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November 6, 1998

Handwritten scribble

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

HAND DELIVERY

RECEIVED - FPSC
RECORDS AND REPORTING
98 NOV -6 PM 3:40

Re: Docket No. 981079-SU

Dear Ms. Bayo:

The following documents are delivered with this letter for filing:

- 1. The original and seven copies of Hudson Utilities, Inc.'s Amended Petition for Approval of Application for Amendment of Certificate No. 104-S and Request for Limited Proceeding;
2. The original and twelve copies of Amended Exhibits A, O, P, Q, U, and W, to Hudson's Petition for Approval of Application for Amendment of Certificate No. 104-S, filed on August 26, 1998, together with the originals of a Service Area Location Map accompanying Amended Exhibit P and a Service System Location Map accompanying Amended Exhibit Q, and the original and two copies of sample revisions to Hudson's tariff accompanying Amended Exhibit W;
3. The original and twelve copies of the Affidavit of Robert Bammann attesting to these Amended Exhibits; and
4. A check for \$200.00 for the filing fee for the Request for Limited Proceeding.

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

Maps forwarded to WAW.

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit. Initials of person who forwarded check.

Handwritten initials

DOCUMENT NUMBER - DATE

12548 NOV-6 88

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo, Director

Page 2

November 6, 1998

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

A handwritten signature in black ink that reads "John R. Ellis". The signature is written in a cursive style with a large initial "J" and "E".

John R. Ellis

JRE/rl

cc: Mr. Lee Munroe, without enclosures

Enclosures

Trib.3

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for Amendment )  
of Certificate Number 104-S in Pasco )  
County by Hudson Utilities, Inc. )  
\_\_\_\_\_)

Docket No. 981079-SU

Filed: November 6, 1998

**HUDSON UTILITIES, INC.'S  
AMENDED PETITION FOR APPROVAL OF APPLICATION  
FOR AMENDMENT OF CERTIFICATE NO. 104-S  
AND REQUEST FOR LIMITED PROCEEDING**

Hudson Utilities, Inc. ("Hudson"), by and through its undersigned attorneys, and pursuant to Section 367.045(2), Florida Statutes and Rules 25-30.030, 25-30.032, and 25-30.036(3), Florida Administrative Code, hereby requests the Florida Public Service Commission ("Commission") to amend Certificate No. 104-S to extend Hudson's service territory in Pasco County to include: (a) the Signal Cove subdivision and a contiguous area near the southern boundary of Hudson's existing service territory; (b) approximately four to five square miles of primarily unserved territory adjoining the northern and northeastern boundaries of Hudson's existing service territory; and (c) those areas of Section 33, Township 24 South, Range 16 East in Pasco County not previously included in Hudson's certificated territory pursuant to the Commission's Orders Nos. 5781 and 13823. Hudson further requests, pursuant to Section 367.0822, Florida Statutes, that the Commission consider in a limited proceeding and approve Hudson's proposed tariff rates for the existing customers of Pasco County in the Signal Cove subdivision to be included in Hudson's extended service territory. In support of this Amended Petition and Application, Hudson states as follows:

**DOCUMENT NUMBER - DATE**

**12548 NOV-6 98**

**FPSC-RECORDS/REPORTING**

1. All notices, pleadings and orders should be directed to:

Kenneth A. Hoffman, Esq.  
John R. Ellis, Esq.  
Rutledge, Ecenia, Underwood, Purnell  
& Hoffman, P.A.  
P. O. Box 551  
Tallahassee, FL 32302  
(850) 681-6788 (Telephone)  
(805) 681-6515 (Telecopier)

Mathew S. Griffin  
Hudson Utilities, Inc.  
14334 Old Dixie Highway  
Hudson, Florida 34667  
(813) 863-0205 (Telephone)  
(813) 869-5913 (Telecopier)

2. Hudson's complete name and address are as follows:

Hudson Utilities, Inc.  
14334 Old Dixie Highway  
Hudson, Florida 34667

3. Hudson is a Class B wastewater utility providing service to the public in Pasco County, Florida pursuant to Certificate No. 104-S.<sup>1</sup> Hudson provides wastewater collection service to its customers, and contracts with Pasco County for wastewater treatment service pursuant to a Bulk Wastewater Treatment Agreement entered into on June 5, 1990.<sup>2</sup>

4. On April 28, 1998, Hudson and Pasco County entered into an Addendum to the Bulk Wastewater Treatment Agreement providing for the transfer to Hudson of 131 existing Pasco County wastewater customers in the Signal Cove subdivision along the southern boundary of Hudson's existing service territory. A copy of the Addendum is submitted as part of Exhibit A to Hudson's Application filed on August 26, 1998, which is incorporated herein by reference.

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<sup>1</sup>Order No. 5781 issued June 19, 1973, in Docket No. C-72696-S.

<sup>2</sup>The Agreement is referenced in Order No. 23846, issued December 10, 1990 in Docket No. 900020-SU, at 90 F.P.S.C. 12:117, 118.

