



ORIGINAL

November 18, 1998

by Federal Express

Ms. Blanca Bayo  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 971638-SU; Application for amendment of certificate No. 226-S in  
Seminole County by Florida Water Services.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket, please find an original and fifteen copies of the Notice of Filing Direct Testimony of Florida Water Services Corporation along with the direct testimony and exhibits of Brian P. Armstrong and Charles L. Sweat. Please acknowledge filing of these items by date stamping the enclosed extra copy of this letter and returning it in the postage paid envelope provided.

If you have any questions, please contact me at (407) 880-0058, ext. 260.

Sincerely yours,

Matthew J. Feil  
Staff Attorney

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_ Enclosures
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
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- SEC 1
- WAS Crouch
- OTH \_\_\_\_\_

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*CMU*

DOCUMENT NUMBER-DATE

13076 NOV 19 98

Florida Water Services Corporation / P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/880-0058

Water For Florida's Future

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for )  
 amendment of certificate )  
 No. 226-S in Seminole ) Docket No. 971638-SU  
 County by Florida Water )  
 Services )  
 \_\_\_\_\_ )

**NOTICE OF FILING DIRECT TESTIMONY**  
**OF FLORIDA WATER SERVICES CORPORATION**

Florida Water Services Corporation ("Florida Water"), by and through its undersigned counsel, hereby files this Notice of Filing Direct Testimony along with the direct testimony and exhibits of Brian P. Armstrong and Charles L. Sweat.

Respectfully submitted and signed this 18<sup>th</sup> day of November, 1998

by:  
 Florida Water Services Corporation  
 1000 Color Place  
 Apopka, Florida 32703  
 (407) 880-0058  
 (407) 880-1395 FAX

88  
 NOV 19 1998  
 11:00 AM  
 19

  
 Matthew J. Feil  
 Staff Counsel

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on November 18<sup>th</sup>, 1998, a copy of the foregoing has been furnished by overnight delivery to Mr. Richard Taylor, 175 West Warren Avenue, Longwood, FL 32750-4197.

  
 MATTHEW J. FEIL, ESQ.

DOCUMENT NUMBER-DATE  
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 PSC-RECORDS/REPORTING

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DIRECT TESTIMONY OF BRIAN P. ARMSTRONG  
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
ON BEHALF OF  
FLORIDA WATER SERVICES CORPORATION  
DOCKET NO. 971638-SU

1 Q. WHAT IS YOUR NAME AND BUSINESS ADDRESS?  
2 A. My name is Brian P. Armstrong and my business  
3 address is 1000 Color Place, Apopka, Florida 32703.  
4 Q. WHAT IS YOUR POSITION WITH FLORIDA WATER SERVICES  
5 CORPORATION?  
6 A. My position is Vice President - Legal and General  
7 Counsel for Florida Water Services Corporation  
8 ("Florida Water").  
9 Q. WHAT IS YOUR EDUCATIONAL BACKGROUND AND WORK  
10 EXPERIENCE?  
11 A. I am a graduate of Georgetown University Law Center  
12 where I received a Juris Doctor degree in 1984. I  
13 received a Bachelor of Arts degree from St. John's  
14 University in 1981. Prior to holding my current  
15 position with Florida Water, I was employed by  
16 Cullen & Dykman in New York from 1984 to 1991 as an  
17 attorney concentrating in matters for utility  
18 clients.  
19 Q. WHAT ARE YOUR PRESENT DUTIES AS VICE PRESIDENT -  
20 LEGAL AND GENERAL COUNSEL?  
21 A. I am responsible for all legal matters at Florida  
22 Water.  
23 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?  
24 A. My testimony is submitted for the basic purpose of

1 sponsoring and supporting the application for a  
2 water and wastewater territory amendment in  
3 Seminole County that Florida Water filed with the  
4 Commission on December 20, 1997.

5 **Q. IS THE APPLICATION FOR TERRITORY AMENDMENT YOU**  
6 **REFERRED TO ATTACHED AS AN EXHIBIT TO YOUR DIRECT**  
7 **TESTIMONY?**

8 A. Yes, it is attached and marked for identification  
9 as Exhibit (\_\_\_) BPA-1. It should be noted that  
10 since filing the application on December 20, 1997,  
11 Florida Water filed a late-filed Exhibit Q, proof  
12 of newspaper publication notice. The attached is a  
13 consolidation of the original application with that  
14 late-filed exhibit. Further, it should be noted  
15 that the territory and system maps filed with the  
16 application are not included in Exhibit (\_\_\_) BPA-  
17 1; however, two sets of those maps were filed with  
18 the Commission as required by Commission rules.

