

2335 Sanders Road  
Northbrook, Illinois 60062-6196  
Telephone 847 498-6440  
Facsimile 847 498-2066

October 2, 1997

Ms. Blanco S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: **DOCKET NO. 971220-WS**

**Application for Transfer of Certificate Nos. 592-W and 509-S from Cypress Lakes Associates, Ltd. to Cypress Lakes Utilities, Inc. in Polk County Florida.**

Dear Ms. Bayo:

Enclosed for filing are an original and 12 copies of Late-filed Exhibit G. This exhibit is the affidavit and proof of publication required by Part III of the application filed on September 19, 1997, in the above referenced docket.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_ If you have any questions, please contact me directly.
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_ Respectfully submitted,
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_ *Carl J. Wenz*
- LEG 1 \_\_\_\_\_ Carl J. Wenz  
Vice President, Regulatory Matters
- LIN \_\_\_\_\_
- CPC \_\_\_\_\_
- RCI \_\_\_\_\_
- SEC 1 \_\_\_\_\_ cc: Mr. Ben Girtman
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

10152 OCT-35

FPSC-RECORDS/REPORTING

**Cypress Lakes Utilities, Inc.**

Application for Transfer of Certificate Nos. 592-W and 509-S from Cypress Lakes Associates, Ltd. in Polk County Florida.

**Docket No. 971220-WS**

**LATE-FILED EXHIBIT G**

Application Part III, Items A, B and C

Notice of Actual Application  
and  
Proof of Publication

DOCUMENT NUMBER-DATE  
10152 OCT-35  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for Transfer of )  
Certificate Nos. 592-W and 509-S )  
in Polk County from Cypress Lakes )  
Associates, LTD. to Cypress Lakes )  
Utilities, Inc. )

Docket No. 971220-WS

Affidavit

State of Illinois

County of Cook

COMES NOW Affiant, Carl J. Wenz, who, by me being first duly sworn, deposes and says:

1. This Affidavit is given pursuant to Part III of the Application for Transfer of Certificate Nos. 592-W and 509-S.
2. As required by Part III, paragraph (A), Notice of Application was given in accordance with Section 367.045 (1) (a), Florida Statutes and Rule 25-30.030, Florida Administrative Code, by First Class U.S. Mail to the following: the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located; 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; that if any portion of the proposed territory is within one mile of a county boundary, the utility provided notice to the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission; the regional planning council; the Office of Public Counsel; the Public Service Commission's Director of Records and Reporting; the appropriate regional office of the Department of Environmental Protection; and the appropriate water management district. Attached hereto is a copy of the Notice and list of the entities noticed.
3. Part III, paragraph (B), requires notice of actual application to each customer of system, pursuant to Rule 25-30.0.0, Florida Administrative Code. The attached notice was sent to all customers of the system being transferred.
4. As required by Part III, paragraph (C), the attached notice was published in The Lakeland Ledger on September 26, 1997. The Proof of Publication is attached.

FURTHER AFFIANT SAYETH NOT.

*Carl J. Wenz*  
\_\_\_\_\_  
Vice President

SWORN TO AND SUBSCRIBED before me this 30th day of September 1997.

*Joyce Ann Twarog*  
\_\_\_\_\_  
Notary Public  
State of Illinois

Seal:



My Commission Expires: 1-8-2001

**NOTICE OF APPLICATION FOR SALE, ASSIGNMENT OR TRANSFER  
OF A WATER AND/OR WASTEWATER CERTIFICATE OR FACILITIES  
PURSUANT TO SECTION 367.071, FLORIDA STATUTES**

**LEGAL NOTICE**

Notice is hereby given on September 24, 1997 pursuant to Section 367.071, Florida Statutes, of the application for the transfer of Certificate Nos. 592-W and 509-S from Cypress Lakes Associates, LTD. to Cypress Lakes Utilities, Inc. to provide water and sewer service in Polk County, Florida.