5. The Addendum to the Bulk Wastewater Treatment Agreement transfers ownership of Pasco County's facilities and public easements utilized to provide service to the Signal Cove area to Hudson, and amends Hudson's service area as between it and Pasco County to include the Signal Cove area. The Signal Cove area is planned to consist of approximately 400 single family homes, mobile homes, and commercial properties, and includes 382 existing buildings, as stated in Exhibit A to the Application.

6. Pursuant to the Bulk Wastewater Treatment Agreement, Hudson's existing and approved tariff includes a surcharge of \$1.00 per 1,000 gallons as part of its gallonage charge. The \$1.00 per thousand gallons is a charge collected by Hudson and remitted to Pasco County to allow the County to recover its impact fee of \$1,611 per wastewater connection imposed by Pasco County on its customers.<sup>3</sup> Because the 131 existing customers of Pasco County in the Signal Cove area already have paid these impact fees to Pasco County, the Addendum to the Bulk Wastewater Treatment Agreement provides, at paragraph two, that Hudson's surcharge of \$1.00 per 1,000 gallons will not be charged to the 131 Signal Cove area customers to be transferred from Pasco County to Hudson. Hudson's Application accordingly submits proposed revised tariff sheets Nos. 12.0, 13.0, 14.0 and 15.0, adding a term recognizing the \$1.00 differential in the gallonage charge for the 131 existing Pasco County customers to be transferred to Hudson.

7. The Addendum to the Bulk Wastewater Treatment Agreement further provides, at paragraph seven, that the duration of the \$1.00 surcharge per 1,000 gallons for each customer shall

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<sup>3</sup>Order No. 23846, issued on December 10, 1990 in Docket No. 900020-SU, notes Pasco County's impact fees of approximately \$1,600 per wastewater connection, at 90 F.P.S.C. 12:117, 120.

be 25 years, and that Hudson shall institute appropriate proceedings before the Commission by the twenty-fifth anniversary of the Bulk Wastewater Treatment Agreement (i.e., by June 5, 2015) to implement this provision. Hudson's proposed revisions to tariff sheets Nos. 12.0, 13.0, 14.0 and 15.0, accordingly add a term recognizing the 25-year period as to each customer.

8. Hudson requests that the Commission conduct a limited proceeding pursuant to Section 367.0822, Florida Statutes, to consider and approve the changes to Hudson's rates for service resulting from the exclusion of the surcharge of \$1.00 per 1,000 gallons for the customers in the Signal Cove area to be included in Hudson's service territory. An application fee of \$200 pursuant to Sections 367.0822 and 367.145, Florida Statutes, and Rule 25-30.020(2)(g)2, Florida Administrative Code, for the limited proceeding has been paid with the filing of this Amended Petition.

9. Hudson's Application also requests the Commission's authorization to extend its service territory to include an area between, and contiguous to, the Signal Cove area and the southern boundary of Hudson's existing service territory as that southern boundary was understood and stated by Hudson in the Legal Notice published in connection with Hudson's 1985 application for approval of transfer of majority organizational control.<sup>4</sup> . This area includes 396 customers for whom Hudson has provided wastewater service for several years and has paid all regulatory fees. Hudson erroneously believed that this area was included in its service area, and now seeks to amend its certificate to formally recognize and obtain the Commission's authorization to serve Hudson's

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<sup>4</sup>Hudson's application was preliminarily approved by Order No. 15556 issued January 16, 1986 in Docket No. 85-0779, at 86 F.P.S.C. 1:118. Final approval was granted by Order No. 15664, issued February 16, 1986.

customers in this area, as required by Section 367.045(2), Florida Statutes.

10. Filed concurrently with this Amended Petition are Amendments to Exhibits A, O, P, Q, U and W to Hudson's Application for Amendment of Certificate No. 104-S. By these Amendments to Exhibits and this Amended Petition, Hudson requests the Commission's authorization to extend its service territory to include those areas of Section 33, Township 24 South, Range 16 East in Pasco County not previously included in Hudson's certificated territory pursuant to Order Nos. 5781 and 13823.<sup>5</sup> Hudson erroneously believed that this area was included in its service area since its 1985 application for approval of transfer of majority organizational control, and the error was discovered in the course of the Commission staff's review of Hudson's application filed on August 26, 1998. Hudson has been providing wastewater service to its customers in this area for several years, has paid all regulatory fees accordingly, and consequently requests the amendment of Certificate No. 104-S to obtain the Commission's approval under Section 367.045(2), Florida Statutes of the inclusion of this area in its service territory.

11. Included within the area covered by the Bulk Wastewater Treatment Agreement is an area of approximately four to five square miles adjoining the northern and northeastern boundaries of Hudson's existing service territory ("the northern area"). Apart from the Sea Pines, Sea Pines (Ironwood), and Viva Villas<sup>6</sup> subdivisions situated within the northern area and served by Pasco County, the northern area is not included in the certificated service territory of Hudson or any

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<sup>5</sup>Order No. 5781 was issued June 19, 1973 in Docket No. C-72696-S. Order No. 13823 was issued on October 31, 1984, in Docket No. 840296-SU, at 84 F.P.S.C. 10:322.