19 **Q. WAS EXHIBIT (\_\_\_) BPA-1 PREPARED BY YOU OR AT YOUR**  
20 **DIRECTION AND CONTROL?**

21 A. Yes, the application was prepared at my direction  
22 and under my control. It should be understood,  
23 however, that the application represents an inter-  
24 departmental effort. For example, the maps were

1 prepared by the Engineering Department, the legal  
2 descriptions and certain technical exhibits were  
3 prepared by the Corporate development Department,  
4 and so on. After preparation of the application, I  
5 reviewed and signed it.

6 **Q. IS THE INFORMATION IN EXHIBIT (\_\_\_\_) BPA-1 ACCURATE**  
7 **AND CORRECT?**

8 A. To the best of my knowledge, yes it is. Although  
9 somewhat dated.

10 **Q. IS IT IN THE PUBLIC INTEREST FOR THE COMMISSION TO**  
11 **GRANT FLORIDA WATER'S APPLICATION AS REQUESTED IN**  
12 **EXHIBIT (\_\_\_\_) BPA-1?**

13 A. Yes.

14 **Q. DO YOU HAVE ANY FURTHER COMMENTS AT THIS TIME?**

15 A. No.

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DIRECT TESTIMONY OF CHARLES L. SWEAT  
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
ON BEHALF OF  
FLORIDA WATER SERVICES CORPORATION  
DOCKETS NO. 971638-SU

1 Q. WHAT IS YOUR NAME AND BUSINESS ADDRESS?  
2 A. My name is Charles L. Sweat and my business address  
3 is 1000 Color Place, Apopka, Florida 32703.  
4 Q. BY WHOM ARE YOU EMPLOYED AND WHAT IS YOUR POSITION?  
5 A. I am employed by Florida Water Services Corporation  
6 (hereinafter referred to as "Florida Water" or the  
7 "Company") as Vice President of Corporate  
8 Development.  
9 Q. HOW LONG HAVE YOU BEEN AN EMPLOYEE OF FLORIDA  
10 WATER?  
11 A. Approximately 34 years.  
12 Q. HOW LONG HAVE YOU BEEN EMPLOYED AS AN OFFICER OF  
13 FLORIDA WATER?  
14 A. Approximately 23 years.  
15 Q. WOULD YOU PROVIDE A BRIEF HISTORY OF YOUR TRAINING  
16 AND EXPERIENCE IN THE WATER AND WASTEWATER  
17 INDUSTRY?  
18 A. My training includes attendance at management  
19 courses offered by Michigan State University,  
20 Rollins College, Management Institute of Virginia  
21 Tech, Seminole Community College and participation  
22 in numerous seminars sponsored by the American  
23 Water Works Association. I have also attended  
24 various technical seminars and classes on the

1 subject of water and wastewater facility operation  
2 and management.

3 **Q. ARE YOU A MEMBER OF ANY TRADE AND/OR PROFESSIONAL**  
4 **ORGANIZATIONS?**

5 A. Yes. I am a member of the American Water Works  
6 Association, National Association of Water  
7 Companies and the Pollution Control Operators  
8 Association. I also serve on the board of  
9 directors for SunBank, NA, College Park Office,  
10 Orlando, Florida.

11 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE A REGULATORY**  
12 **AGENCY?**

13 A. Yes. I have testified before the Florida Public  
14 Service Commission, the Polk County Utilities  
15 Board, and the Sarasota County Hearing Examiners on  
16 various occasions. I also have testified in  
17 proceedings involving the Florida Department of  
18 Environmental Regulation (DER).

19 **Q. WHY DID FLORIDA WATER FILE THE TERRITORY AMENDMENT**  
20 **APPLICATION AT ISSUE IN THIS PROCEEDING?**

21 A. There are several reasons. Florida Water's  
22 philosophy is to achieve customer growth wherever  
23 practical; we believe this approach benefits  
24 existing and future customers. The disputed

1           territory in this case abuts Florida Water's  
2           existing Florida Central Commerce Park service  
3           area, and Florida Water has a 10 inch gravity  
4           collection main less than 300 feet from the  
5           disputed territory. Before the City of Longwood  
6           could provide service to the disputed territory,  
7           the City would have to bore under a railroad  
8           crossing, so Florida Water's cost for the  
9           infrastructure needed to provide services  
10          significantly less than the City's. In fact, prior  
11          to Florida Water's filing this case, the City  
12          stated that it would have no objection to Florida  
13          Water's amending its certificated area to include  
14          the disputed territory. The properties in the  
15          disputed territory currently utilize individual  
16          septic systems for wastewater treatment and  
17          disposal. I do not think there is any question  
18          that providing central sewer service to the  
19          disputed territory would be environmentally  
20          beneficial, particularly because there have been  
21          reports of some of the septic systems' in the area  
22          having failed. Florida Water can provide  
23          wastewater treatment service to these properties  
24          without the time and expense of a railroad boring.

