

GATLIN, WOODS, CARLSON & COWDERY

Attorneys at Law

a partnership including professional associations

The Mahan Station
1709-D Mahan Drive
Tallahassee, Florida 32308

B. KENNETH GATLIN, P.A.
THOMAS F. WOODS
JOHN D. CARLSON
KATHRYN G.W. COWDERY
WAYNE L. SCHIEFELBEIN

TELEPHONE (904) 877-7191
TELECOPIER (904) 877-9031

DEPOSIT TREAS. REC. DATE

July 9, 1993

8739 JUL 12 1993

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

HAND DELIVERY

RE: Application for Extension of Service
Area (Amendment of Certificate 268-S)
by SOUTH SEAS UTILITY COMPANY in Lee
County, Florida

Dear Mr. Tribble:

Please open a docket to process the above application.

In support thereof, enclosed are an original and (except where otherwise noted) 15 copies of the following:

1. South Seas Utility Company's Application for Extension of Service Area (Amendment of Certificate 268-S) in Lee County, Florida
 - Exhibit A Request for Service
 - Exhibit B Deeds to Treatment Site
 - Exhibit C Territorial Description
 - Exhibit D System Map (one copy only)
 - Exhibit E Territorial Map (one copy only)
 - Exhibit F Tariff Sheet

DOCUMENT NUMBER 07379

07379 JUL-93

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TELEPHONE (904) 877-7191
TELECOMER (904) 877-9031

July 9, 1993

HAND DELIVERY

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

930673-34

RE: Application for Extension of Service
Area (Amendment of Certificate 268-S)
by SOUTH SEAS UTILITY COMPANY in Lee
County, Florida

54402

Dear Mr. Tribble:

Please open a docket to process the above application.

In support thereof, enclosed are an original and (except where otherwise noted) 15 copies of the following:

1. South Seas Utility Company's Application for Extension of Service Area (Amendment of Certificate 268-S) in Lee County, Florida

- Exhibit A Request for Service
- Exhibit B Deeds to Treatment Site
- Exhibit C Territorial Description
- Exhibit D System Map (one copy only)
- Exhibit E Territorial Map (one copy only)
- Exhibit F Tariff Sheet
- Exhibit G Certificate 268-S - orig & WA
- Exhibit H Four-Mile list
- Exhibit I Affidavit of Wayne Schiefelbein
- Exhibit J Affidavit/Customer Notice
- Exhibit K Affidavit/Tariff & Annual Report

} Forwarded to WPA

2. Check for \$150.00 as payment of filing fee.

RECEIVED & FILED

Jaw
EPSC-BUREAU OF RECORDS

07379 JUL-93

07379 JUL-93

FLORIDA PUBLIC SERVICE COMMISSION

Letter to Steve Tribble
July 9, 1993
Page Two

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention. Thank you for your assistance.

Sincerely,

Wayne L. Schiefelbein
Wayne L. Schiefelbein

WLS/meg
Enclosures

0300170 07379-DATE

07379 JUL-93

0300170 07379-DATE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for)
Extension of Service Area)
(Amendment of Certificate)
268-S) by South Seas)
Utility Company in Lee)
County, Florida)

SOUTH SEAS UTILITY COMPANY'S
APPLICATION FOR EXTENSION OF
SERVICE AREA (AMENDMENT OF CERTIFICATE
268-S) IN LEE COUNTY, FLORIDA

Pursuant to Section 367.045, Florida Statutes, South Seas Utility Company (South Seas), by and through its undersigned counsel, files this application for extension of service area (amendment of Certificate 268-S) in Lee County, Florida, and in accordance with Rule 25-30.036, Florida Administrative Code, hereby supplies the following information:

1. a) The name and address of the utility is:

South Seas Utility Company
12800 University Drive, Suite #350
Fort Myers, FL 33907

The name and address of the person to receive a copy of all papers, pleadings, and filings in this docket is:

Wayne L. Schiefelbein
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, FL 32308

b) South Seas has the financial and technical ability to provide service to the proposed extension. Financial information concerning South Seas is on file with the Commission in the 1992 Annual Report. Hydrologic Florida, Inc., under this name and previous names, has operated the plant since 1977. There is a need for service to the proposed extension. Please see the attached letter dated June 15, 1993 from McCarthy's Marina, Inc.

DOCUMENT NUMBER-DATE

07379 JUL-93

FILE NUMBER

(Exhibit A) By including these parcels in the service area, existing septic systems will be removed and the need to expand these systems to accommodate redevelopment will be eliminated. Further, the marina pump-out station will provide a much needed facility for the recreational boat traffic in the Pine Island Sound Aquatic Preserve.