<sup>6</sup>Transfer of the Viva Villas system to Pasco County was recognized by Order No. 25576 issued January 7, 1992, in Docket No. 900832-WS, at 92 F.P.S.C. 1:93.

other wastewater utility. Hudson's Application requests the Commission's authorization to extend its service territory to include this area in order to accommodate expected population growth along U. S. Highway 19 to the north of Hudson's existing service territory, and to accommodate expected population growth adjacent to the Sea Pines and Sea Pines (Ironwood) subdivisions outside the boundaries of Pasco County's service territory as agreed to in the Bulk Wastewater Treatment Agreement.

12. The legal descriptions of the Signal Cove area and the contiguous area adjoining the southern boundary of Hudson's existing service territory, and of the northern area adjoining the northern and northeastern boundaries of Hudson's existing service territory, are provided in Amended Exhibit O to Hudson's Application. A Service Area Location Map depicting Hudson's existing and proposed service areas is provided with Amended Exhibit P to the Application. A Service System Location Map showing proposed lines and facilities in the area proposed to be served, is provided with Amended Exhibit Q to the Application.

13. As stated in Exhibit A to the Application, the majority of Hudson's existing and proposed service territory is located in an area federally designated as a flood plain area, which is unsuitable for the efficient use of septic tanks and drain fields. The comprehensive land use plan adopted by Pasco County and the State of Florida requires that coastal areas, including Hudson's existing and proposed service territory, shall be provided with sanitary sewer collection and treatment systems. Pasco County owns and operates regional wastewater treatment and disposal facilities but generally does not provide wastewater collection service. Consequently, in order to accommodate expected population growth in the areas proposed to be added to Hudson's existing service territory, Hudson and Pasco County have extended the term of the Bulk Wastewater

Treatment Agreement for ten years, from 2015 to 2025, and have provided for the transfer to Hudson of the Signal Cove service area, as stated in the Addendum to the Bulk Wastewater Service Agreement. The proposed extension of Hudson's service territory is consistent with the comprehensive plan adopted by Pasco County, as stated in Exhibit C to the Application.

14. Permits are being processed by the Department of Environmental Protection for the construction of the sanitary sewers, force mains and pumping stations for the proposed Signal Cove area, as stated in Exhibit E to Hudson's Application. Funding for the construction is in place and is not anticipated to impact Hudson's capital structure, as stated in Exhibit L to the Application.

15. Hudson's rates and charges were established most recently in the Commission's Order No. 23810 issued November 27, 1990 in Docket No. 900293-SU, in response to Hudson's application for a staff-assisted rate case, and were amended most recently by Order No. PSC-98-0316-AS-SU issued February 23, 1998 in Docket No. 980076-SU. As stated in Exhibit N to Hudson's Application, the proposed extension of Hudson's service territory is not expected to impact Hudson's monthly rates and service availability charges.

16. Hudson is experienced in wastewater utility operations and has the financial ability and technical expertise to provide service to the proposed additional areas. Exhibit K provides a summary of Hudson's technical and financial integrity.

17. Hudson has tariffs and annual reports on file with the Commission, as stated in the Affidavit submitted with Exhibit V to Hudson's Application. Amended Exhibit W to Hudson's Application for Amendment of Certificate No. 104-S supplies copies of sample revisions to Hudson's tariff to reflect the proposed changes to its certificated territory. Amended Exhibit W also provides copies of sample revisions to Hudson's tariff sheets Nos. 12.0, 13.0, 14.0, and 15.0 to

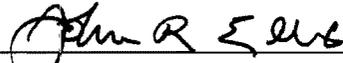
reflect the reduced gallonage charge for the 131 existing Pasco County customers to be transferred to Hudson, and to reflect the 25-year sunset of the \$1.00 surcharge component of the Gallonage Charge as to all other Hudson customers.

18. Hudson represents that all of the information required by Rule 25-30.036(3), Florida Administrative Code, for the proposed extension of Hudson's service territory, and all information required in response to a list of deficiencies issued by a letter dated October 8, 1998 from the Commission's staff, is included within the original Application and Exhibits filed on August 26, 1998, and the Amendments to Exhibits A, O, P, Q, U and W filed concurrently with this Amended Petition.

19. Hudson is issuing a revised notice of its proposed territory extension, and will file affidavits concerning the issuance of the revised notice as late-filed Amended Exhibits to its Application.

WHEREFORE, Hudson requests that the Commission issue an order extending Hudson's service territory to include (a) the Signal Cove subdivision and the contiguous area near the southern boundary of Hudson's existing service territory; (b) an area approximately four to five square miles north and northeast of Hudson's existing service territory, as described in the system area map and legal description accompany this Application; and (c) those areas of Section 33, Township 24 South, Range 16 East in Pasco County not previously included in Hudson's certificated territory pursuant to Commission Order Nos. 5781 and 13823; approving the proposed revisions to Hudson's tariff sheets nos. 12.0, 13.0, 14.0 and 15.0; and amending Certificate No. 104-S accordingly.

Respectfully submitted,

Handwritten signature of John R. Ellis in black ink, written over a horizontal line.

KENNETH A. HOFFMAN, ESQ.

JOHN R. ELLIS, ESQ.

Rutledge, Ecenia, Underwood, Purnell & Hoffman, P.A.

