

GATLIN, SCHIEFELBEIN & COWDERY, P.A.  
Attorneys at Law

EX-100  
XERO COPY

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

B. KENNETH GATLIN  
WAYNE L. SCHIEFELBEIN  
KATHRYN G. W. COWDERY

TELEPHONE (904) 877-5609  
TELECOPIER (904) 877-9031  
F. MAIL: bkgatlin@netally.com

July 24, 1997

Blanc S. Bayo, Director  
Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, Florida 32399-0850

HAND DELIVERY

Re: Docket No. 970696-WS  
Application for Extension of Service Area (Amendment of  
Certificates Nos. 27-W and 24-S) by FLORIDA CITIES WATER  
COMPANY in Lee County, Florida.

Dear Ms. Bayo:

Enclosed on behalf of Florida Cities Water Company for filing  
in the above docket are an original and 12 copies of the Affidavit  
of Wayne L. Schiefelbein regarding notices.

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

APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CML \_\_\_\_\_  
CTF \_\_\_\_\_  
E \_\_\_\_\_

Sincerely,

*Wayne L. Schiefelbein*  
Wayne L. Schiefelbein

WLS/l dv  
Enclosures

RECEIVED & FILED

18  
RECORDS

DOCUMENT

07500 JUL 27 1997

FPSC-RECORDS/REPORTING

FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension  
of Service Area (Amendment of )  
Certificates Nos. 27-W and 24-S))  
by FLORIDA CITIES WATER COMPANY )  
in Lee County, Florida.)

Docket No. 970696-WS

AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LEON

BEFORE ME personally appeared Wayne L. Schiefelbein who, upon  
being duly sworn, deposes and says:

1. Attachment No. 1 is the Notice List provided to me by the  
Staff of the Florida Public Service Commission regarding the above  
application.

2. On July 22, 1997, under my supervision, direction and  
control, a copy of the Notice of Application for an Extension of  
Service Area was sent to all utilities and government official.  
listed on Attachment No. 1.

3. Attachment No 2 is a true and correct copy of said  
Notice.

FURTHER AFFIANT SAYS NOT.

Wayne L. Schiefelbein  
Wayne L. Schiefelbein

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of July, 1997.

Personally known:   
Produced identification:   
Type: \_\_\_\_\_

Marianne Thornton  
NOTARY PUBLIC

Marianne Thornton  
Printed Name



Marianne Thornton  
MY COMMISSION # CC200823 EXPIRES  
April 6, 1999  
BONDED THRU TROY PAIR INSURANCE, INC

87500 002-0  
FPSC-RECORDS/REPORTING

**Attachment 1**

**Notice List**

WATER AND WASTEWATER GOVERNMENTAL AGENCIES / WATER MANAGEMENT DISTRICTS

LEE COUNTY

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

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

**RECEIVED**

MAY 29 1997

OFFICE OF  
WANNEL SCHIEBELER

*Office of the Public Counsel  
111 W. Madison Street  
812 Claude Pepper Building  
Tall, FL 32399-1400*

All Local Government Officials in Lee County

As of 05/29/1997

Chairman, Board of County Commissioners, Lee County  
P. O. Box 398  
Ft. Myers, FL 33902-0398

Minutes Department  
Clerk of Circuit Court, Lee County  
P. O. Box 2469  
Fort Myers, FL 33902-2469

Mayor, City of Cape Coral  
P. O. Box 150027  
Cape Coral, FL 33915-0027

Mayor, City of Ft. Myers  
P. O. Box 2217  
Fort Myers, FL 33902-2217  
FAX: (813) 332-6131

Mayor, City of Sanibel  
800 Dunlop Road  
Sanibel, FL 33957-4096  
Phone: (941) 472-4135  
FAX: (941) 472-3065