1 Service from Florida Water also has the added  
2 benefit of possibly making reuse available for  
3 irrigation of portions of the properties in the  
4 disputed territory, since effluent disposal in  
5 Florida Central Commerce Park currently takes place  
6 by means of reuse irrigation over common areas.  
7 Therefore, it makes practical business sense for  
8 Florida Water to provide service to the disputed  
9 territory and environmental sense.

10 **Q. DOES THAT CONCLUDE YOUR DIRECT TESTIMONY?**

11 **A. Yes.**



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BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

APPLICATION FOR AMENDMENT OF  
CERTIFICATE NO. 226 - S  
IN SEMINOLE COUNTY  
BY FLORIDA WATER SERVICES CORPORATION

CONTAINING:

APPLICATION FOR AMENDMENT AND EXHIBITS

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DECEMBER 1997



EXHIBIT                     (BPA-1)  
PAGE   2   OF   64  

December 19, 1997

**Via Federal Express**

Ms. Blanca Bayo, Director  
Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. \_\_\_\_\_-WS  
Application for Amendment of Certificates 226-S  
in Seminole County by Florida Water Services Corporation

Dear Ms. Bayo:

Enclosed for filing is one original application as described above. Also enclosed are 15 copies of the application, along with two sets of maps, an original and two copies of the applicable tariff sheets, and the required filing fee check in the amount of \$100.

Please note that the original certificates are not included with this filing since Florida Water Services has not received original certificates back from the Commission at the conclusion of its name change application, Docket No. 970028-WS.

In order to confirm filing of this application, please date-stamp the enclosed copy of this letter and return it to me in the stamped, self-addressed envelope which is provided for your convenience.

If you need any additional information or other assistance, please call me at (407) 880-0058, ext. 260. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "M. J. Feil", written over a horizontal line.

Matthew J. Feil  
Staff Attorney

Enclosures



PART II NEED FOR SERVICE

- A) 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.
- B) Exhibit   n/a   - If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit   B   - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

PART III SYSTEM INFORMATIONA) WATER

- (1) Exhibit   n/a   - A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, non-potable or both).
- (2) Exhibit   n/a   - A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.
- (3) Exhibit   n/a   - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (4) Exhibit   n/a   - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.

not applicable

- (6) Exhibit n/a - Evidence that the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long-term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

B) WASTEWATER

- (1) Exhibit C - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
- (2) Exhibit D - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (3) Exhibit E - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse. Exhibit F.
- (5) Exhibit G - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.

not applicable

- (7) Exhibit H - Evidence that the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long-term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

PART IV           FINANCIAL AND TECHNICAL INFORMATION          

- A) Exhibit   I   - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit   J   - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. Order No. PSC-96-1320-FOF-WS, issued October 30, 1996. This order is currently on appeal before the First District Court of Appeal.
- D) Exhibit   K   - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

PART V           TERRITORY DESCRIPTION AND MAPS          A)           TERRITORY DESCRIPTION          

Exhibit   L   - 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.

B)           TERRITORY MAPS          

Exhibit   M   - 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 proposed territory to be added or deleted 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)           SYSTEM MAPS          

Exhibit   N   - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

## PART VI

NOTICE OF ACTUAL APPLICATION

- A) Exhibit O - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
  - (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
  - (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
  - (4) the regional planning council;
  - (5) the Office of Public Counsel;
  - (6) the Public Service Commission's Director of Records and Reporting;
  - (7) the appropriate regional office of the Department of Environmental Protection; and
  - (8) the appropriate water management district.
- Copies of the Notice and a list of entities noticed shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- B) Exhibit P - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery of each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit Q - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART VII FILING FEE

Indicate the filing fee enclosed with the application:  
\$ N/A (for water) and/or \$ 100 (for  
wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERC's, the filing fee shall be \$100.
- (2) For applications in which the proposed area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, the filing fee shall be \$200.
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, the filing fee shall be \$500.
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, the filing fee shall be \$1,000.
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, the filing fee shall be \$1,750.
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be \$2,250.