P. O. Box 551

Tallahassee, FL 32302

(850) 681-6788

Hudson.red

## Amended Exhibit A

**If the Applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area.**

Response:

Hudson Utilities is requesting an extension of territory for reasons outlined as follows:

1. The majority of Hudson area is located in a federal adopted flood plain area and therefore not acceptable for efficient use of septic tanks and drain fields.
2. The comprehensive land use plan adopted by the state and Pasco County dictates that the coastal areas, including Hudson area, shall be provided with sanitary sewer collection and treatment systems.
3. Pasco County constructs, operates and maintains regional waste treatment plants, however, as a general policy does not fund and construct sanitary sewer collection and transmission systems. In view of this Pasco County granted Hudson Utilities this extended territory service area on June 6, 1990, and included in our Bulk Service Treatment Agreement to run through June 5, 2015, with option to extend. On April 28, 1998, Pasco County approved extending Hudson Utilities service area to include the Signal Cove area consisting of approximately 400 homes, mobiles, commercial and vacant properties. The 382 existing buildings are 96% waterfront with finish floors of 5 to 7 feet above mean sea level (MSL) and are not conducive to efficient septic tank and drain field systems. As a part of this approval Pasco County extended the Bulk Service Treatment Agreement to June 5, 2025, with option to extend.
4. The existing and future growth of the Hudson area is anticipated and projected primarily to the north along U.S. 19 in the proposed service area.
5. Hudson has been providing service for several years to customers in certain areas adjacent to the Signal Cove area in Section 33, Township 24 South, Range 16 East in Pasco County in the belief that those areas were included in its service territory. Hudson now requests Commission approval of the inclusion of those areas in its certificated territory.

A copy of Addendum to the Bulk Service Agreement with Pasco County was provided with original Exhibit A to Hudson's Application filed on August 26, 1998.

Amended Exhibit O

**An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.**

Response:

A revised territory description is attached.

**REVISED TERRITORY ADDED SHEETS  
FOR  
APPLICATION FOR AMENDMENT OF CERTIFICATE**

## DESCRIPTION OF TERRITORY SERVED

### TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

#### Section 14:

All of Said Section, LESS the following described portions thereof: Commence at the Southwest corner of said Section 14 and the POINT OF BEGINNING; Thence run North, along the West line of said Section 14, 30 feet to the center line of Old Dixie Highway; Thence run North 40 degrees East along the center line of Old Dixie Highway, 670 feet; Thence run North 32 degrees East along the centerline of Old Dixie Highway, 780 feet; Thence run East, 1,566 feet; Thence run South, 1,075 feet; Thence run west, 500 feet; Thence run South, 120 feet to the South line of said Section 14; Thence run West, along the South line of said Section 14; 1,910 feet to the POINT OF BEGINNING. Also, commence at the Southwest corner of said Section 14; Thence run North along the West line of said Section 14, 30 feet to the center line of Old Dixie Highway; Thence run North 40 degrees East along the center line of Old Dixie Highway, 670 feet; Thence run North 32 degrees East along the centerline of Old Dixie Highway, 1,160 feet to the POINT OF BEGINNING; Thence continue North 32 degrees East along the center line of Old Dixie Highway, 1,704 feet; Thence run East, 1,975 feet; Thence run South, 2,965 feet to the South line of said Section 14; Thence run West, along the South line of said Section 14, 1,240 feet; Thence run North, 1,520 feet; Thence run West, 1,638 feet to the POINT OF BEGINNING.

Section 15: All of Said Section

Section 16: All of Said Section

#### Section 21:

All of Said Section, LESS the South 1500 feet of the North 2500 feet of the East 500 feet of said Section.

#### Section 22:

All of Said Section, LESS the following described portions thereof: Commence at the Northwest corner of said Section 22; Thence run South along the West Section line 1,000 feet to the POINT OF BEGINNING; Thence run East 1,500 feet to the center of a canal; Thence run South 600 feet; Thence run East 2,200 feet to the center of Old Dixie Highway; Thence run South 47 degrees West along center of Old Dixie Highway 1,300 feet; Thence run West approximately 2,720 feet to the West section line of said Section 22; Thence run North along the West section line 1,500 feet to the POINT OF BEGINNING. Also, commence at the Northeast corner of said Section 22 and the POINT OF BEGINNING, Thence run South along the East line of said section 945 feet; Thence run West 949 feet to the center line of Old Dixie Highway; Thence run North 47 degrees East along the center line of Old Dixie Highway 790 feet; Thence run North 40 degrees East along the centerline of Old Dixie Highway 530 feet to the North line of said Section 22; Thence run East , along the North line of said Section 22, 30 feet to the POINT OF BEGINNING.

## DESCRIPTION OF TERRITORY SERVED

### TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

#### Section 23:

All of Said Section, LESS the following described portions thereof: Commence at the Northwest corner of said Section 23 and the POINT OF BEGINNING; Thence run East along the North line of said Section 23, 1,910 feet; Thence run South 945 feet; Thence run West 1,910 feet to the West section line of said Section 23; Thence run North along the West section line of said Section 23, 945 feet to the POINT OF BEGINNING. Also, commence at the Northwest corner of said Section 23; Thence run east along the North line of said Section 23, 2,700 feet to the POINT OF BEGINNING; Thence continue East along the North line of said Section 23, 1,240 feet; Thence run Southwesterly, parallel to U.S. 19, 1,500 feet; Thence run South, 100 feet; Thence run Southwesterly, parallel to U.S. 19, 140 feet; Thence run West, 175 feet; Thence run North, 1,380 feet to the POINT OF BEGINNING.

