

APPLICATION FOR TRANSFER TO GOVERNMENTAL AUTHORITY

(Pursuant to Section 367.071(4) (a), Florida Statutes)

971150-WU

TO: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for the approval of the transfer of (all) or part of the facilities operated under Water Certificate No. 299-W and/or Wastewater Certificate No. N/A located in Clay County, Florida, and submits the following:

PART I APPLICANT INFORMATION

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

Duval Utility Company

Name of utility

(904) 739-2249

(904) 730-9433

Phone No.

Fax No.

9551 Baymeadows Road, Suite 4

Office street address

Jacksonville

Florida

32256

City

State

Zip Code

Same as Above

Mailing address if different from street address

N/A

Internet address if applicable

- B) The name, address and telephone number of a representative of the utility to contact concerning this application:

Mr. Tom Bergmann (904) 739-2249
Name Phone No.
9551 Baymeadows Road, Suite 4
Street address
Jacksonville Florida 32256
City State Zip Code

- C) The full name, address and telephone number of the governmental authority:

Clay County Utility Authority
Name of utility
(904) 272-5999 (904) 276-0541
Phone No. Fax No.
782 Foxridge Center Drive
Office street address
Orange Park Florida 32065
City State Zip Code
Same as above
Mailing address if different from street address
CCUA @ Jax, Inter.Net
Internet address if applicable (E-MAIL)

- D) The name, address and telephone number of a representative of the governmental authority to contact concerning this application:

Mr. Ray Avery , Executive Director (904) 272-5999
Name Phone No.
782 Foxridge Center Drive
Street address
Orange Park Florida 32065
City State Zip Code

PART II FINANCIAL INFORMATION

- A) Exhibit 1 - A copy of the contract pursuant to Rules 25-30.037(4)(c) and (d), Florida Administrative Code.
- B) Exhibit 2 - A statement regarding the disposition of customer deposits and the accumulated interest thereon.
- C) Exhibit 3 - A statement regarding the disposition of any outstanding regulatory assessment fees, fines or refunds owed.
- D) Exhibit 4 has been requested *. A statement that the buyer (governmental authority) obtained from the utility or the Commission the utility's most recent available income and expense statement, balance sheet and statement of rate base for regulatory purposes and contributions-in-aid-of-construction.
- E) Indicate the date on which the buyer proposes to take official action to acquire the utility:

August 5, 1997

*This exhibit has been requested from PSC & will be forwarded.

If only a portion of the utility's facilities is being transferred, a revised territory description and map of the utility's remaining territory must be provided, as discussed in PART III, below.

IF THE UTILITY'S ENTIRE FACILITIES ARE BEING TRANSFERRED, PLEASE DISREGARD PART III OF THIS APPLICATION FORM.

PART III CERTIFICATION

A) **TERRITORY DESCRIPTION**

Exhibit N/A - An accurate description of the utility's revised territory. If the water and wastewater territory is different, provide separate descriptions.

Note: Use the Survey of Public Lands method (township, range, section, and quarter section), if possible, or a metes and bounds description. Give the subdivision or project name. The description should **NOT** refer to land grants or plat books, but may use geographic boundaries (i.e., road right-of-ways, railroads, rivers, creeks, etc). The object is to make the description as brief, but as accurate as possible.

B) **TERRITORY MAPS**

Exhibit _____ - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"-200' or 1"-400' on which the remaining territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

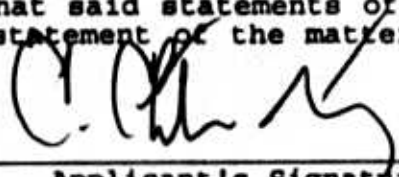
C) **TARIFF SHEETS**

Exhibit _____ - The original and two copies of tariff sheet(s) revised to show correct service territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (Pages 9-10.) Sample tariff sheets are attached. (Pages 11-14.)

PART IV AFFIDAVIT

I E. Chester Stokes, Jr. (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 constitute a complete statement of the matter to which it relates.

BY:



Applicant's Signature

E. Chester Stokes, Jr.

Applicant's Name (Typed)

President

Applicant's Title *

Subscribed and sworn to before me this 20th
of August 1997.

Sherry Hice
Notary Public



Sherry Hice
MY COMMISSION # CC029829 EXPIRES
March 30, 2000
BONDED THROUGH TRAVELERS INSURANCE, INC.