There are no other utilities within a four-mile radius which could potentially provide service to the proposed extension.

c) The provision of service to the extended area is consistent with the wastewater section of the local comprehensive plan, as approved by the Department of Community Affairs.

d) South Seas owns the land upon which the utility treatment facilities that will serve the proposed territory are located. Copies of a May 6, 1980 Warranty Deed, and a May 27, 1986 quit claim deed prepared to correct certain technicalities in the legal description, are attached. (Exhibit B)

e) A description of the territory proposed to be served, using township, range and section references, is attached. (Exhibit C)

f) A detailed system map showing the proposed lines, treatment facilities and the territory proposed to be served is attached. (Exhibit D)

g) South Seas has the capacity in its existing lines and its 450,000 gallons per day (GPD) treatment facility to serve this small proposed expansion. The proposed lift station and force

main are sized to serve only the property that is specified in this application.

h) The existing primary method of effluent disposal is by spray irrigation.

i) A copy of the official county tax assessment map with the proposed territory plotted thereon is attached. (Exhibit E)

j) The proposed expansion will consist of a lift station and a 6" force main discharging into an existing lift station. The proposed extension and lift stations with their connecting lines will adequately handle the estimated additional flow of 10,300 GPD.

When the existing treatment plant was expanded in 1989 from 300,000 to 450,000 GPD, the engineering calculation indicated that the certificated service area, at build out, would require a 384,400 GPD treatment and disposal facility. To this was added 15%, or 57,660 GPD, for reserve capacity, resulting in a design criteria of 442,060 GPD. The plant was actually expanded to 450,000 GPD.

The certificated service area was approximately 95% built out by 1990. The monthly operating reports submitted to the Florida Department of Environmental Regulation (FDER) by the plant operator for the past 3 1/2 years show the average daily flow to be 237,000 GPD. The maximum daily flow tops 400,000 GPD on occasion, but has never exceeded the design capacity of the treatment facility.

k) No FDER permits for the proposed extension have been applied for at this time. Upon Commission approval of this application, South Seas will sign and the developer will file the appropriate permit applications.

l) The cost of construction of the proposed lift station and force main is estimated at \$86,600. It is undetermined at this time whether the developer will remit \$51,000 in service availability charges, with the balance funded as utility investment, or whether the developer will construct and contribute the proposed lift station and force main. This will be determined after rezoning and permitting necessary for the project are resolved. In any event, there will be no significant impact on South Seas' capital structure.

m) The usage of the subject parcel will include overnight accommodations, a swimming pool, a small retail and food and beverage operation and overnight marina facilities including a pump-out station. This will produce an estimated flow of 10,300 GPD or 34 ERC's.

n) The proposed extension will have no impact on South Seas' monthly rates and service availability charges. The present rates and charges will apply.

o) Second Revised Sheet No. 3.3, reflecting the additional service area, is attached. (Exhibit F) Commission Staff accepted the legal description set forth in the notices for notice purposes only, and indicated that for final approval the legal description set forth in the tariff would need to be restated with

a point of beginning referenced from either a section corner or a subsection corner. The attached proposed tariff sheet restates the legal description accordingly.

p) Certificate 268-S is attached. (Exhibit G)

2. The proposed extension would provide less than 999 persons with wastewater service. Pursuant to Rule 25-30.020, Florida Administrative Code, the filing fee for the application is \$150. A check in that amount payable to the Commission accompanies this application.

3. a) Pursuant to Rule 25-30.030, Florida Administrative Code, South Seas obtained from the Commission a list of municipalities, other government authorities, and wastewater utilities within a four-mile radius of the territory proposed to be added. (Exhibit H)

b) On July 8, 1993, South Seas provided a copy of the Notice by certified mail to the governmental authorities and neighboring utilities required under Rule 25-30.030(5)(a) through (f), Florida Administrative Code. South Seas also provided a copy of the Notice by certified mail to the City of Sanibel and Sanibel Sewer Systems, although they were not reflected on the four-mile list provided by the Commission. An affidavit of Wayne L. Schiefelbein confirming this provision of notice, together with a copy of the Notice, is attached. (Exhibit I)

c) On July 8, 1993, South Seas provided a copy of the Notice by regular mail to each customer to be served by the proposed extension, pursuant to Rule 25-30.030(6), Florida

Administrative Code. An affidavit confirming this provision of notice is attached. (Exhibit J)

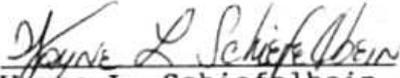
d) Arrangements have been made with the Fort Myers News-Press, a newspaper of general circulation in the territory proposed to be added, to publish the Notice once a week for three consecutive weeks. The first publication was made July 1, 1993. Upon completion of the three publications, South Seas will file proof of publication.

4. South Seas' existing rates are a result of a pass-through rate adjustment effective November 8, 1991. Order No. 22094 (October 26, 1989) is the most recent order of the Commission establishing or amending the wastewater rates and charges for South Seas.

5. An affidavit that South Seas has a tariff and annual reports on file with the Commission is attached. (Exhibit K)

Based on the foregoing, South Seas requests that Certificate 268-S be amended to extend its authorized service territory.

