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FEB 27 '96

RECEIVED
PUBLIC UTILITIES
COMMISSION

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

96 FEB 23 11:23

(Pursuant to Section 367.045, Florida Statutes)

960244-W4

To: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for original certificate(s) to operate a water 1 and/or wastewater 0 utility in Highlands County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

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

Holmes Utilities, Inc./Country Waik Facility

Name of utility

(941) 465-6044 (941) 465-5159
Phone No. Fax No.

760 Menscratch Road
Office street address

Lake Placid, Florida 33852
City State Zip Code

Same as above
Mailing address if different from street address

Not Applicable
Internet address if applicable

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

Daniel or Lisa Holmes (941) 465-6044
Name Phone No.

760 Menscratch Road
Street address

Lake Placid, Florida 33852
City State Zip Code

- (4) Indicate when the water utility system was established.

1987

- (5) Exhibit A - Evidence that the utility owns the land where the water 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) **WASTEWATER** Not Applicable

- (1) Exhibit N/A - A schedule showing the number of customers by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied.
- (2) Indicate permit numbers and dates of approval of wastewater treatment facilities by the Department of Environmental Protection (DEP) or the agency designated by DEP to issue permits:

 N/A

- (3) Indicate when the wastewater utility system was established.

 N/A

- (4) Exhibit N/A - Evidence that the utility owns the land where the wastewater 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.

PART III FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit B - A statement regarding the financial and technical ability of the applicant to continue to provide service.
- B) Exhibit C - A statement explaining how and why the applicant began providing water and/or wastewater service prior to obtaining a PSC certificate.

C) SYSTEM MAPS

Exhibit D - One copy of detailed map(s) showing existing lines, facilities and the territory being served. Additionally, any requested territory not served at the time of application shall be specifically identified. Map(s) should be of sufficient scale and detail to enable correlation with a description of the territory to be served. Provide separate maps for water and wastewater systems.

PART VI NOTICE OF ACTUAL APPLICATION

A) Exhibit E - 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 Director of Records and Reporting;
- (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**

PART VIII AFFIDAVIT

I Daniel Holmes (applicant) do solemnly swear or affirm that the facts stated in the foregoing 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: Daniel M. Holmes
Applicant's Signature
Daniel Holmes
Applicant's Name (Typed)
as President
Applicant's Title *

Subscribed and sworn to before me this 9th Day
of February 1996.



Carol S. Powers
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.

Documentary Stamps: \$.70 D.C. *BK*

Parcel ID Number: C-16-36-29-010-00A0-0000
Grantor #1 TEN

Warranty Deed

This Indenture, Made this *22nd* day of November, 1995 A.D., Between MITCHELL B. HARVEY and DOLORES J. HARVEY, his wife, AND TODD M. HARVEY, a married man,

of the County of HIGHLANDS, State of Florida, grantors, and HOLMES UTILITIES, INC., a corporation existing under the laws of the state of Florida

whose address is: 760 Henscratch Road, LAKE PLACID, Florida 33852

of the County of HIGHLANDS, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of TEN & NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S successors and assigns forever, the following described land, situate, lying and being in the County of Highlands State of Florida to wit:

SEE ATTACHED SCHEDULE A

SUBJECT TO:

1. Zoning, restrictions, prohibitions and other requirements imposed by governmental authority.
2. Restrictions and matters appearing on the plat or otherwise common to the subdivision.
3. Public Utility Easements of record.
4. Taxes for 1995 and subsequent years.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF TODD HARVEY, AS SUCH HOMESTEAD IS DEFINED UNDER FLORIDA LAW. TODD HARVEY RESIDES AT: 34 Fawn Run Road, Lake Placid, FL 33852.

THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION - The preparer of this instrument was neither furnished with, nor requested to review, an abstract on the described property and therefore expresses no opinion as to condition of title.

LEGAL DESCRIPTION FURNISHED BY GRANTOR. _____

Warranty Deed

Parcel ID Number: C-16-36-29-010-00A0-0000

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.
Signed, sealed and delivered in our presence:

J. J. Sheehan
Printed Name: J. J. Sheehan
Witness as to All

Diane Aliff
Printed Name: Diane Aliff
Witness as to All

Mitchell B. Harvey (Seal)
MITCHELL B. HARVEY
P.O. Address 15 Tall Oaks Trail Lake Placid, LAKE PLACID, FL. 33852

Dolores J. Harvey (Seal)
DOLORES J. HARVEY
P.O. Address 15 Tall Oaks Trail Lake Placid, LAKE PLACID, FL. 33852

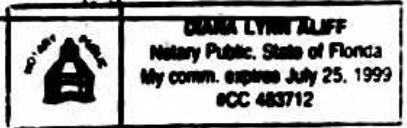
Todd M. Harvey (Seal)
TODD M. HARVEY
P.O. Address 34 Fawn Run Road LAKE PLACID, FL. 33852

STATE OF Florida COUNTY OF HIGHLANDS

The foregoing instrument was acknowledged before me this 22nd day of **November, 1995** by **MITCHELL B. HARVEY and DOLORES J. HARVEY, his wife, AND TODD M. HARVEY, a married man,** who are personally known to me.