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)  
05/29/1997-07/27/1997

UTILITY NAME

MANAGER

LEE COUNTY

BAYSHORE UTILITIES, INC. (WU019) 2250 CLUBHOUSE ROAD NORTH FT. MYERS, FL 33917-2523	WAYNE CARSON WAMPLER (813) 482-4024
BONITA 75 CORPORATION (SUB83) 28090 QUAIL'S NEST LANE BONITA SPRINGS, FL 33923-6999	PLANT (813) 947-3388
BONITA COUNTRY CLUB UTILITIES, INC. (SU285) 10200 MADDOX LANE BONITA SPRINGS, FL 34135	MICHAEL J. NICELI (813) 992-2800
BUCCANEER WATER SERVICE (MWC-DEANZA FINANCING LIMITED PART (WU730) 2 NORTH RIVERSIDE PLAZA, SUITE 1515 CHICAGO, IL 60606	DONALD BARTONR (813) 995-3337
CAPITAL SUNBELT/FUND '84, LTD. (SU424) P. O. BOX 5318 LAKELAND, FL 33807-5318	RAYMOND MOATS (813) 647-1581
CHATEAU COMMUNITIES, INC. (SU315) 14205 EAST COLONIAL DRIVE ORLANDO, FL 32826-5111	W. LEON PILGRIM (407) 823-7266
DEL VERA LIMITED PARTNERSHIP (SUB12) 2250 AVENIDA DEL VERA NORTH FT. MYERS, FL 33917-6700	ROBERT G. PETERS (813) 543-6200 EXT 528
EAGLE RIDGE UTILITIES, INC (SU398) 14589 EAGLE RIDGE DR., S.E. FT. MYERS, FL 33912-1804	FREDERICK QUINN (841) 489-0998
ENVIRONMENTAL PROTECTION SYSTEMS OF PINE ISLAND, INC. (SU287) 3039 YORK ROAD ST. JAMES CITY, FL 33956-2303	KEVIN J. CHERRY (841) 283-1144
FLORIDA CITIES WATER COMPANY - LEE COUNTY DIVISION (WS076) 4837 SWIFT ROAD, SUITE 100 SARASOTA, FL 34231-9157	ROGER YTTERBERG (841) 938-0247
FLORIDA WATER SERVICES CORPORATION (WS565) P. O. BOX 809520 ORLANDO, FL 32960-0520	BRIAN P. ARMSTRONG (407) 880-0058

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)  
05/29/1997-07/27/1997

UTILITY NAME

MANAGER

LEE COUNTY (continued)

FOREST PARK PROPERTY OWNER'S ASSOCIATION (SUB45) 5200 FOREST PARK DRIVE NORTH FT. MYERS, FL 33917-5404	JOSEPH M. SYMONS
FOREST UTILITIES, INC. (SU293) 6385 PRESIDENTIAL COURT, SUITE 104 FT. MYERS, FL 33919-3578	DAVID SMOR (813) 481-0111
FOUNTAIN LAKES SEWER CORPORATION (SU572) 523 SOUTH EIGHTH STREET MINNEAPOLIS, MN 55404-1078	JERRY A. SHERMAN (612) 305-2927
GULF UTILITY COMPANY (WS096) P. O. BOX 350 ESTERO, FL 33928-0350	CAROLYN B. ANDREWS (941) 498-1000
HACIENDA TREATMENT PLANT, INC. (SU431) % BONITA SPRINGS UTILITIES, INC. P. O. BOX 2388 BONITA SPRINGS, FL 34133-2388	FRED PARTIN (941) 992-0711
HUNTER'S RIDGE UTILITY CO. OF LEE COUNTY (SU674) 12500 HUNTERS RIDGE DRIVE BONITA SPRINGS, FL 33923-3401	DON HUPRICH (941) 992-4900
IMPERIAL BONITA ESTATES (IMPERIAL BONITA ASSOCIATES O/B/A) (SU665) 3801 BEE RIDGE ROAD, SUITE 12 SARASOTA, FL 34233-1104	MARTIN MEWBY (813) 923-1456
MHC SYSTEMS, INC. (WS743) 2 NORTH RIVERSIDE PLAZA CHICAGO, IL 60606	UTILITY (813) 474-1122
MOBILE MANOR, INC. (WU167) 150 LANTERN LANE NORTH FORT MYERS, FL 33917-6515	CAROL JULIUS (941) 543-1414
NORTH FORT MYERS UTILITY, INC. (SU317) P. O. BOX 2547 FORT MYERS, FL 33902-2547	JACK SCHENKMAN (941) 543-4000 OR -1808

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)  
05/29/1997-07/27/1997

UTILITY NAME

MANAGER

LEE COUNTY (continued)

PINE ISLAND COVE HOMEOWNERS ASSOCIATION, INC. (SU724)  
7290 LADYFISH DRIVE  
ST. JAMES CITY, FL 33958-2723

JOHN NIXON  
(813) 283-3100

SANIBEL BAYOU UTILITY CORPORATION (SU331)  
15560 MCGREGOR BLVD., #8  
FT. MYERS, FL 33908-2547

FIELD SUPERVISORS  
(941) 507-6050

SOUTH SEAS UTILITY COMPANY (SU408)  
12800 UNIVERSITY DRIVE, SUITE 260  
FT. MYERS, FL 33907-5335

JOE K. BLACKETER  
(813) 481-2011

SPRING CREEK VILLAGE UTILITIES, LTD. (WS234)  
4501 SPRING CREEK ROAD, BOX 1  
BONITA SPRINGS, FL 33023-7133

DENNIS M. WALTCHACK  
(813) 982-3800/936-8888

TAMIAMI VILLAGE WATER COMPANY, INC. (WU740)  
9260-5 COLLEGE PARKWAY  
FT. MYERS, FL 33919-4848

JOHN J. USTICA  
(941) 482-0717

USEPPA ISLAND UTILITY, INC. (WS249)  
P. O. BOX 840  
BOKEELIA, FL 33022-0840

VINCENT FORMOSA  
(813) 283-1061



LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)  
05/29/1997-07/27/1997

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, LEE COUNTY  
P. O. BOX 398  
FT. MYERS, FL 33902-0398