Respectfully submitted


Wayne L. Schiefelbein
Gatlin, Woods, Carlson & Cowdery
1709 - D Mahan Drive
Tallahassee, FL 32308
(904) 877-7191

Attorneys for South Seas
Utility Company

Exhibit A
Request for Service

McCarthy's Marina & Cottages
15083 Captiva Drive
Captiva Island, Florida 33924

June 15, 1993

South Seas Utility Company
12800 University Drive, Suite #350
Fort Myers, FL 33907
Attn: Mr. Joe K. Blacketer

Dear Mr. Blacketer:

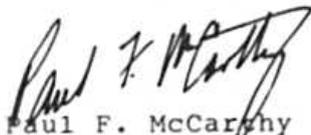
Following up on my recent phone inquiry, I am writing this letter to formalize a request for sewer service.

The property to be served includes four (4) parcels on Captiva Island, located at the northeast intersection of Captiva Drive S.W. and Andy Rosse Lane (formerly Palm Avenue). I am making this request on behalf of McCarthy's Marina, Inc. as the owner of Parcels A, B and C, and contract purchaser of Parcel D, all as shown on the attached sketch. A legal description of the combined parcels is also enclosed for your information.

McCarthy's Marina, Inc. is currently operating rental cottages, commercial retail facilities, and a commercial marina. The property is being permitted for redevelopment under a unified plan that will include all of the existing uses as well as additional residential units, some food & beverage operations, and overnight marina accommodations. The latter will require a marine pump-out station and is the most compelling reason for my request for sewer service being extended to this property. However, because this property is in close proximity to the Bay waters of Pine Island Sound, it also justifies connecting to a central wastewater treatment facility in lieu of expanding or enhancing the existing septic systems.

Please let me know if you need any additional information or if I can be of any assistance in supporting the Utility's application to the Public Service Commission for adding my property to the Utility's service area.

Sincerely,



Paul F. McCarthy

President, McCarthy's Marina, Inc.

EXHIBIT A

Page 2 of 2

Mr. Paul McCarthy
McCarthy's Marine, Inc.
P.O. Box 180
Captiva, Florida 33924

RE: The property identified by Street as
35-15-21-01 and 35-15-21-02
35-15-21-03 and 35-15-21-04

Dear Paul,

Pursuant to our telephone conversation concerning the
above-referenced property, you, as the contract purchaser
of this property, are authorized by me to pursue the
necessary steps to secure sewer service.

Specifically, you are authorized to negotiate with
South Sea Utility Company for sewer service.

Sincerely,


Loretta Jane Gilbert

11
1



Exhibit B

Deeds to Treatment Site

1308501

This Indenture,

WIC 6000-100

WARRANTY DEED
STATE OF FLORIDA
SECTION 689.01

1425 12066

(Whenever and herein the terms "first party" and "second party" shall include decedent and plural, joint, trust, partnership, and estate of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Made this 6th day of May, A. D. 1980
BETWEEN South Seas Plantation, Ltd.

of the County of Lee in the State of Florida, party of the first part, and

South Seas Utility Company
of the County of Lee in the State of Florida, whose post office address is

10 Periwinkle Place, Sanibel, Florida 33957

party of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of TEN AND 00/100 Dollars, in its hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, its heirs and assigns forever, the following described land, situate, and being in the County of Lee State of Florida, to-wit:

All that property described in Exhibit A attached.



And the said party of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, The said party of the first part has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of: } South Seas Plantation, Ltd.
Susan Campbell } BY: *Allen G. Ten Brock*
Michelle F. Lidley } Allen G. Ten Brock
Executive Vice President/Secretary

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

Allen G. Ten Brock
to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 6th day of May, A. D. 1980
Allen G. Ten Brock
4/13/83

This instrument prepared by: *Allen G. Ten Brock*
Mariner Properties, Inc.
10 Periwinkle Place
Sanibel, Florida 33957

Post-It™ brand fax transmittal memo 7871		# of pages → 2
To	DICKSPROAT	From
Co.	MARINER	Co.
Dept.		Phone #
Fax #	407-666-6667	Fax #

EXHIBIT B

EXHIBIT A

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2120 JOHNSON STREET
TALLAHASSEE, FLORIDA 32304
PH: 931-1111

May 2, 1960

1425 12067

CARL E. JOHNSON
President

DESCRIPTION
WASTEWATER TREATMENT FACILITY
SOUTH SEAS PLANTATION UTILITY COMPANY
SECTIONS 22 & 23, T. 45 S., R. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A tract or parcel of land lying in Government Lots 4 and 5, Section 22 and Government Lot 1, Section 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida, which tract or parcel is described as follows:

From the northeast corner of said Lot 5 run N 08° 29' 50" E along the line common to said Sections 22 and 23 for 479.67 feet to the Point of Beginning. From said Point of Beginning run N 89° 30' 10" W for 600 feet; thence run S 08° 29' 50" W, parallel with said section line, for 230 feet more or less to the waters of Chadwick Bayou; thence run easterly, southeasterly and southerly along said waters for 290 feet more or less to an intersection with a line bearing N 89° 30' 10" W and passing through said northeast corner of Lot 5; thence run S 89° 30' 10" E along said line for 450 feet more or less to said northeast corner; thence continue S 89° 30' 10" E along said line for 680 feet more or less to the waters of Pine Island Sound; thence run northerly along said waters for 650 feet more or less to an intersection with a line bearing S 89° 30' 10" E and passing through the Point of Beginning; thence run N 89° 30' 10" W along said line for 505 feet more or less to the Point of Beginning.