**TERRITORY SERVED**

**PER ORDER NO. PSC-97-0569-FOF-WS**

Township 26 South, Range 23 East  
Polk County, Florida

**Parcel No. 1**

That part of sections 27, 28, 33 and 34, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

Begin at the Southeast corner of said Section 34; thence North 00° 48' 40" West along the East line of said Section 34, a distance of 2270.71 feet to the West right-of-way line of State Road No. 700 and No. 35 (U.S. No. 98) as is located this date (6-21-85), thence North 47° 20' 00" West along said West right-of-way line 1294.34 feet to the Point of Curvature of a curve concave to the Northeasterly having a radius of 5809.58 feet and a central angle of 22° 20' 00"; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North 25° 00' 00" West still along said Westerly right-of-way line 610.00 feet; thence South 65° 00' 00" West 600.00 feet; thence South 25° 00' 00" East 410 feet; thence South 65° 00' 00" West 525.00 feet; thence North 37° 30' 00" West 710.00 feet; thence North 84° 30' 00" West 790.00 feet; thence North 45° 00' 00" West 816.46 feet to the centerline of Rock Ridge Road; thence South 26° 18' 39" West along said centerline 49.37 feet; thence South 52° 01' 40" West still along said centerline 957.92 feet; thence South 37° 51' 58" West still along said centerline 754.96 feet; thence South 34° 36' 25" West still along said centerline 969.18 feet to the intersection with the North line of the South 30.00 feet of the Northwest 1/4 of the Northeast 1/4 of aforesaid Section 33; thence South 89° 32' 15" East along said North line 253.93 feet to a point on the West line of the East 60.00 feet of the West 1/2 of the Northeast 1/4 of said Section 33; thence South 00° 34' 50" East along the said West line of the East 60.00 feet, a distance of 1358.98 feet to the South line of the West 1/2 of said Northeast 1/4; thence South 89° 29' 41" East along said South line 60.01 feet to the Southeast corner of the West 1/2 of said Northeast 1/4; thence South 00° 34' 07" East along the West line of the East 1/2 of the Southeast 1/4 of said Section 33, a distance of 2564.11 feet to the Southwest corner of the East 1/2 of said Southeast 1/4; thence North 89° 39' 13" East along the South line of said East 1/2, a distance of 1326.44 feet to the Southeast corner of said Section 33; thence North 89° 22' 37" East along the South line of said Section 34, a distance of 5323.57 feet to the Point of Beginning; LESS AND EXCEPT 30.00 feet for right-of-way for Rock Ridge Road. Said tract containing 710.23 acres, more or less.

Parcel No. 2

That part of sections 27 and 34, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 34, thence North 00° 48' 40" West along the East line of said Section 34, a distance of 2270.71 feet to the West right-of-way line of State Road No. 700 and No. 35 (U.S. No. 98) as is located on the date of 6/21/85; thence North 47° 20' 00" West along said West right-of-way line 1294.34 feet to the Point of Curvature of a curve concave to the Northeasterly having a radius of 5809.58 feet and central angle of 22° 20' 00"; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North 25° 00' 00" West still along said Westerly right-of-way line 610.00 feet to the Point of Beginning; thence South 65° 00' 00" West 600 feet; thence South 25° 00' 00" East 410.00 feet; thence South 65° 00' 00" West 525.00 feet; thence North 37° 30' 00" West 710.00 feet; thence North 84° 30' 00" West 790.00 feet; thence North 45° 00' 00" West 816.46 feet to the centerline of Rock Ridge Road;

thence North 26° 18' 39" East along said centerline 1212.81 feet; thence North 62° 32' 09" East still along said centerline 1293.14 feet to said Westerly right-of-way line of State Road No. 700 and No. 35 (U.S. No. 98); thence South 25° 00' 00" East along said Westerly right-of-way line 2265.06 feet to the said Point of Beginning. Said parcel containing 95.75 acres, more or less.

LESS AND EXCEPT maintained right-of-way for Rock Ridge Road and that part of Section 27, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 34, Township 26 South, Range 23 East and run North 00° 48' 40" West along the East line of said Section 34, a distance of 2270.71 feet to the West right-of-way line of State Road No. 700 and No. 35 (U.S. No. 98) as is located on the date of 6/21/85; thence North 47° 20' 00" West along said West right-of-way line, 1294.34 feet to the Point of Curvature of a curve concave to the Northeast having a radius of 5809.58 feet and central angle of 22° 20' 00"; thence Northwesterly along said Westerly right-of-way line and curve 2264.52 feet to the Point of Tangency; thence North 25° 00' 00" West still along said Westerly right-of-way line 2525.06 feet to the Point of Beginning; thence continue North 25° 00' 00" West along said Westerly right-of-way 350.00 feet to the centerline of Rock Ridge Road; thence South 62° 32' 09" West along said centerline 330.00 feet; thence South 25° 00' 00" East 350.00 feet; thence North 62° 32' 09" East 330.00 feet to the said Point of Beginning. Said parcel containing 2.50 acres.