#### Section 26:

All of North 1/2 of said Section 26; LESS that portion previously granted and approved by Public Service Commission on April 24, 1990, Amendment order No. 22852, Docket No.900065-SU.

#### Section 27:

All of the Northeast 1/4 of said Section 27 lying East of the Eastern Right-of-Way of U.S. Highway 19 (State Road 55); LESS that portion previously granted and approved by Public Service Commission on April 24, 1990, Amendment order No. 22852, Docket No. 900065-SU, and, All of the North 1/2 of the South 1/2 of said section 27 lying East of the Eastern Right-of-Way of U.S. Highway 19 (State Road 55); LESS that portion previously granted and approved by Public Service Commission on December 10, 1990, Amendment order No. 23846, Docket No. 900020-SU.

#### Section 33:

All of said Section 33; LESS that portion previously granted and approved by Public Service Commission on June 19, 1973, Amendment Order No. 5781, Docket No. C-72696-S (Original Certificate), and on October 31, 1984, Amendment Order No. 13823, Docket No. 840296-SU.

#### Section 34:

Commence at the Northwest corner of said Section 34; Thence run South, along the West section line of said Section 34, approximately 2,680 feet to the South Right-of Way line of Division Avenue and the POINT OF BEGINNING; Thence run East, along the South Right-of Way line of Division Avenue, 1,320 feet; Thence run South, 1,320 feet; Thence run West, 1,320 feet to the West line of Section 34; Thence run North, along the West section line of said Section 34, 1,320 feet to the POINT OF BEGINNING.

### TOWNSHIP 25 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

#### Section 4:

The North 150 feet of said Section 4.

Amended Exhibit P

**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', along with the proposed territory to be added or deleted plotted thereon 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.**

Response:

Enclosed herewith.

Amended Exhibit Q

**One copy of a detailed system map showing proposed lines and facilities and the territory proposed to be served thereby. Said map shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for the water and wastewater systems.**

Response:

Enclosed herewith.

Amended Exhibit U

**Indicate the filing fee enclosed with the application: (one fee for water and one for wastewater).**

Response:

The Filing Fee paid on August 26, 1998 for the Application for Extension of Territory (for wastewater) was \$1,750.00.

The Filing Fee enclosed for the Request for Limited Proceeding is \$200.00.

Amended Exhibit W

**The original and two copies of sample revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory.**

Response:

Enclosed herewith.

**REVISED TARIFFS SHEETS**

NAME OF COMPANY Hudson Utilities, Inc.  
WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 33 & 32:

In Section 33 & 32, Township 24 South, Range 16 East, Pasco County, Florida: Commence at the Northeast corner of said Section 33, South 0 degrees, 35 minutes, 30 seconds East 1328.80 feet to the North line of the South 1/2 of the North 1/2 of said Section 33, thence run along said line South 89 degrees, 29 minutes, 25 seconds West 3829.67 feet for a Point of Beginning; thence South 0 degrees, 30 minutes, 35 seconds East 1336.67 feet; thence South 89 degrees, 22 minutes, 20 seconds West 2295.11 feet; thence due North 1341.45 feet; thence North 89 degrees, 29 minutes, 25 seconds East 2283.17 feet to the Point of Beginning.

Section 32:

The East 818 feet of the North 1341.45 feet of said section 32.

Section 33:

The West 680 feet of the North 1340 feet of said section 33.

Section 28:

All of said section

Section 27:

Beginning at the Northwest corner of said section, run East along the Northern Right-of-Way line of New York Boulevard for a distance of approximately 5,280 feet to the Eastern Right-of-Way line of U.S. Highway 19 (State Road 55), thence run in a southwesterly direction along the Eastern Right-of-Way line of U.S. Highway 19, (State Road 55) for a distance of approximately 5,400 feet to the Northern Right-of-Way line of Fivay Road; thence move East a distance of approximately 590 feet to the Eastern Right-of-Way line of Fivay Road; thence move South a distance of approximately 1,320 feet to the Southern section line of said Section 27, thence move West a distance of approximately 2,640 feet to the Western section line of said Section 27, thence move North a distance of approximately 5,350 feet along the Western section line of said Section 27 to the Point of Beginning.

ISSUING OFFICER: ROBERT BAMMANN TITLE: PRESIDENT

NAME OF COMPANY Hudson Utilities, Inc.  
WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 34:

Beginning at the Northwest corner of said Section, move East a distance of approximately 1,320 feet to the Westerly Right-of-Way line of Whitby Road; thence run on a line due South for a distance of approximately 2,800 feet to the Southern Right-of-Way line of Division Avenue; thence run West along the Southern Right-of-Way line of Division Avenue a distance of approximately 1,320 feet to the Western section line of said Section 34, thence run North a distance of approximately 2,800 feet along the Western Section line of said Section 34 to the Point of Beginning.