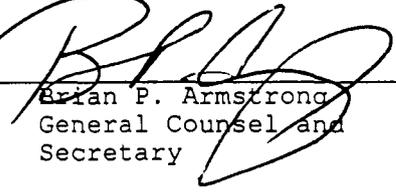
PART VIII TARIFF AND ANNUAL REPORTS

- A) Exhibit R - An affidavit that the utility has tariffs and annual reports on file with the Commission
- B) Exhibit S - The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering or tariff sheets before preparing tariff revisions. (The rules and sample tariff sheets are attached).

PART IX AFFIDAVIT

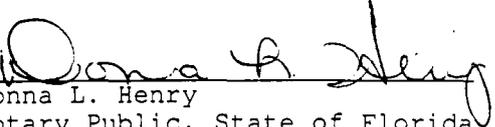
I, Brian P. Armstrong as General Counsel and Secretary of Florida Water Services Corporation (applicant) do solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitute a complete statement of the matter to which it relates.

Florida Water Services Corporation

By:   
Brian P. Armstrong  
General Counsel and  
Secretary

Subscribed and sworn to me this 19th day of December, 1997, by Brian P. Armstrong as General Counsel and Secretary of Florida Water Services Corporation, a Florida corporation, who is personally known to me and did take an oath.

**DONNA L HENRY**  
Notary Public - State of Florida  
My Commission Expires Jul 6, 2000  
Commission # CC 543412

  
Donna L. Henry  
Notary Public, State of Florida  
Commission Number CC543412  
Commission Expires: 7-6-00

\*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.

## 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.

The service area being requested as an addition to our current territory is already completely built-out. It contains 22 warehouse/office buildings on 8 building lots. Each of the buildings is currently using a septic system for wastewater treatment and removal. The City of Longwood currently supplies water to the area.

Over the past couple of years, Florida Water Services has received numerous inquiries from the owners of buildings in the proposed additional service area concerning obtaining wastewater service. Prior to 1994, the City of Longwood requested that Florida Water Services include the proposed service area into its certificated area.

Based upon the above-mentioned inquires and the City of Longwood's request, we believe that the proposed service territory addition to Florida Central Commerce Park's wastewater system is needed.

**Exhibit B**

A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest,

Based upon a review of the wastewater sections of Seminole County's Comprehensive Plan, Florida Water Services believes that, to the best of its knowledge, the provision of service to the proposed territory will be consistent with the wastewater section of the said plan. The provision of wastewater service by Florida Water Services to customers in the proposed territory addition will best benefit the local community. Florida Water Services' wastewater service lines at Florida Central Commerce Industrial Park are in close proximity to the proposed territory addition. In addition, Florida Water Services has considerable expertise in the area. As mentioned in Exhibit A, the City of Longwood has requested that Florida Water Services provide wastewater service to this area.

Exhibit C

A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.

The existing wastewater mains have sufficient capacity to treat peak wastewater flows from the expanded service territory. The system consists of all 10-inch mains which feed into a central lift station. The wastewater is then pumped through an 8-inch force main. The lift station pumps currently only operate a few hours per day.

The current permitted wastewater treatment and effluent disposal capacity is 95,000 gallons per day (gpd). The maximum month average daily flow in the last 12-months was 51,129 gallons per day.

The proposed territory addition consists of an existing industrial park with light industry, offices and warehouses. It consists of 22 buildings on 8 lots and approximately 118 separate businesses. The City of Longwood is the water provider. Septic tanks are currently used throughout the proposed territory addition for wastewater treatment. The number and size of water meters were obtained from the City of Longwood in order to determine an ERC count for the area. Applying the current FCCP usage of 287 gpd per ERC to the 68 ERCs expected in the proposed territory addition results in an estimated wastewater flow of 19,516 gpd.

Based on the current flows and the estimated flow for the proposed territory, there should be sufficient capacity for the proposed expansion. However, when the remaining undeveloped portions of the existing service area are developed, an expansion of the wastewater treatment plant and effluent disposal system will be required.

Exhibit D

The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.

Attached as Appendix D-1, is the wastewater, operating permit for Florida Central Commerce Park plant.

1. Operating Permit #FLA011078

Currently, there are no other permits issued against this plant.

EXHIBIT                      (BPA-1)

PAGE 14 OF 64

APPENDIX D-1



# Department of Environmental Protection

EXHIBIT (BPA-1)

PAGE 15 OF 64

Lawton Chiles  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Virginia B. Wetherell  
Secretary

FLORIDA WATER SERVICES CORPORATION  
PO BOX 609520  
ORLANDO FL 32860-9520

OCD-DW-97-0756

ATTENTION RAFAEL TERRERO PE  
MANAGER ENVIRONMENTAL SERVICES

Seminole County - DW.  
Permit FLA011078  
Florida Central Commerce Park WWTF

Dear Mr. Terrero:

It has come to our attention that the permit and DMR for the referenced treatment facility contained an error. Enclosed is the revised pages of the permit and DMR.