CLERK OF CIRCUIT COURT, LEE COUNTY  
P. O. BOX 2489  
FORT MYERS, FL 33902-2489

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 384  
FORT MYERS, FL 33901

MAYOR, CITY OF CAPE CORAL  
P. O. BOX 150027  
CAPE CORAL, FL 33915-0027

MAYOR, CITY OF FT. MYERS  
P. O. BOX 2217  
FORT MYERS, FL 33902-2217

MAYOR, CITY OF SANIBEL  
800 DUNLOP ROAD  
SANIBEL, FL 33957-4006

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

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)  
05/29/1997-07/27/1997

UTILITY NAME

MANAGER

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  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

**Attachment 2**  
**Notice of Application**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for Extension )  
of Service Area (Amendment of )  
Certificates Nos. 27-W and 24-S) )  
by FLORIDA CITIES WATER )  
COMPANY in Lee County, Florida )

Docket No. 970696-WS

Date: July 22, 1997

**NOTICE OF APPLICATION**

Florida Cities Water Company hereby gives Notice of its application to the Florida Public Service Commission to amend its Certificates Nos. 27-W and 24-S to add water and wastewater territory in Lee County, Florida as follows:

**PROPOSED ADDITION TO WATER TERRITORY**

**Section 8, Township 46 South, Range 24 East.**

All that part of the Southeast quarter (SE-1/4), Less the North 650 feet thereof.

**Section 9, Township 46 South, Range 24 East.**

All that part of the South half (S-1/2), Less the North 650 feet thereof.

**Section 10, Township 46 South, Range 24 East.**

All that part of the South half (S-1/2), Less the North 650 feet thereof.

**Section 11, Township 46 South, Range 24 East.**

All that part of the Southwest quarter (SW-1/4) lying Westerly of Hendry Creek, Less the North 650 feet thereof.

**Section 14, Township 46 South, Range 24 East.**

All that part Westerly of Hendry Creek.

**Section 15, Township 46 South, Range 24 East.**

All of the Section.

**Section 16, Township 46 South, Range 24 East.**

All of the Section.

**Section 17, Township 46 South, Range 24 East.**

All of the Section, Less the Northwest quarter (NW-1/4) thereof.

**Section 18, Township 46 South, Range 24 East.**

All of the South half (S-1/2) Easterly of Hurricane Bay.

**Section 19, Township 46 South, Range 24 East.**

All the East half (E-1/2) Easterly of Hurricane Bay and Northerly of Matanzas Pass.

**Section 20, Township 46 South, Range 24 East.**

All of the section, less Hurricane Bay, Hell Peckney Bay and that part on Estero Island.

**Section 21, Township 46 South, Range 24 East.**

All of the Section, less Hell Peckney Bay.

**Section 22, Township 46 South, Range 24 East.**

All of the Section.

**Section 23, Township 46 South, Range 24 East.**

All of the Section Westerly of the Hendry Creek and Rocky Bay.

**Section 26, Township 46 South, Range 24 East.**

All of the Section, less Estero Bay.

**Section 27, Township 46 South, Range 24 East.**

All of the Section, less Estero Bay.

**Section 28, Township 46 South, Range 24 East.**

All of the section, less Hell Peckney Bay, Estero Bay and that part on Estero Island.

**Section 29, Township 46 South, Range 24 East.**

All that part Northerly of Matanzas Pass.

**Section 1, Township 46 South, Range 25 East.**

All the Section, Less the South 1320 feet thereof.

**Section 2, Township 46 South, Range 25 East.**

All the Section, Less the South 1320 feet thereof.

**Section 3, Township 46 South, Range 25 East.**

All the Section, Less the South 1320 feet thereof.

**Section 4, Township 46 South, Range 25 East.**

All the Section, Less the South 1320 feet thereof.

**AND LESS:**

All that part of Section 4 being described as follows:

From the southwest corner of Section 4, Township 46 South, Range 25 East run N 00° 16' 32" W along the west line of said Section 4 for 1,320 feet, more or less, to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 4 and the Point of Beginning.

