

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

October 5, 1998

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. 981221-SU**
Application for Transfer of Certificate No. 495-S from
Sandalhaven Utility, Inc. to Utilities, Inc. of Sandalhaven in
Charlotte County

Dear Ms. Bayo:

The above referenced application was filed on September 23, 1998. Attached hereto as **Late Filed Exhibit "G"** is the Affidavit of Publication indicating that actual notice of the application has been published in a newspaper of general circulation in accordance with Rule 25-30.030, Florida Administrative Code.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 1 _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS 1 _____
- OTH _____

Respectfully submitted,



Carl J. Wenz
Vice President, Regulatory Matters

cc: Mr. Ben Girtman, Esq.

MAIL ROOM
95 8 W 8-130 86
RECEIVED
OCT 8 1998

DOCUMENT NUMBER-DATE

11094 OCT-8 86

FRSIC-RECORDS/REPORTING

SARASOTA HERALD-TRIBUNE
PUBLISHED DAILY
SARASOTA, SARASOTA COUNTY, FLORIDA

Late Filed Exhibit "G"

AD NUMBER 989SBC0070

UTILITIES, INC.
2335 SANDERS ROAD
ATTN: CARL J. WENZ
NORTHBROOK, IL 60062

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED
JAMES E. DOUGHTON, WHO ON OATH SAYS HE IS THE ADVERTISING
DIRECTOR OF THE SARASOTA HERALD-TRIBUNE, A DAILY
NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY
FLORIDA; AND CIRCULATED IN SARASOTA COUNTY DAILY; THAT
THE ATTACHED COPY OF ADVERTISEMENT, BEING A NOTICE IN
THE MATTER OF: NOTICE OF APPLICATION FO

IN THE COURT, WAS PUBLISHED IN SARASOTA EDITION
OF SAID NEWSPAPER IN THE ISSUES OF:

SEP 29, 1998

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-
TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID
SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER
HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID
SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN
ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN
SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, FOR A
PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION
OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIA
SAYS THAT HE HAS NEITHER PAID NOR PROMISED ANY P
FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMIS
REFUND FOR THE PURPOSE OF SECURING THIS ADVERTIS
PUBLICATION IN THE SAID NEWSPAPER.

SIGNED

James E. Doughton

SHORN TO AND SUBSCRIBED BEFORE ME THIS 29TH
SEPTEMBER A.D., 1998 BY JAMES E. DOUGHTON WHO
PERSONALLY KNOWN TO ME.

(SEAL)

Bobbie J. Clark

OFFICIAL NOTARY SEAL
BOBBIE J. CLARK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC589421
MY COMMISSION EXP. OCT. 11, 2000

NOTARY P

-DATE

8-8-100 46011

RECORDS REPORTING

ORIGINAL

RECEIVED-PPSC

08 OCT -8 PM 4:10

RECORDS AND REPORTING

October 3, 1998
3034 Audubon Ave
Englewood, Fl 34224

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

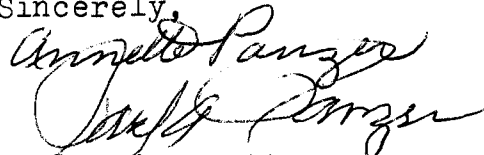
981221-su

Director:

Last year Mr. Spade attempted to force the homeowners of Sandalhaven to buy Sandalhaven Utility, Inc. We did at that time sign a petition objecting to this sale.

Most of the homeowners in this area are retirees and have no desire to operate a sewer business. We understand that the system needs to be expanded and is also in need of repairs. If Mr. Spade is attempting to transfer this system to the homeowners of Sandalhaven we do strongly object to this transfer.

Sincerely,



Paul and Annette Panzer

- ACK _____
- AFA _____
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RECORDS AND REPORTING

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 23, 1998 pursuant to Section 367.071, Florida Statutes, of the application for the transfer of Certificate Nos. 495-S from Sandalhaven Utility, Inc. to Utilities, Inc. of Sandalhaven to provide sewer service in Charlotte County, Florida.