Containing 12.6 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.

ENGINEER
ARCHIE T. GRANT, JR.

LEJ/de

5216

PRESIDENT
FORREST H. BANKS
VICE-PRESIDENT
LEIF E. JOHNSON
ASSOCIATES
LESTER L. BULSON
ROBERT S. O'BRIEN
JOSEPH W. EBNER
DAN W. DICKEY

MAY 6 8 31 AM '60
RECORDED & INDEXED
LEE COUNTY, FLORIDA
REC'D VERMILION

DESCRIPTION
 WASTEWATER TREATMENT FACILITY
 PARCEL IN GOVERNMENT LOT 4
 SECTION 22 AND GOVERNMENT LOT 1
 SECTION 23, T. 45 S., R. 21 E.
 CAPTIVA ISLAND, LEE COUNTY, FLORIDA
 FOR CORRECTIVE DEED
 TO SOUTH SEAS UTILITY COMPANY

A tract or parcel of land lying in Government Lot 4, Section 22 and Government Lot 1, Section 23, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

From the 3/4" pipe marking the intersection of the south line of lands described in deed recorded in Deed Book 209 at page 71, Lee County Records with the curved westerly line of a roadway easement (50 feet wide) as described in an Amended Grant of Easement recorded in Official Record Book 1806 at page 3868, Lee County Records being also the northeasterly corner of South Seas Plantation Beach Homesites recorded in Plat Book 29 at pages 105 and 106, Lee County Records run northerly along said westerly line of said easement and the easterly line of Plantation Beach Club III as shown on Surveyor's Plat, Exhibit "1" to Condominium Declaration recorded in Official Record Book 1422 beginning at page 2218, Lee County Records along the arc of a curve to the right of radius 265 feet (chord bearing N 11° 30' 02" W) (delta 25° 16' 05") (chord 115.92 feet) for 116.87 feet to a point of tangency, N 01° 00' E for 122 feet to a point of curvature, northerly, northwesterly and westerly along the arc of a curve to the left of radius 113 feet (chord bearing N 23° 46' 18" W) (delta 49° 32' 36") (chord 94.69 feet) for 97.71 feet; thence run N 41° 27' 24" E along a line radial to said curve for 50 feet to the easterly line of said roadway easement described in said Amended Grant of Easement; thence run northeasterly and easterly along the arc of a curve to the right of radius 73.24 feet (chord bearing N 67° 57' 07" E) (delta 52° 59' 27") (chord 65.35 feet) for 67.74 feet to a point of tangency; thence run S 85° 33' 09" E for 14.32 feet to a point of curvature; thence easterly along the arc of a curve to the left of radius 140 feet (chord bearing N 86° 20' 21" E) (delta 16° 13' 00") (chord 39.49 feet) for 39.63 feet to a point of tangency; thence run N 78° 13' 50" E for 52.53 feet to a point of curvature; thence easterly along the arc of a curve to the right of radius 70 feet (chord bearing S 82° 26' 25" E) (delta 38° 39' 30") (chord 46.34 feet) for 47.23 feet to a point of tangency; thence run S 63° 06' 40" E for 19.99 feet to a point of curvature; thence southeasterly and easterly along the arc of a curve to the left of radius 155 feet (chord bearing S 79° 27' 32" E) (delta 32° 41' 45") (chord 87.26 feet) for 88.45 feet to a point of tangency, passing through a point designated "A" at 65.01 feet along said arc; thence run N 84° 11' 36" E for 86.22 feet to a point of curvature; thence easterly along the arc of a curve to the left of radius 316.10 feet (chord bearing N 74° 58' 20" E) (delta 18° 26' 31") (chord 101.31 feet) for 101.75 feet to a point of reverse curvature; thence easterly along the arc of a curve to the right of radius 54.70 feet (chord bearing N 78° 07' 27" E) (delta 24° 44' 46") (chord 23.44 feet) for 23.63 feet to a point of tangency; thence run S 89° 30' 10" E for 601.41 feet to an intersection with the line common to said Sections 22 and 23; thence run S 08° 29' 50" W along said line for 10.10 feet to the the Point of Beginning.

From said Point of Beginning run N 89° 30' 10" W for 600 feet; thence run S 08° 29' 50" W, parallel with said section line, for 230 feet more or less to the waters of Bryant Bayou; thence run easterly, southeasterly and southerly along said waters for 290 feet more or less to an intersection with a line bearing N 89° 30' 10" W and 475 feet southerly from (as measured on a perpendicular) the Point of Beginning; thence run S 89° 30' 10" E along said parallel line for 450 feet more or less to an intersection with said line common to Sections 22 and 23; thence continue S 89° 30' 10" E along said parallel line for 680 feet more or less to the waters of Pine

Island Sound; thence run northerly along said waters for 560 feet more or less to an intersection with a line bearing S 89° 30' 10" E and passing through the Point of Beginning; thence run N 89° 30' 10" W along said line for 505 feet more or less to the Point of Beginning.

Containing 12.6 acres more or less.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.