Section 26 & 27:

A portion of Lots 4, 5 and 6, Block 1 and all of Lots 1 through 4 inclusive, Block 4, GULF COAST ACRES UNIT # 1, as shown on plat recorded in Plat Book 5, Page 84, of the Public Records of Pasco County, Florida, and a portion of vacated diagonal road more particularly described as follows:

Commence at the West 1/4 corner of Section 26, Township 24 South, Range 16 East, Pasco County, Florida; thence run North 00 degrees, 11 minutes, 47 seconds West, 35.00 feet to the Southwest corner of Lot 3 of said Gulf Coast Acres Unit #1 and the Point of Beginning; thence North 89 degrees, 52 minutes, 20 seconds West, 772.98 feet along the North Right-of-Way line of 2nd Avenue South as now established; thence North 39 degrees, 37 minutes, 00 seconds East, 408.74 feet; thence North 89 degrees, 56 minutes, 55 seconds West, 160.19 feet along the South boundary line of said Lot 6, Block 1 and it's Easterly Extension; thence North 00 degrees, 03 minutes, 05 seconds East, 224.63 feet, thence South 89 degrees, 56 minutes, 55 seconds East, 70.00 feet; thence North 00 degrees, 03 minutes, 05 seconds East, 250.00 feet to the North boundary line of said Lot 4; thence South 89 degrees, 56 minutes, 55 seconds East, 514.79 feet along said North boundary line to the Easterly Right-of-Way line of Diagonal Road as now established; thence North 39 degrees, 37 minutes, 00 Seconds East, 615.69 feet along said Easterly Right-of-Way line to the South Right-of-Way line of 1st Avenue South as now established; thence South 89 degrees, 56 minutes, 55 seconds East, 31.39 feet along said South Right-of-Way line to the Northeast corner of said Lot 1, Block 4; thence South 00 degrees, 02 minutes, 29 seconds West, 1263.95 feet along the East boundary line of said Lot 4, Block 4 to the Southeast corner of said Lot 4; thence South 89 degrees, 48 minutes, 13 seconds West, 335.75 feet along the North Right-of-Way line of said 2nd Avenue South to the Point of Beginning.

ISSUING OFFICER: ROBERT BAMMANN TITLE: PRESIDENT

NAME OF COMPANY Hudson Utilities, Inc.  
 WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 27:

A portion of Lots 4, 5 and 6 Block 1, GULF COAST ACRES UNIT #1, as shown on Plat recorded in Plat Book 5, Page 84, of the Public Records of Pasco County, Florida, also being a portion of Section 27, Township 24 South, Range 16 East, more particularly described as follows:

Commence at the East 1/4 corner of said Section 27, thence run North 00 degrees, 11 minutes, 47 seconds East, 35.00 feet; thence North 89 degrees, 52 minutes, 20 seconds West, 805.31 feet along the North Right-of-Way line of 2nd Avenue, as now established; thence North 39 degrees, 37 minutes, 00 seconds East, 408.74 feet; thence North 89 degrees, 56 minutes, 55 seconds West, 127.80 feet to a Point of Beginning; thence continue North 89 degrees, 56 minutes, 55 seconds West, 829.88 feet along the South boundary of said Lot 6; thence North 00 degrees, 03 minutes, 05 seconds East, 104.69 feet; thence 70.55 feet along the arc of a 325.00 foot curve concave to the Northwest, subtended by a chord distance of 70.41 feet which bears South 83 degrees, 49 minutes, 51 seconds West; thence North 89 degrees, 56 minutes, 55 seconds West, 170.65 feet; thence North 39 degrees, 37 minutes, 00 seconds East, 64.86 feet, along the Easterly Right-of-Way line of U. S. Highway No. 19 (State Road No. 55) as now established; thence South 89 degrees, 56 minutes, 55 seconds East, 129.34 feet; thence 182.67 feet along the arc of a 275 foot radius curve concave to the Northwest, subtended by a chord distance of 179.33 feet which bears North 71 degrees, 01 minutes, 20 seconds East to a point of reverse curvature; thence 114.23 feet along the arc of a 325.00 foot radius curve concave to the Southeast; subtended by a chord distance of 113.64 feet which bears North 62 degrees, 03 minutes, 43 seconds East; thence North 00 degrees, 03 minutes, 05 seconds East, 215.76 feet; to the North boundary line of said Lot 4, thence South 89 degrees, 56 minutes, 55 seconds East, 700.00 feet along said North boundary line; thence South 00 degrees, 03 minutes, 05 seconds West, 250.00 feet; thence North 89 degrees, 56 minutes, 55 seconds West 70.00 feet; thence South 00 degrees, 03 minutes, 05 seconds West, 224.63 feet to the South boundary line of said Lot 6 and the Point of Beginning.

Section 27:

The North 1/2 of the Southeast 1/4 of Section 27, Township 24 South, Range 16 East, Pasco County, Florida less that portion thereof lying Northwest of the Easterly Right-of-Way line of State Road No. 55, Section 14030, (U.S. Highway No. 19) as it is now established; said Easterly Right-of-Way line being 132 feet Southeast of the centerline of survey of said State Road No. 55 also less the following described portion thereof:

Commence at the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 27 for a Point of Beginning; thence run North 00 degrees, 51 minutes, 30 seconds West, a distance of 208.71 feet; thence North 88 degrees, 58 minutes, 20 seconds East, a distance of 208.71 feet; thence South 00 degrees, 51 minutes, 30 seconds East, a distance of 208.71 feet; thence South 88 degrees, 58 minutes, 20 seconds West, a distance of 208.71 feet to the Point of Beginning.