Please replace page 2 and 4 of the permit and page 1 and 2 of the DMR with the pages enclosed. We regret any inconvenience this may have caused.

Should you have any questions please feel free to contact Dennise Judy at (407)893-3315.

Sincerely,

Christianne C. Ferraro, P.E.  
Program Administrator  
Water Facilities

Date: Oct. 6, 1997

*nl*  
CCF/dj/cs

Enclosures: Revised pages of Permit FLA011078 and DMR

Received  
OCT 8 1997  
Environmental Services

(5)  
RA D.  
VIVE D.  
BRUCE P.  
SS  
RT  
cc: Brian Heath.  
Scott Jagg

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

013



# Department of Environmental Protection

EXHIBIT

(BPA-1)

PAGE

16

OF

64

Lawton Chiles  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Virginia B. Wetherell  
Secretary

## STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

**PERMITTEE:**

Florida Water Services Corporation  
Mr. Rafael A. Terrero P.E.  
Manager, Environmental Services  
P O Box 609520  
Orlando, FL 32860-9520

**PERMIT NUMBER:**

FLA011078

**ISSUANCE DATE:**

8/27/97

**EXPIRATION DATE:**

August 25, 2002

**FACILITY I.D. NO.:**

FLA011078

**PATS NUMBER:**

279901

**GMS I.D. NO.:**

3059P01561

**FACILITY:**

Florida Central Commerce Park WWTF  
140 Hope Street  
Seminole County  
Longwood, FL  
Latitude: 28° 41' 52" N Longitude: 81° 21' 09" W

This permit is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code. The above named permittee is hereby authorized to construct and operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**TREATMENT FACILITIES:**

An existing 0.095 mgd annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of flow equalization, influent screening, aeration, secondary clarification, chemical feed facilities, filtration, chlorination, a 3-day (0.285 MG) reject storage pond with provisions for retreatment, and aerobic digestion of residuals with:

**REUSE:**

**Land Application:** An existing 0.095 mgd AADF permitted capacity slow-rate public access (R001) irrigation system consisting of a 10-day (0.95 MG) wet weather storage pond and a reuse service area to be expanded to provide irrigation of 19.6 acres of greenspace at the commerce park.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements and other conditions as set forth in Pages 1 through 15 of this permit.

PERMITTEE: Florida Water Services Corporation  
P.O. Box 609520  
Orlando, FL 32860-9520

PERMIT NUMBER: FLA011078  
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FACILITY: Florida Central Commerce  
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**I RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**A. Reuse and Land Application Systems**

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to direct reclaimed water to Reuse System(s) R001. Such reclaimed water shall be limited and monitored by the permittee as specified below:

Parameter	Units	Max/Min	Reclaimed Water Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	0.095	-	-	-	5 Days/Weeks	Flow meters	EFF-1	See Cond. I.A.3.
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Maximum	20.0	30.0	45.0	60.0	Every Two Weeks	Grab	EFA-1	
Total Suspended Solids	mg/L	Maximum	-	-	-	5.0	3 Days/Week	Grab	EFB-1	
pH	std. units	Range	-	-	-	6.0 to 8.5	5 Days/Week	Grab	EFA-1	
Fecal Coliform Bacteria	See Permit Condition I.A.4.						3 Days/Week	Grab	EFA-1	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	1.0	Continuous	analyzer	EFA-1	See Cond. I.A.5.
Turbidity	NTU	Maximum	See Permit Condition I.A.6.				Continuous	analyzer	EFB-1	

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2. Reclaimed water samples shall be taken at the monitoring site locations listed in Permit Condition I. A. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
EFA-1	Chlorine contact chamber effluent
EFB-1	Filter effluent prior to chlorination
EFF-1	Flow meter at chlorine contact chamber discharge pipe

3. Flow meters shall be utilized to measure flow and calibrated at least annually. [62-601.200(17) and .500(6), 5-31-93]
4. Over a 30 day period, 75 percent of the fecal coliform values (the 75th percentile value) shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 5.0 milligrams per liter of total suspended solids (TSS) at a point before application of the disinfectant. Note: To report the 75th percentile value, list the fecal coliform values obtained during that month in ascending order. Report the value of the sample that corresponds to the 75th percentile (multiply the number of samples by 0.75). For example, for 30 samples, report the corresponding fecal coliform value for the 23rd value of ascending order. [62-600.440(5)(f), 6-8-93]
5. The minimum total chlorine residual shall be limited as described in the approved operating protocol, such that the permit limitation for fecal coliform bacteria will be achieved. In no case shall the total chlorine residual be less than 1.0 mg/L. [62-600.440(5)(b) and (6)(b), 6-8-93]
6. The maximum turbidity shall be limited as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms will be achieved. [62-610.463, 1-9-96]