RECORDED AND RETURNED TO
CLERK OF DISTRICT COURT
LEE COUNTY, FLA.

MAY 29 3 24 PM '86

Exhibit C
Description of Territory

NAME OF COMPANY South Seas Utility Company
WASTEWATER TARIFF

(Continued from Sheet No. 3.2)

DESCRIPTION OF TERRITORY SERVED

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

SECTION 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST:

From an intersection with the south line of Section 26, Township 45 South, Range 21 East with the easterly right-of-way (R.O.W.) line of Captiva Drive run North for 40.00 feet to the Point of Beginning.

From said Point of Beginning continue North for 225.00 feet; thence run N 89° 58' 30" E departing said easterly R.O.W. line for 50.00 feet; thence run North 50.00 feet to an intersection with the southerly R.O.W. line of Andy Rossi Lane; thence run N 89° 58' 30" E along said southerly R.O.W. line for 345 feet, more or less to an intersection with the Mean High Water Line of Pine Island Sound; thence meandering southwesterly along said Mean High Water Line for 290 feet, more or less to an intersection with the line that bears N 89° 58' 30" E from said Point of Beginning; thence run S 89° 58' 30" W along said line for 315 feet, more or less to the Point of Beginning.

Bearings hereinabove mentioned are based on the east R.O.W. line of Captiva Drive to bear North.

Joe K. Blacketer
General Manager

Exhibit D

System Map

One copy submitted with Application

Forwarded WAW

Exhibit E

Territory Map

One copy submitted with Application

Forwarded WAW

Exhibit F
Sample Tariff Sheet

NAME OF COMPANY South Seas Utility Company
WASTEWATER TARIFF

(Continued from Sheet No. 3.2)

DESCRIPTION OF TERRITORY SERVED

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida which tract or parcel is described as follows:

SECTION 26, TOWNSHIP 45 SOUTH, RANGE 21 EAST:

From an intersection with the south line of Section 26, Township 45 South, Range 21 East with the easterly right-of-way (R.O.W.) line of Captiva Drive run North for 40.00 feet to the Point of Beginning.

From said Point of Beginning continue North for 225.00 feet; thence run N 89° 58' 30" E departing said easterly R.O.W. line for 50.00 feet; thence run North 50.00 feet to an intersection with the southerly R.O.W. line of Andy Rossi Lane; thence run N 89° 58' 30" E along said southerly R.O.W. line for 345 feet, more or less to an intersection with the Mean High Water Line of Pine Island Sound; thence meandering southwesterly along said Mean High Water Line for 290 feet, more or less to an intersection with the line that bears N 89° 58' 30" E from said Point of Beginning; thence run S 89° 58' 30" W along said line for 315 feet, more or less to the Point of Beginning.

Bearings hereinabove mentioned are based on the east R.O.W. line of Captiva Drive to bear North.

Joe K. Blacketer
General Manager

Exhibit G
Certificate 268-S

Forwarded WAW

Exhibit H
Four-Mile List

LIST OF WATER AND WASTEWATER UTILITIES WITHIN A 4 MILE RADIUS OF
45S 21E 26
IN LEE COUNTY
(VALID FOR 60 DAYS)
06/15/93

UTILITY NAME

MANAGER

LEE COUNTY

Sanibel Bayou Utility Corporation (SU331)
1681 Kennedy Causeway, #100E
North Bay Village, FL 33141-4132

Field Supervisors
(813) 597-6059

South Seas Utility Company (SU408)
12800 University Drive, Suite 350
Ft Myers, FL 33907-5336

Joe K. Blacketer
(813) 481-2011

LIST OF WATER AND WASTEWATER UTILITIES WITHIN A 4 MILE RADIUS OF
45S 21E 26
IN LEE COUNTY
(VALID FOR 60 DAYS)
06/15/93

GOVERNMENTAL AGENCIES

DER SOUTH DISTRICT
2295 VICTORIA AVE., SUITE 364
FORT MYERS, FL 33901

City of Fort Myers
2200 Second Street
P. O. Drawer 2217
Ft. Myers, FL 33902

LEE COUNTY BOARD OF COMMISSIONERS
P. O. BOX 398
FT MYERS, FL 33902

S.W. FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 3455
NORTH FT. MYERS, FL 33918-3455

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

All incorporated town and
city government within 4
miles

STATE OFFICIALS

State Of Florida Public Counsel
C/O The House Of Representatives
The Capitol
Tallahassee, FL 32399-1300

Division Of Records And Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32399-0870

Exhibit I

Affidavit of Wayne L. Schiefelbein

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension)
of Service Area (Amendment of)
Certificate No. 268-S) by South)
Seas Utility Company in Lee County)
Florida)

AFFIDAVIT

STATE OF FLORIDA)

COUNTY OF LEON)

Before me personally appeared Wayne L. Schiefelbein, who, being duly sworn, deposes and says:

1. On July 8, 1993, under my direction, supervision and control, a Notice of Application for an Extension of Service Area was sent by certified mail to the utilities and governmental authorities on the four-mile service list provided to me by the Commission Staff, as well as to the City of Sanibel, 800 Dunlop Road, Sanibel Island, FL 33957 and Sanibel Sewer System, 800 Dunlop Road, Sanibel Island, FL 33957.