ISSUING OFFICER: ROBERT BAMMANN TITLE: PRESIDENT

NAME OF COMPANY Hudson Utilities, Inc.  
WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 14:

All of Said Section, LESS the following described portions thereof: Commence at the Southwest corner of said Section 14 and the POINT OF BEGINNING; Thence run North, along the West line of said Section 14, 30 feet to the center line of Old Dixie Highway; Thence run North 40 degrees East along the center line of Old Dixie Highway, 670 feet; Thence run North 32 degrees East along the centerline of Old Dixie Highway, 780 feet; Thence run East, 1,566 feet; Thence run South, 1,075 feet; Thence run west, 500 feet; Thence run South, 120 feet to the South line of said Section 14; Thence run West, along the South line of said Section 14; 1,910 feet to the POINT OF BEGINNING. Also, commence at the Southwest corner of said Section 14; Thence run North along the West line of said Section 14, 30 feet to the center line of Old Dixie Highway; Thence run North 40 degrees East along the center line of Old Dixie Highway, 670 feet; Thence run North 32 degrees East along the centerline of Old Dixie Highway, 1,160 feet to the POINT OF BEGINNING; Thence continue North 32 degrees East along the center line of Old Dixie Highway, 1,704 feet; Thence run East, 1,975 feet; Thence run South, 2,965 feet to the South line of said Section 14; Thence run West, along the South line of said Section 14, 1,240 feet; Thence run North, 1,520 feet; Thence run West, 1,638 feet to the POINT OF BEGINNING.

Section 15: All of Said Section

Section 16: All of Said Section

Section 21:

All of Said Section, LESS the South 1500 feet of the North 2500 feet of the East 500 feet of said Section.

Section 22:

All of Said Section, LESS the following described portions thereof: Commence at the Northwest corner of said Section 22; Thence run South along the West Section line 1,000 feet to the POINT OF BEGINNING; Thence run East 1,500 feet to the center of a canal; Thence run South 600 feet; Thence run East 2,200 feet to the center of Old Dixie Highway; Thence run South 47 degrees West along center of Old Dixie Highway 1,300 feet; Thence run West approximately 2,720 feet to the West section line of said Section 22; Thence run North along the West section line 1,500 feet to the POINT OF BEGINNING. Also, commence at the Northeast corner of said Section 22 and the POINT OF BEGINNING, Thence run South along the East line of said section 945 feet; Thence run West 949 feet to the center line of Old Dixie Highway; Thence run North 47 degrees East along the center line of Old Dixie Highway 790 feet; Thence run North 40 degrees East along the centerline of Old Dixie Highway 530 feet to the North line of said Section 22; Thence run East , along the North line of said Section 22, 30 feet to the POINT OF BEGINNING.

ISSUING OFFICER: ROBERT BAMMANN TITLE: PRESIDENT

NAME OF COMPANY Hudson Utilities, Inc.  
WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 23:

All of Said Section, LESS the following described portions thereof: Commence at the Northwest corner of said Section 23 and the POINT OF BEGINNING; Thence run East along the North line of said Section 23, 1,910 feet; Thence run South 945 feet; Thence run West 1,910 feet to the West section line of said Section 23; Thence run North along the West section line of said Section 23, 945 feet to the POINT OF BEGINNING. Also, commence at the Northwest corner of said Section 23; Thence run east along the North line of said Section 23, 2,700 feet to the POINT OF BEGINNING; Thence continue East along the North line of said Section 23, 1,240 feet; Thence run Southwesterly, parallel to U.S. 19, 1,500 feet; Thence run South, 100 feet; Thence run Southwesterly, parallel to U.S. 19, 140 feet; Thence run West, 175 feet; Thence run North, 1,380 feet to the POINT OF BEGINNING.

Section 26:

All of North 1/2 of said Section 26; LESS that portion previously granted and approved by Public Service Commission on April 24, 1990, Amendment Order No. 22852, Docket No.900065-SU.

Section 27:

All of the Northeast 1/4 of said Section 27 lying East of the Eastern Right-of-Way of U.S. Highway 19 (State Road 55); LESS that portion previously granted and approved by Public Service Commission on April 24, 1990, Amendment order No. 22852, Docket No. 900065-SU, and, All of the North 1/2 of the South 1/2 of said section 27 lying East of the Eastern Right-of-Way of U.S. Highway 19 (State Road 55); LESS that portion previously granted and approved by Public Service Commission on December 10, 1990, Amendment Order No. 23846, Docket No. 900020-SU.

Section 33:

All of said Section 33; LESS that portion previously granted and approved by Public Service Commission on June 19, 1973, Amendment Order No. 5781, Docket No. C-72696-S (Original Certificate), and on October 31, 1984, Amendment Order No. 13823, Docket No. 840296-SU.