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2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1 and as described below:

Monitoring Location Site Number	Description of Monitoring Location
INF-1	Raw influent to surge tank

3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4), 5-31-93]
4. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method in accordance with 40 CFR Part 136. Parameters which must be monitored as a result of a ground water discharge (i.e., underground injection or land application system) shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18), 11-29-94]
5. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5), 5-31-93]
6. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department on a monthly basis Discharge Monitoring Report(s) (DMR), Form 62-620.910(10), as attached to this permit. The permittee shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the Central District Office at the address specified in Permit Condition I.B.7. by the twenty-eighth (28th) of the month following the month of operation.  
[62-620.610(18), 11-29-94][62-601.300(1), (2), and (3), 5-31-93]
7. Unless specified otherwise in this permit, all reports and notifications required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Central District Office at the address specified below:

Florida Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard Suite 232  
Orlando, Florida 32803-3767

Phone Number - (407) 894-7555

FAX Number - (407) 897-2966 All FAX copies shall be followed by original copies.

## II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is transport, by Agreement, to Brownies Environmental Service RMF treatment facility, located on the South Orange Blossom Trail, Orlando, Orange County, Florida, for lime stabilization and land application. The Department shall be notified at least sixty (60) days prior to the termination of this Agreement between the permittee and Brownies Environmental Service RMF.
2. The wastewater treatment facility permittee shall be responsible for proper handling, use, and disposal of its residuals and will be held responsible for any disposal violations that occur unless the permittee can demonstrate that the treatment facility to which the residuals are transported has legally agreed in writing to accept responsibility for proper treatment and disposal. [62-640.300(3), 3-1-91]

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- The permittee shall sample and analyze the residuals at least once every 12 months. All samples shall be representative and shall be taken after final treatment of the residuals but before use or disposal. Sampling and analysis shall be in accordance with the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. The following parameters shall be sampled and analyzed:

Parameter	Maximum Concentration	Maximum Cumulative Loading
Total Nitrogen	(Report only) % dry weight	Not applicable
Total Phosphorus	(Report only) % dry weight	Not applicable
Total Potassium	(Report only) % dry weight	Not applicable
Cadmium	100 mg/kg dry weight	Not applicable
Copper	3000 mg/kg dry weight	Not applicable
Lead	1500 mg/kg dry weight	Not applicable
Nickel	500 mg/kg dry weight	Not applicable
Zinc	10,000 mg/kg dry weight	Not applicable
pH	(Report only) standard units	Not applicable
Total Solids	(Report only) %	Not applicable

### III. GROUND WATER MONITORING REQUIREMENTS

- Section III is not applicable to this facility.

### IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

#### Part III Public Access System(s)

- All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. For major users of reclaimed water (i.e., using 0.1 mgd or more), the zone of discharge shall extend horizontally 100 feet from the application site or to the user's property line, whichever is less, and vertically to the base of the surficial aquifer. For other users, the zone of discharge shall extend horizontally to the boundary of the irrigation site identified in the attached map and vertically to the base of the surficial aquifer. [62-520.200(23), 4-14-94] [62-522.400 and 62-522.410, 4-14-94]
- The treatment facilities shall be operated in accordance with the approved operating protocol. Only reclaimed water that meets the criteria established in the approved operating protocol may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol shall be directed to reject storage for subsequent additional treatment or disinfection. The operating protocol shall be reviewed and updated periodically (at least once each year) to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols shall be submitted to the Department's Central District Office for review and approval. [62-610.320(6) and 62-610.463(2), 1-9-96]
- Cross-connections to the potable water system are prohibited. [62-610.469(7), 1-9-96]
- A cross-connection control program shall be implemented and/or remain in effect within the areas where reclaimed water will be provided for use. [62-610.469(7), 1-9-96]