Any objection to said applications must be made in writing and filed within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida, 32399-0850. A copy of said objection should also be mailed to the attorney for the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

Mr. Ben E. Girtman  
Attorney at Law  
1020 East Lafayette St., Suite 207  
Tallahassee, FL 32301

LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY

(VALID FOR 60 DAYS)  
09/18/1997-11/16/1997

UTILITY NAME

MANAGER

POLK COUNTY

ALTURAS WATER WORKS (WU774)  
P. O. BOX 257  
ALTURAS, FL 33820-0257

B.B. REGISTER  
(941) 537-1418

CYPRESS LAKES ASSOCIATES, LTD. (WS783)  
10000 NORTH U.S. HIGHWAY #98  
LAKE LAND, FL 33809-8031

FRED BABB  
(941) 859-1431

FLORIDA WATER SERVICES CORPORATION (WS765)  
P. O. BOX 609520  
ORLANDO, FL 32860-9520

BRIAN P. ARMSTRONG  
(407) 880-0058

KEEN SALES & RENTALS, INC. (WU771)  
685 DYSON ROAD  
HAINES CITY, FL 33844-8587

JAMES RAY KEEN  
(941) 421-6827

LAKE WALES UTILITY CO., LTD. (LAKE HAVEN UTILITY ASSOCIATI (WS786)  
P. O. BOX 9076  
FEDHAVEN, FL 33854-9076

DAVID K. PEARCE  
(941) 696-1128

MOUNTAIN LAKE CORPORATION (WU791)  
P. O. BOX 832  
LAKE WALES, FL 33859-0832

ROBERT E. MARTIN  
(941) 676-3494

PINECREST RANCHES (WU779)  
P. O. BOX 192  
WINTER HAVEN, FL 33882-0192

JAMES O. VAUGHN  
(941) 299-6651

POINCIANA UTILITIES INC. (WS194)  
4837 SWIFT ROAD, SUITE 100  
SARASOTA, FL 34231-5157

LARRY GOOD  
(407) 933-5302

SUNRISE WATER COMPANY, INC. (WU778)  
P. O. BOX 2397  
WINTER PARK, FL 32790-2397

MACAULY WHITING, JR.  
(352) 628-8900

VILLAGE WATER, LTD. (WS769)  
P. O. BOX 2211  
LAKE LAND, FL 33806-2211

JERARD A. KENT  
(941) 665-8242

LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY

(VALID FOR 60 DAYS)  
09/18/1997-11/16/1997

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CENTRAL FL. REGIONAL PLANNING COUNCIL  
P.O. BOX 2089  
BARTOW, FL 33831

CLERK, BOARD OF COUNTY COMMISSIONERS, POLK COUNTY  
P. O. BOX 9000, DRAWER CC-1  
BARTOW, FL 33830-9000

DEP CENTRAL DISTRICT  
3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT  
3804 COCONUT PALM DRIVE  
TAMPA, FL 33618-8318

