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COMMISSION
CLERK

Hopping Green & Sams

Attorneys and Counselors

December 1, 2010

RECEIVED-FPSC

10 DEC -1 PM 2:39

COMMISSION
CLERK

BY HAND-DELIVERY

Ann Cole
Director, Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

DEPOSIT DATE
086 DEC 07 2010

100452-SU

CK# 007687

\$ 1,500.00

12-2-10
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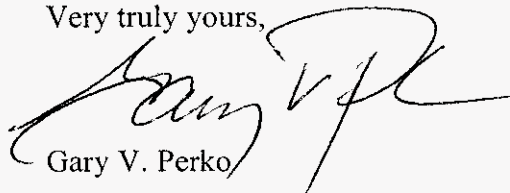
Re: Application for Transfer of Majority Organizational Control of Hunters Ridge Utility Co. of Lee County; and Request for Cancellation of Certificate No

Dear Ms. Cole:

Subject to approval of the Commission, Hunters Ridge Community Association, Inc. ("Community Association"), a non-profit corporation, has agreed to purchase the entire stock of Hunters Ridge Utility Co. of Lee County ("Utility"), which currently provides wastewater services exclusively to members of the Community Association pursuant to Certificate No. 472-S. For the Commission's review and approval, I enclose the original and five copies of an Application for Transfer of Majority Organization Control of the Utility, as well as check in the amount of \$1,500 for the application fee. Subject to the Commissions' approval of the transfer, the Community Association respectfully requests cancellation of the Utility's certificate (No. 472-S), pursuant to Section 376.022(7), Florida Statutes, which provides an exemption from regulation for non-profit corporations providing service solely to their members.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning it to me. If you have any questions regarding this filing, please give me a call at 425-2359.

Very truly yours,



Gary V. Perko

- COM _____
- APA _____
- ECR _____
- GCL
- RAD _____
- SSC _____
- ADM _____
- OPC _____
- CLK Grant

DOCUMENT NUMBER-DATE
09683 DEC-1 0
FPSC-COMMISSION CLERK

DOCUMENT NUMBER-DATE

09775 DEC-6 0

B) The name, address and telephone number of the person to contact concerning this application:

Donal Huprich (239) 992-4242
Name Phone No.

12500 Hunters Ridge Drive
Street address

Bonita Springs FL 34135
City State Zip Code

C) The full name (as it appears on the certificate), address and telephone number of the buyer:

Hunters Ridge Community Association, Inc.
Name of utility

(239) 992-4242 (239) 992-9138
Phone No. Fax No.

12500 Hunters Ridge Drive
Office street address

Bonita Springs FL 34235
City State Zip Code

N/A
Mailing address if different from street address

N/A
Internet address if applicable

D) The name(s) and address(es) of all of the buyer's corporate officers, directors, partners and any other person(s) who will own an interest in the utility.

Sandra S. Morgan, President 12500 Hunters Ridge Dr., Bonita Springs, FL

R. Thomas Padgett, V. President 12500 Hunters Ridge Dr., Bonita Springs, FL

Fred Forbes, Secretary 12500 Hunters Ridge Dr. Bonita Springs, FL

Harold E. King, Treasurer 12500 Hunters Ridge Dr., Bonita Springs FL

Ben Butler, Director 12500 Hunters Ridge Dr., Bonita Springs, FL

David Miller, Director 12500 Hunters Ridge Dr., Bonita Springs, FL

Dan Wirsbinksi, Director 12500 Hunters Ridge Dr., Bonita Springs, FL

PART II FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit 1 - A statement by the buyer indicating how the transfer is in the public interest, including a summary of the buyer's experience in water and/or wastewater utility operations, a showing of the buyer's financial ability to provide service and a statement that the buyer will fulfill the commitments, obligations and representations of the seller with regard to utility matters.

- B) List the names and locations of other water and/or wastewater utilities owned by the buyer and PSC certificate numbers, if any.

N/A – none

- C) Exhibit 2 - A copy of the purchase agreement.

- D) Exhibit 3 - A statement of how the buyer is financing the purchase.

- E) Exhibit 4 - A list of all entities, including affiliate which have provided or will provide funding to the buyer, and an explanation of the manner and amount of such funding, which shall include their financial statements and copies of any financial agreements with the utility. This requirement shall not apply to any person or entity holding less than 10 percent ownership interest in the utility.

- F) Exhibit 5 - A statement from the buyer that after reasonable investigation, the system being acquired appears to be in satisfactory condition and in compliance with all applicable standards set by the DEP.

If the system is in need of repair or improvement, has any outstanding Notice of Violation(s) of any standard(s) set by the DEP or any outstanding consent orders with the DEP, the buyer shall provide a list of the improvements and repairs needed and the approximate cost to make them, a list of the action taken by the utility with regard to the violations, a copy of the Notice of Violation(s), a copy of the consent order and a list of the improvements and repairs consented to and the approximate cost.

PART III NOTICE OF ACTUAL APPLICATION

- A) Exhibit 6 - 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 the territory proposed to be served is located;

- (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and that are 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 Office of Commission Clerk;
 - (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. THIS MAY BE A LATE-FILED EXHIBIT.
- B) Exhibit 7 - An affidavit that 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 customer of the system being transferred. A copy of the Notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit 8 - Immediately upon completion of publication, an affidavit that the notice of actual application was published once 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 shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART IV FILING FEE

Indicate the filing fee enclosed with the application:

\$ _____ (for water) \$1,5000 _____ (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee as follows:

- (1) For applications in which the utility to be transferred has the capacity to serve up to 500 ERC's, the filing fee shall be **\$750**.

- (2) For applications in which the utility to be transferred has the capacity to serve from 501 to 2,000 ERC's the filing fee shall be **\$1,500**.
- (3) For applications in which the utility to be transferred has the capacity to serve from 2,001 ERC's to 4,000 ERC's the filing fee shall be **\$2,250**.
- (4) For applications in which the utility to be transferred has the capacity to serve more than 4,000 ERC's the filing fee shall be **\$3,000**.

PART V OTHER

- A) Exhibit 9 - Evidence that the utility owns the land where the utility treatment facilities are located. If the utility does not own the land, a copy of the agreement which provides for the long term, continuous use of the land such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative.
- B) Exhibit ~~9~~ ^{N/A} - The original and two copies of revised tariff sheet(s) reflecting the change in ownership. **Sample tariff sheets are attached.**
- C) Exhibit 10 - The utility's current certificate(s). If not available, an explanation of the steps taken to obtain the certificate(s).

PART VI AFFIDAVIT

I Sandra S. Morgan (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

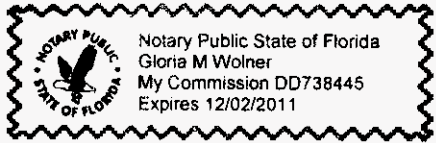
BY: Sandra S. Morgan
Applicant's Signature
Sandra S. Morgan
Applicant's Name (Typed)
President
Applicant's Title *

Subscribed and sworn to before me this 17th day of the month of November

in the year of 2010 by Sandra S. Morgan who is

personally known to me or produced the following identification

Type of Identification Produced



Gloria Wolner
Notary Public's Signature

Gloria Wolner
Print, Type or Stamp Commissioned
Name of Notary Public

* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.