2. A copy of the Notice is appended hereto as Attachment 1.

3. A copy of the four-mile service list is appended hereto as Attachment 2.

4. Copies of the certified mail return receipts are appended hereto as Attachment 3.

Further Affiant says not.

Wayne L. Schiefelbein
Wayne L. Schiefelbein

Sworn to and subscribed before me this 8th day of July, 1993.

Marianne Gerhardt
Notary Public

Notary Public, State of Florida
My Commission Expires March 20, 1995
Bonded thru Long Term Insurance Inc.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension)
of Service Area (Amendment of)
Certificate 268-S) by SOUTH)
SEAS UTILITY COMPANY in Lee)
County, Florida)

NOTICE OF APPLICATION FOR
EXTENSION OF SERVICE AREA

South Seas Utility Company hereby gives notice of its application to amend Certificate 268-S in Lee County, pursuant to Section 367.045, Florida Statutes, and states:

1. The name and address of the person to receive copies of all documents and filings in this case is:

Wayne L. Schiefelbein
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, Florida 32308
(904) 877-7191
Attorneys for South Seas Utility Company

2. The name and address of the applicant is:

South Seas Utility Company
12800 University Drive
Suite 350
Ft. Myers, Florida 33907

3. A description of the territory to be added to the utility's certificated wastewater service area is:

Section 26, T. 45 S., R. 21 E., Captiva Island, Lee County, Florida

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida being all of Lots 1 through 4 inclusive LESS AND EXCEPT the west 50 feet of Lot 4, all of "F.A. Lane's Second Subdivision of Bayview" as recorded in Plat Book 3 at page 75, Lee County Public Records together with the parcel of land as described in deed recorded in Official Record Book 1417 at page 1073, Lee County Public Records all being more particularly described as follows:

From the northwest corner of said Lot 4 also being an intersection of the southerly right-of-way (R.O.W.) line of Andy Rossi Lane SW (40 feet wide) with the easterly R.O.W. line of Captiva Drive SW (30 feet wide) run N 89°

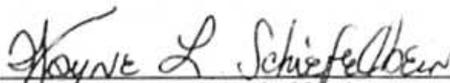
58' 30" E along the north line of said Lot 4 and the southerly R.O.W. line of Andy Rossi Lane SW for 50.00 feet to the Point of Beginning.

From said Point of Beginning continue N 89° 58' 30"E along said Lot Line and southerly R.O.W. line for 344 feet, more or less to an intersection with the Mean High Water Line being the westerly shore of Pine Island Sound; thence meandering along said Mean High Water Line southwesterly for 290 feet, more or less to an intersection with a line that is 75 feet south of (as measured with a perpendicular) and parallel with the south line of Lot 1 of said "F.A. Lane's Second Subdivision of Bayview"; thence run S 89° 58' 30" W along said parallel line for 315 feet, more or less to an intersection with the east R.O.W. line of Captiva Drive SW (30 feet wide); thence run North along said easterly R.O.W. line for 225 feet to the southwest corner of said Lot 4 also being the southwesterly corner of lands described in deed recorded in Official Record Book 1593 at page 2212 of said Lee County Public Records; thence run N 89° 58' 30" E along the south line of said Lot 4 and southerly line of lands described in said deed for 50.00 feet to the southeast corner of the lands described in said deed; thence run North along the east line of said lands for 50.00 feet to an intersection with the north line of Lot 4 also being the southerly R.O.W. line of Andy Rossi Lane SW to the Point of Beginning.
Containing 2.07 acres, more or less.

Bearings hereinabove mentioned are based on the east R.O.W. line of Captiva Drive SW to bear North.

4. Any objections to the application must be filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399-0870, no later than 30 days after the last date that the Notice was mailed or published, whichever is later. A copy of the objection should also be mailed to the undersigned attorney.

Respectfully submitted,



Wayne L. Schiefelbein
Gatlin, Woods, Carlson and Cowdery
1709-D Mahan Drive
Tallahassee, FL 32308
(904) 877-7191
Attorneys for
SOUTH SEAS UTILITY COMPANY

LIST OF WATER AND WASTEWATER UTILITIES WITHIN A 4 MILE RADIUS OF
455 21E 26
IN LEE COUNTY
(VALID FOR 60 DAYS)
06/15/93

UTILITY NAME

MANAGER

LEE COUNTY

Sanibel Bayou Utility Corporation (SU331)
1681 Kennedy Causeway, #100E
North Bay Village, FL 33141-4132

Field Supervisors
(813) 597-6059

South Seas Utility Company (SU408)
12800 University Drive, Suite 350
Ft. Myers, FL 33907-5336