* If the 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 the applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

FLORIDA PUBLIC SERVICE COMMISSION

INSTRUCTIONS FOR PREPARATION OF TERRITORY DESCRIPTION AND MAP

An accurate description of the territory served or proposed to be served is essential. The noticing requirement in Rule 25-30, Florida Administrative Code, and the territory description requirement for each of the certification applications require the territory to be described using township, range and land sections. Failure to use the required format will cause your application to be delayed and may result in your having to renotice. The following information is provided to assist you in preparing a correct legal description and plotting that territory on the service territory map.

TERRITORY DESCRIPTION

The territory description must contain the following:

- 1) A reference to a township(s), range(s), land section(s) and county.
- 2) A complete and accurate description of the territory served or proposed to be served. There are two acceptable formats which may be used.
 - a) Sections - If the territory includes complete sections, the description may only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
 - b) Metes and Bounds - A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. Also, the description shall include all bearings and distances necessary to provide a continuous description.
- 3) References to interstates, state roads, and major bodies of water are acceptable.
- 4) References to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments are not acceptable.

Acceptable territory description formats are shown in the attached Examples 1 and 2.

CLAY COUNTY RESOLUTION NO. 96/97- 86

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, GRANTING THE APPROVAL OF THE BOARD FOR THE CLAY COUNTY UTILITY AUTHORITY TO ACQUIRE BY GIFT THE MCRAE LANDING WATER TREATMENT PLANT AND WATER DISTRIBUTION SYSTEM, PURSUANT TO SECTION 6(17) OF CHAPTER 94-491, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the owner of a small water treatment plant and water distribution system operating under Florida Public Service Commission Certificate No. 299-W and known as the McRae Landing Water Treatment Plant and Water Distribution System (the Plant and System), desires to transfer the Plant and System by gift to the Clay County Utility Authority (the CCUA), an independent special district established under Chapter 94-491, Laws of Florida, Special Acts of 1994 (the Special Act); and,

WHEREAS, Section 6(17) of the Special Act provides: "the [CCUA] is expressly prohibited from purchasing or acquiring by any other means any other water and sewer company without the approval of the Clay County Commission"; and,

WHEREAS, the CCUA desires to acquire by gift the transfer of the Plant and System, and has requested the approval thereof of the Board of County Commissioners of Clay County, Florida, under said Section 6(17) of the Special Act.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AS FOLLOWS:

Section 1. To the extent that the provisions of said Section 6(17) or any other provision of the Special Act so requires, the Board of County Commissioners of Clay County, Florida does hereby grant its approval for the CCUA to accept by the gift the transfer of the Plant and System.

Section 2. This resolution shall become effective immediately upon its adoption.

DULY ADOPTED, by the Board of County Commissioners of Clay County, Florida,
this 12th day of August, 1997.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: *Dale S. Wilson*
Dale S. Wilson
Its Chairman

ATTEST:

John Keerie
John Keerie
Clerk of the Courts
Ex-officio Clerk to the
Board of County Commissioners

A CERTIFIED COPY:
JOHN KEERIE
CLERK OF THE CIRCUIT COURT
CLAY COUNTY, FLORIDA
DATE: 08/15/97



BY *Judith M. Hamilton* o.c.

Approved as to form and legality:

Mark H. Scruby
Mark H. Scruby
County Attorney

Exhibit 2

Currently McRae Landing has ninety-two (92) active accounts. A \$25.00 deposit has been collected from each account, therefore, the total sum of \$2,300.00 will be transferred to the Clay County Utility Authority. The customers have been paid 8% interest on their deposits each July as credit on their bill.

STOKES & COMPANY

NO.

Duval Utility Company transfer to
Clay County Utility Authority

92 customer deposits

\$2,300.00

	STOKES & COMPANY 9551 BAYMEADOWS ROAD SUITE 4 JACKSONVILLE, FLORIDA 32256	BARNETT BANK 100 LAURA STREET JACKSONVILLE, FL 32231	NO. 006926 CHECK NO.
PAY: TWO THOUSAND THREE HUNDRED AND 00/100 DOLLARS		DATE	AMOUNT
PAY TO THE ORDER OF CLAY COUNTY UTILITY AUTHORITY		08/20/97	**\$2,300.00**
		 Sharon W. Fredenkege	

Exhibit 3

All regulatory assessment fees have been paid up to date with the exception of the enclosed assessment fee that was part of this application. Enclosed you will find the assessment form and a check for \$430.00. There are no fines imposed or refunds owed.