Section 34:

Commence at the Northwest corner of said Section 34; Thence run South, along the West section line of said Section 34, approximately 2,680 feet to the South Right-of Way line of Division Avenue and the POINT OF BEGINNING; Thence run East, along the South Right-of Way line of Division Avenue, 1,320 feet; Thence run South, 1,320 feet; Thence run West, 1,320 feet to the West line of Section 34; Thence run North, along the West section line of said Section 34, 1,320 feet to the POINT OF BEGINNING.

TOWNSHIP 25 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA

Section 4:

The North 150 feet of said Section 4.

ISSUING OFFICER: ROBERT BAMMANN TITLE: PRESIDENT

**AFFIDAVIT**

I, ROBERT BAMMANN (applicant), do solemnly swear or affirm that the facts stated in the foregoing Amended Exhibits are true and correct and that said statements of fact constitute a complete statement of the matter to which it relates.



ROBERT BAMMANN  
President of Hudson Utilities, Inc.

Subscribed and sworn to and before me this 3<sup>rd</sup> day of ~~Feb~~ <sup>Nov</sup> ~~1997~~ <sup>1998</sup>.

  
NOTARY PUBLIC

My commission expires:

OFFICIAL NOTARY SEAL  
GERALDINE N RHOADS  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC526277  
MY COMMISSION EXP. JAN. 22, 2000

RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
JOHN R. ELLIS
KENNETH A. HOFFMAN
THOMAS W. KONRAD
MICHAEL G. MAIDA
J. STEPHEN MENTON
R. DAVID PRESCOTT
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POST OFFICE BOX 551, 32302-0551
215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

OF COUNSEL:
CHARLES F. DUDLEY

GOVERNMENTAL CONSULTANTS:
PATRICK R. MALOY
AMY J. YOUNG

November 6, 1998

DEPOSIT

D030

DATE

NOV 06 1998

HAND DELIVERY

RECORDS AND REPORTING

NOV - 6 PM 3:40

RECEIVED-TPSC

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

ACK
AFA
APP
CAF
CMU
CTR
EAG
LEG
LIN
DPC
RCH
SEC
WAS
OTH

Re: Docket No. 981079-SU

Dear Ms. Bayo:

The following documents are delivered with this letter for filing:

- 1. The original and seven copies of Hudson Utilities, Inc.'s Amended Petition for Approval of Application for Amendment of Certificate No. 104-S and Request for Limited Proceeding;
2. The original and twelve copies of Amended Exhibits A, O, P, Q, U, and W, to Hudson's Petition for Approval of Application for Amendment of Certificate No. 104-S, filed on August 26, 1998, together with the originals of a Service Area Location Map accompanying Amended Exhibit P and a Service System Location Map accompanying Amended Exhibit Q, and the original and two copies of sample revisions to Hudson's tariff accompanying Amended Exhibit W;

HUDSON UTILITIES, INC. DBA 05-97
HUDSON BAY COMPANY
WORKING CAPITAL ACCOUNT
14334 OLD DIXIE HWY.
HUDSON, FL 34667

2397
63-886/631-027

Date Oct. 23, 1998

Pay to the Order of Florida Public Service Commission \$ 200.00

Two Hundred
Republic Bank
GULFVIEW SQUARE OF
9501 U.S. HIGHWAY 19
PORT RICHEY, FLORIDA
1-800-MY BANK 1

119.07(1)(z), Florida Statutes: Bank account numbers or debit, charge, or credit card numbers given to an agency for the purpose of payment of any fee or debt owing are confidential and exempt from subsection (1) and s.24(a), Art. 1 of the State Constitution . . .

XX
700
Dollars
DOCUMENT NO.
12548-98
11-6-98

**RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN**

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA  
JOHN R. ELLIS  
KENNETH A. HOFFMAN  
THOMAS W. KONRAD  
MICHAEL G. MAIDA  
J. STEPHEN MENTON  
R. DAVID PRESCOTT  
HAROLD F. X. PURNELL  
GARY R. RUTLEDGE  
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TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

OF COUNSEL:  
CHARLES F. DUDLEY

GOVERNMENTAL CONSULTANTS:  
PATRICK R. MALOY  
AMY J. YOUNG

November 6, 1998

**DEPOSIT**

**DO30**

**DATE**

**NOV 06 1998**

**HAND DELIVERY**

RECORDS AND  
REPORTING

98 NOV - 6 PM 3:40

RECEIVED-FPSC

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

Re: Docket No. 981079-SU

Dear Ms. Bayo:

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2. The original and twelve copies of Amended Exhibits A, O, P, Q, U, and W, to Hudson's Petition for Approval of Application for Amendment of Certificate No. 104-S, filed on August 26, 1998, together with the originals of a Service Area Location Map accompanying Amended Exhibit P and a Service System Location Map accompanying Amended Exhibit Q, and the original and two copies of sample revisions to Hudson's tariff accompanying Amended Exhibit W;
3. The original and twelve copies of the Affidavit of Robert Bammann attesting to these Amended Exhibits; and
4. A check for \$200.00 for the filing fee for the Request for Limited Proceeding.

98 NOV - 6 PM 3:48  
MAIL ROOM

RECEIVED-FPSC