This Document Prepared By:
J. TIMOTHY SHEEHAN
ATTORNEY AT LAW
234 CENTRAL AVENUE
LAKE PLACID, FL. 33852

Diane Aliff
Printed Name:
NOTARY PUBLIC
My Commission Expires:



FILE # 892764 RCD: Dec 01 1995 @ 11:04AM

L. E. "Luke" Brooker, Clerk, Highlands County

SCHEDULE A

A portion of Tract A, COUNTRY WALK, according to the plat thereof recorded in Plat Book 15, Page 50, of the Public Records of Highlands County, Florida, more particularly described as follows: BEGIN at the Southwest corner of Lot 15, Block 3, COUNTRY WALK; thence North $89^{\circ}45'36''$ East along the South line of said Lot 15 for a distance of 196.21 feet to a point; thence North $3^{\circ}38'37''$ East for a distance of 35.33 feet to a point; thence South $86^{\circ}34'28''$ East for a distance of 55.0 feet to a point; thence South $3^{\circ}38'37''$ West for a distance of 70.0 feet to a point; thence North $86^{\circ}34'28''$ West for a distance of 55.0 feet to a point; thence North $3^{\circ}38'37''$ East for a distance of 19.64 feet to a point; thence South $89^{\circ}45'36''$ West for a distance of 195.19 feet to a point on the East right-of-way line of Lake Side Trail; thence North $0^{\circ}14'24''$ West along said East right-of-way line for a distance of 15.0 feet to the POINT OF BEGINNING.

TOGETHER WITH an easement for ingress and egress, more particularly described as follows: COMMENCE at the Southwest corner of Lot 15, Block 3, COUNTRY WALK, according to the plat thereof recorded in Plat Book 15, Page 50, of the Public Records of Highlands County, Florida; thence South $0^{\circ}14'24''$ East along the East right-of-way line of Lake Side Trail for a distance of 15.0 feet to the POINT OF BEGINNING; thence North $89^{\circ}45'36''$ East for a distance of 25.0 feet to a point; thence South $82^{\circ}55'02''$ West for a distance of 25.18 feet to a point on the East right-of-way line of Lake Side Trail; thence North $0^{\circ}14'24''$ West along said East right-of-way line for a distance of 3.0 feet to the POINT OF BEGINNING.

PUGH UTILITIES SERVICE, INC.

780 Menacatch Road
Lake Placid, Florida 33852
(941) 485-8911

Holmes Utilities/Country Walk Facility has 100% financial and technical backing from our company, Pugh Utilities Service, Inc.

Pugh Utilities Service has been established since 1979. Our company just incorporated September 1, 1995.

Assets	400,000.00
Liabilities	50,000.00
Net Worth of	350,000.00

The local banking institution that our company uses is Huntington Federal, Sebring, Florida. The banking officer that our company goes thru is Mary Birge of the Lake Placid, FL Branch.

Our Company has on staff over 100 combined years of water and wastewater experience. The staff works closely with the owners/managers of 85 other facilities, along with two F.D.E.P. districts.

Signed



Lisa Holmes, V-President

HOLMES UTILITIES, INC.
780 Henscratch Road
Lake Placid, Florida 33852
(941) 465-6064

Mitch, Delores and Todd Harvey turned over the ownership of the Country Walk facility to Daniel & Lisa Holmes.

HOLMES UTILITIES, INC.
760 Henscratch Road
Lake Placid, FL 33852
(941) 465-6044

LEGAL NOTICE

Notice is hereby given on _____, pursuant to Section 367.045, Florida Statutes, of the application of Holmes Utilities, Inc./ Country Walk Facility to operate a water utility to provide service to the following described territory in Highlands County, Florida as follows:

A portion of Tract A, COUNTRY WALK, according to the plat thereof recorded in Plat Book 15, Page 50, of the Public Records of Highlands County, Florida, more particularly described as follows: BEGIN at the Southwest corner of Lot 15, Block 3, COUNTRY WALK; thence North 89°45'36" East along the South line of said Lot 15 for a distance of 196.21 feet to a point; thence North 3°38'37" East for a distance of 35.33 feet to a point; thence South 86°34'28" East for a distance of 55.0 feet to a point; thence South 3°38'37" West for a distance of 70.0 feet to a point; thence North 86°34'28" West for a distance of 55.0 feet to a point; thence North 3°38'37" East for a distance of 19.64 feet to a point; thence South 89°45'36" West for a distance of 195.19 feet to a point on the East right-of-way line of Lake Side Trail; thence North 0°14'24" West along said East right-of-way line for a distance of 15.0 feet to the POINT OF BEGINNING.

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Any objection to the said application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

Holmes Utilities Inc.
760 Henscratch Road
Lake Placid, Florida 33852

DEPOSIT TREAS. RPT' DATE

FEB 27 '96

0270

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

(Pursuant to Section 367.045, Florida Statutes)

To: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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PART I APPLICANT INFORMATION

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

Holmes Utilities, Inc./Country Walk Facility
Name of utility

(941) 465-6044 (941) 465-5159
Phone No. Fax No.

760 Henscratch Road
Office street address

Lake Placid, Florida 33852
City State Zip Code

Same as above
Mailing address if different from street address

Not Applicable
Internet address if applicable

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

465-6044

HOLMES UTILITIES, INC. 780 HENSCRATCH RD. LAKE PLACID, FL 33852		156
PAY TO THE ORDER OF <u>Public Service Commission</u>		<u>2/19 1996</u> \$ <u>750.00</u>
<u>Seven hundred fifty & 00/100</u>		DOLLARS
MEMO <u>Country Walk</u>	<u>Lisa Holmes</u>	