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REPLY TO CENTRAL FLORIDA OFFICE

April 14, 2008

VIA E-FILING

CENTRAL FLORIDA OFFICE  
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(LICENSED IN NEW YORK ONLY)

Ann Cole, Commission Clerk  
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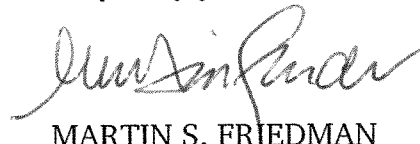
Re: Docket No.: 080179-SU; North Fort Myers Utility, Inc's Application for Amendment  
to Extend its Wastewater Service Area in Lee County, Florida  
Our File No.: 16319.75

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Late Filed Exhibit "T" to North Fort Myers Utility, Inc.'s Application, which is the Affidavit of Publication evidencing the Notice of Application has been published in a newspaper of general circulation.

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

MSF/mp  
Enclosures

cc: Dr. Joel Schenkman (w/o enclosure)  
Dr. Michael Schenkman (w/o enclosure)  
A.A. Reeves, III, Utility Manager (w/enclosure)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of )  
NORTH FORT MYERS UTILITY, INC. )  
for extension of wastewater service )  
in Lee County, Florida. )  
\_\_\_\_\_ )

Docket No. 080179-SU

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

Applicant, NORTH FORT MYERS UTILITY, INC, by and through its undersigned attorneys and pursuant to the applicable Florida Statutes and Florida Administrative Code, hereby gives notice of filing Late Filed Exhibit "I" to its Application filed in the above-referenced Docket, which is the Affidavit of Publication evidencing the Notice of Application has been published in a newspaper of general circulation.

Respectfully submitted on this 14<sup>th</sup> day of  
April, 2008, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
2180 W. State Road 434, Suite 2118  
Longwood, Florida 32779  
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By:   
MARTIN S. FRIEDMAN

**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 Application**

In the matter of

**Extension of Wastewater service area**

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

**April 4, 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

4th day of April 2008 by

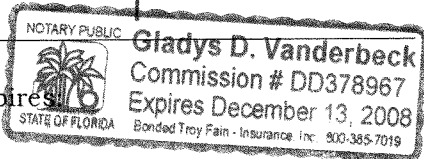
**Kathy Allebach**

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

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

Notice is hereby given on this 4 day of April, 2008, pursuant to Section 367.045(2), Florida Statutes, of the Application of the North Fort Myers Utility, Inc., and of its intent to apply to the Florida Public Service Commission for an extension of its service area to provide wastewater service to the property in Lee County, Florida, more particularly described as follows:

**SECTIONS 15 & 16, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA**

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 15 AND 16, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, WHICH TRACTS OR PARCELS ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 15 RUN NORTH 90°00'00" EAST ALONG THE SOUTH LINE OF SECTION 15 FOR 47.20 FEET TO THE WESTERLY RIGHT-OF-WAY OF TAMIAHI TRAIL (STATE ROAD 45); THENCE RUN NORTH 26°07'10" WEST ALONG SAID WESTERLY RIGHT-OF-WAY FOR 2,569.69 FEET; THENCE RUN NORTH 28°59'23" WEST ALONG SAID WESTERLY RIGHT-OF-WAY FOR 297.16 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY CORNER OF A PARCEL AS DESCRIBED IN A DEED AS RECORDED IN OFFICIAL RECORDS BOOK 3163, PAGE 1954, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTH 63°52'50" WEST ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 476.42 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL; THENCE RUN SOUTH 26°07'10" EAST FOR 2,624.93 FEET TO SOUTHWESTERLY MOST CORNER OF A PARCEL AS DESCRIBED IN A DEED AS RECORDED IN INSTRUMENT NUMBER 2005000075143, PUBLIC RECORDS OF LEE COUNTY, FLORIDA ALSO BEING THE A POINT ON THE SOUTH LINE OF SECTION 16; THENCE RUN SOUTH 89°55'59" EAST ALONG THE SOUTH LINE OF SAID SECTION FOR 500.27 FEET TO THE POINT OF BEGINNING. BEARINGS MENTIONED HEREON ARE BASED ON THE SOUTH LINE OF SECTION 16 TO BEAR NORTH 89°55'59" WEST.