TERRITORY SERVED

PER ORDER NO. PSC-95-0478-FOF-SU

The following described lands located in portions of Sections 21, 27, 28, 33 and 34, Township 41 South, Range 20 East, AND Section 3, Township 42 South, Range 20 East, Charlotte County, Florida:

Township 41 South, Range 20 East:

Section 21

All that portion of the Southwest 1/4 of said Section 21 lying South of Buck Creek and East of Lemon Bay AND that portion of the Southwest 1/4 of the Southeast 1/4 lying South of Buck Creek and West of State Road 775 as it is now constructed.

Section 27

The West 2400 feet more or less of said Section 27.

Section 28

All that portion of said Section 28 lying East of Lemon Bay.

Section 33

All that portion of said Section 33 lying East of Lemon Bay.

Section 34

The West 2400 feet more or less of said Section 34.

Township 42 South, Range 20 East:

Section 3

All that portion of the Northwest 1/4 of said Section 3 lying East of Lemon Bay and North and West of an existing canal.

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:

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

and also to:

Carl J. Wenz
Vice President, Regulatory Matters
Utilities, Inc.
2335 Sanders Rd.
Northbrook, IL 60062

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

October 13, 1998
OCT 15 AM 9:36
MAIL ROOM

981221-SU

Dear Sir:

I am writing in response to the " legal notice" given on September 23, 1998 pursuant to Section 367.071, Florida Statutes, of the application for the transfer of Certificate Nos. 495-S from Sandalhaven Utility, Inc. to Utilities, Inc. of Sandalhaven to provide sewer service in Charlotte County, Florida.

My objections are as follows:

- 1.) In re: Application for transfer of Certificate No. 495-S from Sandalhaven Utility, Inc. to CHP Utility, Inc. in Charlotte County, Florida. Cancellation of Certificate No. 495-S, and exemption from Florida Public Service Commission regulation.

DOCKET NO. 970381-SU

ORDER NO. PSC-98-1248-FOF-SU

ISSUED: September 21, 1998

This Order provides that within 45 days CHP Utilities, Inc. shall provide proof that all assets transferred to CHP have been transferred back to Sandalhaven. As of this date no proof has been provided.


This Order also provides that upon receipt of proof of this conveyance of the utility assets and facilities to Sandalhaven Utility, Inc., Certificate No. 495-S shall be reinstated. As of this date no proof has been provided.

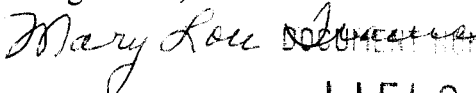
- 2.) The records of the Florida Environmental Protection Agency located in Fort Myers, Florida will show that:

This particular plant is operating above 70% level, which is considered maximum capacity. That this plant was due for renewal license in June of 1998. No proof of renewal has been provided as of this date.

- 3.) That the records of the Florida Environmental Agency and the Charlotte County Health Department will show that for the last four years, this plant has not been operated in the best interest of the people of Florida. There has been raw sewage flowing from the plant and its lift stations on numerous occasions. I have grave health concerns for myself and my wife who are both disabled, my family who visit, my neighbors, the value of my property (which the tax duplicate has devalued by \$8,860.00 just this year alone), and my community in which I am so proud to live.

Sincerely,


John J. and Mary Lou Travis
6800 Placida Road Unit #140
Englewood, Florida 34224


DOCUMENT NUMBER-DATE

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PSC-RECORDS/REPORTING

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SEC
WAS
OTH _____

CHP Utility, Inc. customer. Account #9-0-01-6551-2-6

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

and also to: Mr. Carl J. Wenz
Vice President, Regulatory Matters
Utilities, Inc.
2335 Sanders Rd.
Northbrook, IL. 60062