Joe K. Blacketer
(813) 481-2011

LIST OF WATER AND WASTEWATER UTILITIES WITHIN A 4 MILE RADIUS OF
45S 21E 26
IN LEE COUNTY
(VALID FOR 60 DAYS)
06/15/93

GOVERNMENTAL AGENCIES

DER SOUTH DISTRICT
2295 VICTORIA AVE., SUITE 364
FORT MYERS, FL 33901

City of Fort Myers
2200 Second Street
P. O. Drawer 2217
Ft. Myers, FL 33902

LEE COUNTY BOARD OF COMMISSIONERS
P.O. BOX 398
FT MYERS, FL 33902

S.W. FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 3455
NORTH FT. MYERS, FL 33918-3455

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

All incorporated town and
city government within 4
miles

STATE OFFICIALS

State Of Florida Public Counsel
C/O The House Of Representatives
The Capitol
Tallahassee, FL 32399-1300

Division Of Records And Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32399-0870

P 731 315 012



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Sanibel Bayou Utility Corp.	
Street & No.	
11681 Kennedy Causeway #605	
PO, State & ZIP Code	
North Bay Village, FL 33141-4132	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

S Form 3800 June 1990



P 731 315 013

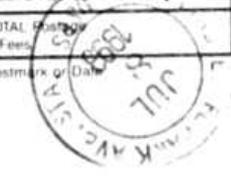


Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
City of Sanibel	
Street & No.	
800 Dunlop Road	
PO, State & ZIP Code	
Sanibel Island, FL 33957	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

S Form 3800 June 1990



P 731 315 014

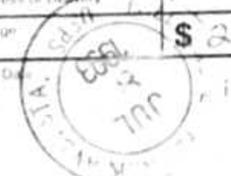


Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Sanibel Sewer System	
Street & No.	
800 Dunlop Road	
PO, State & ZIP Code	
Sanibel Island, FL 33957	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

S Form 3800 June 1990



P 731 315 015

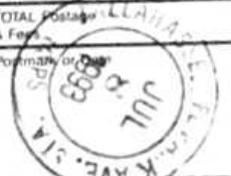


Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
DER South District	
Street & No.	
2295 Victoria Ave., Ste. 304	
PO, State & ZIP Code	
Ft. Myers, FL 33901	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

PS Form 3800 June 1990



P 733 315 016



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>Lee County</i>	
Board of Commissioners	
Street & No. <i>P.O. Box 398</i>	
PO, State & ZIP Code <i>H. Myers, FL 33902</i>	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark of Date	<i>Tallahassee FL 7/10/90</i>

Form 3800 June 1990

P 734 315 017



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>S.W. Florida Regional</i>	
Planning Council	
Street & No. <i>P.O. Box 3455</i>	
PO, State & ZIP Code <i>N. H. Myers, FL 33918-3455</i>	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark of Date	<i>Tallahassee FL 7/10/90</i>

Form 3800 June 1990

P 733 315 018



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>So. Fla. Water Mgmt.</i>	
District	
Street & No. <i>P.O. Box 24680</i>	
PO, State & ZIP Code <i>West Palm Beach, FL 33416-4680</i>	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark of Date	<i>Tallahassee FL 7/10/90</i>

PS Form 3800 June 1990

P 734 315 019



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>State of Florida Public</i>	
Counsel	
Street & No. <i>The Capitol</i>	
PO, State & ZIP Code <i>Talla., FL 32399-1300</i>	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	\$ 2.29
Postmark of Date	<i>Tallahassee FL 7/10/90</i>

PS Form 3800 June 1990

P 731 315 020

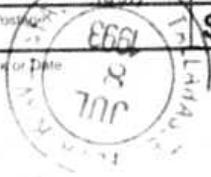


Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>Div. of Records & Reporting</i> <i>FPSC</i>	
Street & No. <i>101 E. Gaines Street</i>	
PO, State & ZIP Code <i>Tallah., FL 32399-0870</i>	
Postage	<i>\$.29</i>
Certified Fee	<i>1.00</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.00</i>
Return Receipt Showing to Whom Date & Address of Delivery	
TOTAL Postage & Fees	<i>\$2.29</i>
Postmark or Date	<i>SEP 11 1990</i>

PS Form 3800 June 1990



P 731 315 021



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: <i>City of St. Myers</i>	
Street & No. <i>2200 Second Street</i> <i>P.O. Drawer 2017</i>	
PO, State & ZIP Code <i>St. Myers, FL 33902</i>	
Postage	<i>\$.29</i>
Certified Fee	<i>1.00</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>1.00</i>
Return Receipt Showing to Whom Date & Address of Delivery	
TOTAL Postage & Fees	<i>\$2.29</i>
Postmark or Date	<i>SEP 11 1990</i>

PS Form 3800 June 1990

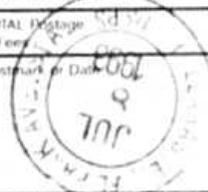


Exhibit J
Affidavit of Customer Notice

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for)
Extension of Service Area)
(Amendment of Certificate)
268-S) by South Seas)
Utility Company in Lee)
County, Florida)

A F F I D A V I T

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME personally appeared Richard E. Sproat, who,
upon being duly sworn, deposes and say:

1. On July 8, 1993, under my direction,
supervision and control, a Notice of Application for Extension of
Service Area was set by regular mail to McCarthy's Marina, Inc.,
which at this time is the only customer to be served by the
proposed extension, and to Loretta June Gilbert, who owns and is
under contract to sell to McCarthy's Marina, Inc. one of the
parcels of the project to be served by this extension.