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1**  
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID POINT BEING A POINT ON THE

WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE RUN S.88°45'47"E, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 100.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.00°26'33"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1,380.98 FEET; THENCE RUN S.88°52'26"E FOR A DISTANCE OF 1,289.95 FEET; THENCE RUN S.88°52'02"E FOR A DISTANCE OF 1,200.01 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE RUN S.00°17'01"W, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 1,177.03 FEET TO A POINT ON THE APPROXIMATE TOP OF BANK OF A MAN-MADE DITCH; THENCE RUN SOUTHEASTERLY, ALONG THE APPROXIMATE TOP OF BANK OF SAID DITCH THE FOLLOWING CALLS:  
1. S.66°57'30"E. FOR A DISTANCE OF 51.84 FEET;  
2. THENCE RUN S.62°42'59"E. FOR A DISTANCE OF 34.22 FEET;  
3. THENCE RUN S.71°07'07"E. FOR A DISTANCE OF 40.46 FEET;  
4. THENCE RUN S.75°05'44"E. FOR A DISTANCE OF 54.64 FEET;  
5. THENCE RUN S.53°48'26"E. FOR A DISTANCE OF 60.20 FEET;  
6. THENCE RUN S.40°53'39"E. FOR A DISTANCE OF 33.01 FEET;  
7. THENCE RUN S.45°59'51"E. FOR A DISTANCE OF 43.84 FEET;  
8. THENCE RUN S.32°06'08"E. FOR A DISTANCE OF 30.67 FEET;  
9. THENCE RUN S.28°20'46"E. FOR A DISTANCE OF 39.90 FEET;  
10. THENCE RUN S.12°43'52"E. FOR A DISTANCE OF 39.18 FEET;  
11. THENCE RUN S.08°54'45"E. FOR A DISTANCE OF 28.95 FEET;  
12. THENCE RUN S.06°50'11"E. FOR A DISTANCE OF 34.61 FEET;  
13. THENCE RUN S.03°48'12"E. FOR A DISTANCE OF 25.62 FEET;  
14. THENCE RUN S.24°12'11"E. FOR A DISTANCE OF 91.43 FEET;

15. THENCE RUN S.47°23'44"E. FOR A DISTANCE OF 64.61 FEET.

16. THENCE RUN S.17°16'30"E. FOR A DISTANCE OF 63 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF THE OLD RIVER BED OF THE CALOOSAHATCHEE RIVER; THENCE RUN SOUTHWESTERLY, ALONG THE MEAN HIGH WATER LINE OF THE CALOOSAHATCHEE RIVER, FOR A DISTANCE OF 3,500 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED IN INSTRUMENT #2007000297026 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.81°50'47"W. ALONG THE SOUTHERLY LINE OF SAID PARCEL, FOR A DISTANCE OF 186 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 31; THENCE RUN N.08°09'14"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 22.61 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE TO THE EAST; THENCE RUN NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 5356.41 FEET, THROUGH A CENTRAL ANGLE OF 0°3'17"19", SUBTENDED BY A CHORD OF 307.40 FEET AT A BEARING OF N.06°30'35"W, FOR A DISTANCE OF 307.44 FEET TO THE END OF SAID CURVE; THENCE RUN S.85°08'07"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 10.00 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE TO THE EAST, FROM WHICH THE RADIUS POINT BEARS N.85°08'05"E. A DISTANCE OF 5,366.41 FEET THEREFROM; THENCE RUN NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 5,366.41 FEET, THROUGH A CENTRAL ANGLE OF 0°8'19'10", SUBTENDED BY A CHORD OF 778.53 FEET AT A BEARING OF N.00°42'20"W, FOR A DISTANCE OF 779.21 FEET TO THE END OF SAID CURVE;

THENCE RUN N.03°27'15"E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 855.44 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE TO THE WEST; THENCE RUN NORTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,959.86 FEET, THROUGH A CENTRAL ANGLE OF 0°3°55'00", SUBTENDED BY A CHORD OF 133.95 FEET AT A BEARING OF N.01°29'45"E, FOR A DISTANCE OF 133.97 FEET TO THE END OF SAID CURVE; THENCE RUN N.00°27'54"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 519.39 TO THE POINT OF BEGINNING.