SUN COAST UTILITY, INC. P.O. BOX 23249 JACKSONVILLE, FL. 32241		417
		8-15-97
PAY TO THE ORDER OF	Florida Public Service Commission	\$ 430.00
Four hundred thirty dollars + no cents-----		DOLLARS
Compass Bank Orange Park, Florida (60)	<i>Lamer Mch</i>	
FOR Duval Tax Assessment 1997		

Water System Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

FOR PSC USE ONLY	
Check# <u>412</u>	
\$ <u>Base</u>	0604001
	003001
\$ _____	P
	0604001
\$ _____	004010
	I
Postmark Date <u>8/24/97</u>	
Initials of Preparer <u>EM</u>	

STATUS:

Actual Return
 Estimated Return

PERIOD COVERED:

3-

1 - Duval Utility Company
 P.O. Box 23249
 Jax, FL 32241

DEPOSIT

DB 98 - AUG 25 1997

207
 ADMINISTRATION
 MAIL ROOM

Final return turned over to county.

Please Complete Below If Address Has Changed

(SYSTEM'S NAME)	(ADDRESS)	(CITY/STATE)	(ZIP)
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Florida Public Service Commission Certificate

WATER OPERATING REVENUES:

1. Unmetered Water Revenues (460)

MEASURED WATER REVENUES

- 2. Residential Revenues (461.1)
- 3. Commercial Revenues (461.2)
- 4. Industrial Revenues (461.3)
- 5. Revenues from Public Authorities (461.4)
- 6. Multiple Family Dwelling Revenues (461.5)
- 7. **TOTAL METERED SALES**

FIRE PROTECTION REVENUES

- 8. Public Fire Protection (462.1)
- 9. Private Fire Protection (462.2)
- 10. **TOTAL FIRE PROTECTION REVENUE**
- 11. Other Sales to Public Authorities (464)
- 12. Sales to Irrigation Customers (465)
- 13. **SALES FOR RESALE (466)**
- 14. Interdepartmental Sales (467)
- 15. **TOTAL WATER SALES (Lines 1+7+10+11+12+13+14)**

OTHER WATER REVENUES

- 16. Guaranteed Revenues (Include Revenues from A.F.P.I. Charges) (469)
- 17. Forfeited Discounts (470)
- 18. Miscellaneous Service Revenues (471)
- 19. Rents From Water Property (472)
- 20. Interdepartmental Rents (473)
- 21. Other Water Revenues (474) Describe:

22. **TOTAL OTHER WATER REVENUES (Lines 16+17+18+19+20+21)**

23. **TOTAL WATER OPERATING REVENUES (Lines 15+22)**

24. **LESS: Expense for Purchased Water From FPSC-Regulated Utility**

25. **NET WATER OPERATING REVENUES (Line 23 Less Line 24)**

26. **Regulatory Assessment Fee Due -- (Multiply Line 25 by 8.845)**

27. **LESS: Approved Prior-Period Credit**

28. **NET REGULATORY ASSESSMENT FEE (Line 26 Less Line 27)**

29. **Penalty for Late Payment**

30. **Interest for Late Payment**

31. **TOTAL AMOUNT DUE**

	# <u>299-W</u>		
	\$ _____	\$ _____	\$ _____
	<u>9,563.00</u>		
	\$ <u>9,563.00</u>	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ <u>9,563.00</u>	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ <u>9,563.00</u>	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
	\$ <u>9,563.00</u>	\$ _____	\$ _____
	(_____)	(_____)	(_____)
		<u>430.00</u>	
		\$ <u>430.00</u>	
		\$ _____	
		\$ <u>430.00</u>	

*These amounts must agree with Annual Report Schedule F-3

If service was purchased from a regulated utility, please insert its name: _____

AS PROVIDED IN SECTION 366.113, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$25

I, the undersigned owner/officer of the above-named system, have read the foregoing. Under penalties of perjury, I declare that, to the best of my knowledge and belief, the above is a true and correct statement of gross revenues derived from intrastate business for the period indicated.

Ed McCormack
 (Signature of System Official)
Ed McCormack
 (Please Print Name)

Manager _____ 8/14/97
 (Title) (Date)
 Telephone Number 904 350-0706

F.E.I. No. _____