From said Point of Beginning continue N 00° 16' 32" W along the west line of said Section 4 for 1,150.27 feet; thence run N 89° 47' 16" E for 1,014.22 feet; thence run S 00° 16' 32" E for 1,050.20 feet to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 4; thence run S 89° 47' 01" E along said parallel line for 1,014.22 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the west line of Section 4, Township 46 South, Range 25 East to bear N 00° 16' 32" W.

**Section 5, Township 46 South, Range 25 East.**

All the Section, Less the South 1320 feet thereof.

**AND LESS:**

All that part of Section 5 being described as follows:

From the south quarter (S-1/4) corner of Section 5, Township 46 South, Range 25 East run N 89° 47' 03" E along the south line of Section 5 for 1,632.63 feet; thence run N 00° 16' 03" W for 1,320 feet, more or less to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 5 and the Point of Beginning.

From said Point of Beginning continue N 00° 16' 03" W for 1,150.11 feet; thence run N 89° 47' 16" E for 1,106.69 feet to an intersection with the east line of said Section 5; thence run S 00° 16' 32" E along said east line for 1,150.27 feet to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 5; thence run S 89° 47' 03" W along said parallel line for 1,017 feet, more or less, to the Point of Beginning.

Bearings hereinabove mentioned are based on the south line of Section 5, Township 46 South,

**Range 25 East to bear N 89° 47' 03" E.**

**Section 6, Township 46 South, Range 25 East.**

**All of the East half (E-1/2), Less the South 1320 feet thereof.**

**Section 7, Township 46 South, Range 25 East.**

**All that part of the North half (N-1/2) lying Westerly of a line 1000 feet Westerly from and parallel with the Westerly right-of-way line of U.S. 41 (State Road 45).**

**Section 8, Township 46 South, Range 25 East.**

**All of the West half (W-1/2) of the Southwest quarter (SW-1/4) of the Northeast quarter (NE-1/4).**

**Section 5, Township 46 South, Range 26 East.**

**The West half (W-1/2), Less the South 1320 feet thereof.**

**Section 6, Township 46 South, Range 26 East.**

**All the Section, Less the South 1320 feet thereof.**

**PROPOSED ADDITION TO WASTEWATER TERRITORY**

**Section 8, Township 46 South, Range 24 East.**

**All that part of the Southeast quarter (SE-1/4), Less the North 650 feet thereof.**

**Section 9, Township 46 South, Range 24 East.**

**All that part of the South half (S-1/2), Less the North 650 feet thereof.**

**Section 10, Township 46 South, Range 24 East.**

**All that part of the South half (S-1/2), Less the North 650 feet thereof.**

**Section 11, Township 46 South, Range 24 East.**

**All that part of the Southwest quarter (SW-1/4) lying Westerly of Hendry Creek, Less the North 650 feet thereof.**

**Section 14, Township 46 South, Range 24 East.**

All that part Westerly of Hendry Creek.

**Section 15, Township 46 South, Range 24 East.**

All of the Section.

**Section 16, Township 46 South, Range 24 East.**

All of the Section.

**Section 17, Township 46 South, Range 24 East.**

All of the Section, Less the Northwest quarter (NW-1/4) thereof.

**Section 18, Township 46 South, Range 24 East.**

All of the South half (S-1/2) Easterly of Hurricane Bay.

**Section 19, Township 46 South, Range 24 East.**

All the East half (E-1/2) Easterly of Hurricane Bay and Northerly of Matanzas Pass.

**Section 20, Township 46 South, Range 24 East.**

All of the Section, less Hurricane Bay, Hell Peckney Bay and that part on Estero Island.

**Section 21, Township 46 South, Range 24 East.**

All of the Section, less Hell Peckney Bay.

**Section 22, Township 46 South, Range 24 East.**

All of the Section.

**Section 23, Township 46 South, Range 24 East.**

All of the Section Westerly of the Hendry Creek and Rocky Bay.

**Section 26, Township 46 South, Range 24 East.**

All of the Section, less Estero Bay.



**Section 27, Township 46 South, Range 24 East.**

All of the Section, less Estero Bay.

**Section 28, Township 46 South, Range 24 East.**

All of the Section, less Hell Peckney Bay, Estero Bay and that part on Estero Island.

**Section 29, Township 46 South, Range 24 East.**

All that part Northerly of Matanzas Pass.

Any objections to the application must be filed in writing with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870 no later than thirty (30) days after the last date that this notice was mailed or published, whichever is later. A copy of said objection should be mailed to Wayne L. Schiefelbein, Gatlin, Schiefelbein & Cowdery, P.A., 1709-D Mahan Drive, Tallahassee, Florida 32308, (904) 877-5609, Attorneys for Florida Cities Water Company.