AND

PARCEL 2 COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.88°45'47"W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 1257.82 FEET TO A POINT ON A LINE 30 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE CENTERLINE OF AN EXISTING PAVED DRIVE AS DESCRIBED IN RESIDENCE PARCEL "A" RECORDED IN OFFICIAL RECORDS BOOK 2290 AT PAGE 3479 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN SOUTHERLY ALONG SAID PARALLEL LINE, THE FOLLOWING COURSES:

1. S.44°57'10"E FOR A DISTANCE OF 331.91 FEET;
2. THENCE RUN S.15°00'10"E. FOR A DISTANCE OF 53.03 FEET;
3. THENCE RUN N.74°59'50"E. FOR A DISTANCE OF 18.55 FEET;
4. THENCE RUN S.15°00'10"E. FOR A DISTANCE OF 137.17 FEET;
5. THENCE RUN S.28°49'50"W. FOR A DISTANCE OF 219.46 FEET;
6. THENCE RUN S.37°56'50"W. FOR A DISTANCE OF 235.27 FEET;
7. THENCE RUN S.48°53'50"W. FOR A DISTANCE OF 266.81 FEET;

8. THENCE RUN S.44°50'41"W. FOR A DISTANCE OF 140.42 FEET;

9. THENCE RUN S.03°40'10"E. FOR A DISTANCE OF 86.00 FEET;

10. THENCE RUN S.42°11'10"E. FOR A DISTANCE OF 184.68 FEET;

11. THENCE RUN S.48°06'50"W. FOR A DISTANCE OF 270 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF THE OLD RIVER BED OF THE CALOOSAHATCHEE RIVER; THENCE RUN NORTHWESTERLY, ALONG THE MEAN HIGH WATER LINE OF THE CALOOSAHATCHEE RIVER, FOR A DISTANCE OF 975 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY MEAN HIGH WATER LINE OF AN UNNAMED TRIBUTARY OF TROUT CREEK; THENCE RUN EASTERLY, ALONG THE SOUTHERLY MEAN HIGH WATER LINE OF SAID TRIBUTARY, FOR A DISTANCE OF 1000 FEET, MORE OR LESS; THENCE RUN NORTHERLY, ALONG THE MEAN HIGH WATER LINE OF SAID TRIBUTARY, FOR A DISTANCE OF 80 FEET, MORE OR LESS; THENCE RUN WESTERLY, ALONG THE MEAN HIGH WATER LINE OF SAID TRIBUTARY, FOR A DISTANCE OF 950 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY MEAN HIGH WATER LINE OF TROUT CREEK; THENCE RUN NORTHERLY AND NORTHEASTERLY, ALONG THE SOUTHERLY MEAN HIGH WATER LINE OF TROUT CREEK, FOR A DISTANCE OF 1500 FEET, MORE OR LESS, TO A POINT ON A LINE 30 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE CENTERLINE OF AN EXISTING PAVED DRIVE AS DESCRIBED IN RESIDENCE PARCEL "A" RECORDED IN OFFICIAL RECORDS BOOK 2290 AT PAGE 3479 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN SOUTHERLY, ALONG SAID PARALLEL LINE, THE FOLLOWING COURSES:

1. S.13°28'44"E. FOR A DISTANCE OF 190 FEET, MORE OR LESS;
2. THENCE RUN S.24°50'50"W. FOR A DISTANCE OF 318.05 FEET;
3. THENCE RUN S.29°52'10"E. FOR A DISTANCE OF 128.59 FEET;
4. THENCE RUN S.44°37'10"E. FOR A DISTANCE OF 134.63 FEET TO THE POINT OF BEGINNING.

BEARINGS REFER TO SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S.88°45'47"E.

Any objections to the Application must be made in writing and filed with the Director, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the date of this Notice, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2180 W. State Road 434, Suite 2118, Longwood, FL 32779. The objection must state the grounds for the objection with particularity.

Apr 4 No. 1277165