esq., Ruffledge Echenia & Hoffman, P.A., P. O. Box 551, Tallahassee, Florida 32302. The objection must state the grounds for the objection with particularity.

Tamiami Village Water Company, Inc. 9280 S. College Parkway Ft. Myers, FL 33919-4848 (734) 482-0717 (Telephone) and Ni-Florida, LLC 10913 Metronome Houston, Texas 77043 (713) 574-5952 (Telephone) April No. 1276426

<b>AFFIDAVIT OF PUBLICATION</b>

Delivering your world  
**THE NEWS-PRESS**  
news-press.com

"Serving Southwest Florida Since 1884"

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint Application of Tamiami Village )  
Water Company, Inc. and Ni Florida, LLC ) Docket No. 080183 -WU  
for Approval of Transfer of Tamiami Village )  
Water Company, Inc.'s Water System. ) Filed: April 4, 2008  
\_\_\_\_\_)

**NOTICE OF FILING LATE FILED EXHIBIT "L"**

Joint Applicants, Ni Florida, LLC and Tamiami Village Water Company, Inc., by and through their undersigned counsel, hereby notice filing in the above-referenced docket of Late Filed Exhibit "L" to their Application, which is the Affidavit of Publication of Notice.

Respectfully submitted this 4<sup>th</sup> day of April, 2008.



\_\_\_\_\_  
Kenneth A. Hoffman, Esq.  
Marsha E. Rule, Esq.  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P. O. Box 551  
Tallahassee, Florida 32302  
(850) 681-6788 (Telephone)  
(850) 681-6515 (Facsimile)

*Attorneys for Ni Florida, LLC, and  
Tamiami Village Water Company, Inc.*

DOCUMENT NUMBER-DATE

02624 APR -4 8

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Notice of Filing Late Filed Exhibit "L" was furnished by United States Mail to the following this 4<sup>th</sup> day of April, 2008:

Michael G. Cooke, Esq.  
General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



---

Marsha E. Rule