2. A copy of the Notice is appended as Attachment I.

FURTHER AFFIANT SAYS NOT.

Type Name: Richard E. Sproat

Sworn to and subscribed before me,
this 8th day of July, 1993.

Lynn A. Sweyer
Notary Public
State of Florida at Large

My Commission Expires:

OFFICIAL NOTARY SEAL
LYNN A SWEYER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC237193
MY COMMISSION EXP. NOV. 8, 1996

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension)
of Service Area (Amendment of)
Certificate 268-S) by SOUTH)
SEAS UTILITY COMPANY in Lee)
County, Florida)

NOTICE OF APPLICATION FOR
EXTENSION OF SERVICE AREA

South Seas Utility Company hereby gives notice of its application to amend Certificate 268-S in Lee County, pursuant to Section 367.045, Florida Statutes, and states:

1. The name and address of the person to receive copies of all documents and filings in this case is:

Wayne L. Schiefelbein
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, Florida 32308
(904) 877-7191
Attorneys for South Seas Utility Company

2. The name and address of the applicant is:

South Seas Utility Company
12800 University Drive
Suite 350
Ft. Myers, Florida 33907

3. A description of the territory to be added to the utility's certificated wastewater service area is:

Section 26, T. 45 S., R. 21 E., Captiva Island, Lee County, Florida

A tract or parcel of land lying in Section 26, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida being all of Lots 1 through 4 inclusive LESS AND EXCEPT the west 50 feet of Lot 4, all of "F.A. Lane's Second Subdivision of Bayview" as recorded in Plat Book 3 at page 75, Lee County Public Records together with the parcel of land as described in deed recorded in Official Record Book 1417 at page 1073, Lee County Public Records all being more particularly described as follows:

From the northwest corner of said Lot 4 also being an intersection of the southerly right-of-way (R.O.W.) line of Andy Rossi Lane SW (40 feet wide) with the easterly R.O.W. line of Captiva Drive SW (30 feet wide) run N 89°

58' 30" E along the north line of said Lot 4 and the southerly R.O.W. line of Andy Rossi Lane SW for 50.00 feet to the Point of Beginning.

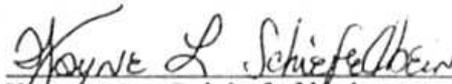
From said Point of Beginning continue N 89° 58' 30"E along said Lot Line and southerly R.O.W. line for 344 feet, more or less to an intersection with the Mean High Water Line being the westerly shore of Pine Island Sound; thence meandering along said Mean High Water Line southwesterly for 290 feet, more or less to an intersection with a line that is 75 feet south of (as measured with a perpendicular) and parallel with the south line of Lot 1 of said "F.A. Lane's Second Subdivision of Bayview"; thence run S 89° 58' 30" W along said parallel line for 315 feet, more or less to an intersection with the east R.O.W. line of Captiva Drive SW (30 feet wide); thence run North along said easterly R.O.W. line for 225 feet to the southwest corner of said Lot 4 also being the southwesterly corner of lands described in deed recorded in Official Record Book 1593 at page 2212 of said Lee County Public Records; thence run N 89° 58' 30" E along the south line of said Lot 4 and southerly line of lands described in said deed for 50.00 feet to the southeast corner of the lands described in said deed; thence run North along the east line of said lands for 50.00 feet to an intersection with the north line of Lot 4 also being the southerly R.O.W. line of Andy Rossi Lane SW to the Point of Beginning.

Containing 2.07 acres, more or less.

Bearings hereinabove mentioned are based on the east R.O.W. line of Captiva Drive SW to bear North.

4. Any objections to the application must be filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399-0870, no later than 30 days after the last date that the Notice was mailed or published, whichever is later. A copy of the objection should also be mailed to the undersigned attorney.

Respectfully submitted,



Wayne L. Schiefelbein
Gatlin, Woods, Carlson and Cowdery
1709-D Mahan Drive
Tallahassee, FL 32308
(904) 877-7191
Attorneys for
SOUTH SEAS UTILITY COMPANY

Exhibit K

Affidavit Regarding Tariff and Annual Report

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, personally appeared Joe K. Blacketer, General Manager of South Seas Utility Company, who upon being duly sworn, deposes and says that:

South Seas Utility Company has tariffs and annual reports on file with the Commission as required by Commission regulations.

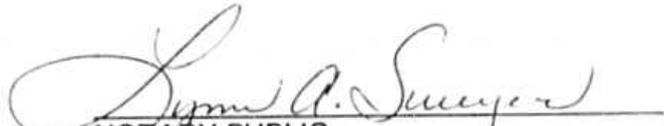
FURTHER, AFFIANT SAYETH NAUGHT.



JOE K. BLACKETER
As: General Manager
South Seas Utility Company

SWORN TO and subscribed before me this 23rd day of June, 1993.

My Commission Expires:


NOTARY PUBLIC