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5. Maximum obtainable separation of reclaimed water lines and potable water lines shall be provided and the minimum separation distances specified in Rule 62-610.469(7), F.A.C., shall be provided. Reuse facilities shall be color coded or marked. Underground piping which is not manufactured of metal or concrete shall be color coded using Pantone Purple 522C using light stable colorants. Underground metal and concrete pipe shall be color coded or marked using purple as the predominant color. [62-610.469(7), 1-9-96]
6. In constructing reclaimed water distribution piping, the permittee shall maintain a 75-foot setback distance from a reclaimed water transmission facility to public water supply wells. No setback distances are required to other potable water supply wells or to any nonpotable water supply wells. [62-610.471(3), 1-9-96]
7. A setback distance of 75 feet shall be maintained between the edge of the wetted area and potable water supply wells, unless the utility adopts and enforces an ordinance prohibiting potable water supply wells within the reuse service area. No setback distances are required to any nonpotable water supply well, to any surface water, to any developed areas, or to any private swimming pools, hot tubs, spas, saunas, picnic tables, barbecue pits, or barbecue grills. [62-610.471(1), (2), (5), and (7), 1-9-96]
8. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools. [62-610.469(4), 1-9-96]
9. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet from outdoor public eating, drinking, or bathing facilities. [62-610.471(6), 1-9-96]
10. A setback distance of 100 feet shall be maintained from indoor aesthetic features using reclaimed water to adjacent indoor public eating and drinking facilities. [62-610.471(8), 1-9-96]
11. The public shall be notified of the use of reclaimed water. This shall be accomplished by posting of advisory signs in areas where reuse is practiced or other methods. [62-610.468(2), 1-9-96]
12. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.414 and 62-610.464, 1-9-96]
13. Overflows from emergency discharge facilities on storage ponds shall be reported as an abnormal event to the Department's Central District Office within 24 hours of an occurrence as an abnormal event. The provisions of Rule 62-610.880(9), F.A.C., shall be met. [62-610.800(9), 1-9-96]
14. Reclaimed water shall only be released to the system storage or reuse system during periods of operator attendance in compliance with the approved operating protocol or in accordance with Condition V.2. and 3.

#### V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a(n) operator(s) certified in accordance with Chapter 61E12-41, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category I, Class B facility and, at a minimum, operators with appropriate certification must be on the site as follows:

A Class C or higher operator 6 hours/day for 7 days/week. The lead operator must be a Class B operator, or higher.

[62-699, 5-20-94] [62-620.630(3), 11-29-94] [62-699.310, 5-20-92] [62-610.462, 1-9-96]

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2. The automatic monitoring equipment and automatic dialer system shall be on at all times when the operator is off-duty and reclaimed water is entering the reuse storage or distribution system, and a certified operator shall be on call during periods the plant is unattended. [62-699.311(10), (5), and (1), 5-20-92]
3. If any of the reuse monitoring equipment is out of service and not connected to the automatic dialer system, or if the automatic dialer system is out of service, an operator must be present for the reclaimed water to enter the reuse storage or distribution system.
4. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5), 6-8-93]
5. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1), 6-8-93]
6. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility:
  - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
  - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
  - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
  - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
  - e. A copy of the current permit;
  - f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
  - g. A copy of the facility record drawings;
  - h. Copies of the licenses of the current certified operators; and
  - i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

[62-620.350, 11-29-94][61E12-41.010(1)(e), 11-02-93]

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**VI. SCHEDULES**

1. The following construction schedule for the facilities shall be followed, unless notification of a schedule revision is provided and acceptable to the Department:

Implementation Step		Completion Date
1	Expand reuse service area and irrigation lines	September 30, 1998

[62-620.450(3)(a), 11-29-94]

**VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS**

1. This facility is not required to have a pretreatment program at this time. [62-625.500, 11-29-94]

**VIII. OTHER SPECIFIC CONDITIONS**

1. If the permittee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permittee shall submit an application for renewal, using Department Forms 62-620.910(1) and (2), no later than one-hundred and eighty days (180) prior to the expiration date of this permit. [62-620.410(5), 11-26-94]
2. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. [62-610.850(1)(a) and (2)(a), 1-9-96]
3. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. [62-600.410(8), 6-8-93]
4. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater, or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited. [62-604.130(3), 5-31-93]
5. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. [62-604.550, 5-31-93] [62-620.610(20), 11-29-94]
6. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):
  - a. Which may cause fire or explosion hazards; or

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- b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or
- c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
- d. Which result in treatment plant discharges having temperatures above 40°C.

[62-604.130(4), 5-31-93]

7. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. [62-610.464(4), 1-9-96] [and 62-600.410, 6-8-93]
8. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. [62-7.540, 12-10-85]
9. The permittee shall provide adequate notice to the Department of the following:
  - a. Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C. if it were directly discharging those pollutants; and
  - b. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

Adequate notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility.