MAYOR, CITY OF AUBURNDALE  
P. O. BOX 186  
AUBURNDALE, FL 33823-0186

MAYOR, CITY OF BARTOW  
450 NORTH WILSON  
BARTOW, FL 33830-3954

MAYOR, CITY OF EAGLE LAKE  
P. O. BOX 129  
EAGLE LAKE, FL 33839-0129

MAYOR, CITY OF FROSTPROOF  
P. O. BOX 308  
FROSTPROOF, FL 33843-0308

MAYOR, CITY OF FT. MEADE  
P. O. BOX 856  
FT. MEADE, FL 33841-0856

LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY

(VALID FOR 60 DAYS)  
09/18/1997-11/16/1997

UTILITY NAME

MANAGER

MAYOR, CITY OF HAINES CITY  
P. O. BOX 1507  
HAINES CITY, FL 33845-1507

MAYOR, CITY OF LAKE ALFRED  
120 EAST POMELO STREET  
LAKE ALFRED, FL 33850-2136

MAYOR, CITY OF LAKE WALES  
P. O. BOX 1320  
LAKE WALES, FL 33859-1320

MAYOR, CITY OF LAKELAND  
228 SOUTH MASSACHUSETTS AVENUE  
LAKELAND, FL 33801-5086

MAYOR, CITY OF MULBERRY  
P. O. BOX 707  
MULBERRY, FL 33860-0707

MAYOR, CITY OF WINTER HAVEN  
P. O. BOX 2277  
WINTER HAVEN, FL 33883-2277

MAYOR, TOWN OF DAVENPORT  
P. O. BOX 125  
DAVENPORT, FL 33837-0125

MAYOR, TOWN OF DUNDEE  
P. O. BOX 1000  
DUNDEE, FL 33838-1000

MAYOR, TOWN OF HILLCREST HEIGHTS  
200 BRITTON STREET  
P. O. BOX 129  
BABSON PARK, FL 33827-9670



LIST OF WATER AND WASTEWATER UTILITIES IN POLK COUNTY

(VALID FOR 60 DAYS)  
09/18/1997-11/16/1997

UTILITY NAME

MANAGER

MAYOR, TOWN OF LAKE HAMILTON  
P. O. BOX 126  
LAKE HAMILTON, FL 33851-0126

MAYOR, TOWN OF POLK CITY  
P. O. BOX 1139  
POLK CITY, FL 33868-1139

MAYOR, VILLAGE OF HIGHLAND PARK  
1337 NORTH HIGHLAND PARK  
LAKE WALES, FL 33853-7422

S.W. FLORIDA WATER MANAGEMENT DISTRICT  
2379 BROAD STREET  
BROOKSVILLE, FL 34609-6899

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

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

# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

Case No .....

STATE OF FLORIDA)  
COUNTY OF POLK )

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of Application

in the matter of .....

Cypress Lakes

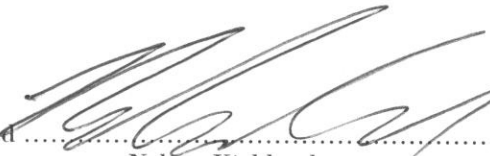
in the .....

Court, was published in said newspaper in the issues of .....

September 26;

1997.


Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed   
Nelson Kirkland  
Classified Advertising Manager  
By Nelson Kirkland who is  
personally known to me

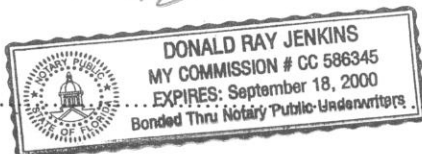
Sworn to and subscribed before me this ..... 29th

day of ..... September ..... A.D. 19..... 97.....

(Seal)

  
Notary Public

My Commission Expires .....



Legal  
#25656

A758

**NOTICE OF APPLICATION FOR SALE, ASSIGNMENT OR TRANSFER OF A WATER AND/OR WASTEWATER CERTIFICATE OR FACILITIES PURSUANT TO SECTION 367.071, FLORIDA STATUTES.**

**LEGAL NOTICE**

Notice is hereby given on September 24, 1997 pursuant to Section 367.071, Florida Statutes, of the application for the transfer of Certificate Nos. 592-W and 509-S from Cypress Lakes Associates, LTD, to Cypress Lakes Utilities, Inc. to provide water and sewer service in Polk County, Florida.

TERRITORY SERVED  
PER ORDER NO.  
PSC-97-0569-FOF-WS

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Polk County, Florida

Parcel No. 1

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Parcel No. 2

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LESS AND EXCEPT maintained right-of-way for Rock Ridge Road and that part of Section 27, Township 26 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

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Any objection to said applications must be made in writing and filed within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida, 32399-0850. A copy of said objection should also be mailed to the attorney for the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

Mr. Ben E. Girtman  
Attorney at Law  
1020 East Lafayette St., Suite 207  
Tallahassee, FL 32301

A-758 - 9-26; 1997