[62-620.625(2), 11-29-94]

#### IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), 11-29-94]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), 11-29-94]
3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), 11-29-94]

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4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), 11-29-94]
5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [62-620.610(5), 11-29-94]
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6), 11-29-94]
7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. [62-620.610(7), 11-29-94]
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8), 11-29-94]
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
  - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
  - b. Have access to and copy any records that shall be kept under the conditions of this permit;
  - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
  - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.[62-620.610(9), 11-29-94]
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, Florida Administrative Code. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10), 11-29-94]

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11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11), 11-29-94]
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12), 11-29-94]
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13), 11-29-94]
14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), 11-29-94]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), 11-29-94]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, 62-620.420 or 62-620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), 11-29-94]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
  - a. A description of the anticipated noncompliance;
  - b. The period of the anticipated noncompliance, including dates and times; and
  - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), 11-29-94]

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18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
- Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).
  - If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
  - Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
  - Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health and Rehabilitative Services (DHRS) under Chapter 10D41, F.A.C., to perform the test. On-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified to test for those parameters or under the direction of an operator certified under Chapter 61E12-41, F.A.C.
  - Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in "DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-QA-001/92). Alternatively, sample collection may be performed by an organization who has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests.

[62-620.610(18), 11-29-94]

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), 11-29-94]
20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- The following shall be included as information which must be reported within 24 hours under this condition:
    - Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge;
    - Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,

EXHIBIT \_\_\_\_\_  
(BHT-1)  
PAGE 28 OF 64

PERMITTEE: Florida Water Services Corporation  
P.O. Box 609520  
Orlando, FL 32860-9520

PERMIT NUMBER: FLA011078  
EXPIRATION DATE: August 25, 2002  
FACILITY: Florida Central Commerce  
Park WWTF

3. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
  4. Any unauthorized discharge to surface or ground waters.
- b. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

[62-620.610(20), 11-29-94]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX. 20 of this permit. [62-620.610(21), 11-29-94]

22. Bypass Provisions.

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
  1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
  2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  3. The permittee submitted notices as required under Permit Condition IX. 22. b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1. through 3. of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22), 11-29-94]

EXHIBIT \_\_\_\_\_ (BPP-1)  
PAGE 29 OF 64

PERMITTEE: Florida Water Services Corporation  
P.O. Box 609520  
Orlando, FL 32860-9520

PERMIT NUMBER: FLA011078  
EXPIRATION DATE: August 25, 2002  
FACILITY: Florida Central Commerce  
Park WWTF

23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
1. An upset occurred and that the permittee can identify the cause(s) of the upset;
  2. The permitted facility was at the time being properly operated;
  3. The permittee submitted notice of the upset as required in Permit Condition IX. 20. of this permit; and
  4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23), 11-29-94]

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

  
Christianne C. Ferraro, P.E.  
Program Administrator  
Water Facilities

DATE: August 27, 1997

EXHIBIT \_\_\_\_\_  
(BPA-1)  
PAGE 30 OF 64

Exhibit E

If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.

In the future when an expansion of treatment and effluent disposal facilities are required, additional reuse is proposed via greenspace irrigation throughout those portions of the service where reuse irrigation is not yet in place.

Exhibit F

If Exhibit J does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.

The Florida Central Commerce Park system currently employs the use of effluent disposal by reuse. Greenspace is irrigated with reclaimed water throughout the park.

Exhibit G

A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.

The additional wastewater service territory currently consists of 22 buildings containing commercial and warehouse operations as well as offices. The area is currently built-out and new connections would consist entirely of customers changing from septic to sewer systems.

Exhibit H

Evidence that the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long-term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

Attached is a copy of that certain Corrective Warranty Deed from Park Industrial Venture to Southern States Utilities, Inc. (now known as Florida Water Services Corporation), dated July 26, 1988, and recorded on August 17, 1988, in the Official Records Book 1987 at Page 1335, Public Records of Seminole County, Florida.

CORRECTIVE WARRANTY DEED 1987 1335

THIS WARRANTY DEED made as of the 26<sup>th</sup> day of July, A.D. 1988 by PARK INDUSTRIAL VENTURE, a Florida general partnership, hereinafter called the grantor, to SOUTHERN STATES UTILITIES, INC., a Florida corporation, whose post office address is 1000 Color Place, Apopka, Florida 32703, hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantees" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantees, all that certain land situate in Seminole County, Florida, viz:

Tract A, FLORIDA CENTRAL COMMERCE PARK, according to the plat thereof, as recorded in Plat Book 27, Pages 53 through 58, of the Public Records of Seminole County, Florida.

The foregoing property shall be used solely as a facility for wastewater treatment, transmission, collection, disposal or storage, or for park purposes, and, if such use should terminate at any time within twenty-one (21) years from the date hereof, title shall revert to the grantor.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever, subject to the foregoing reversionary rights.

AND the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1987, and easements and restrictions of record.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

PARK INDUSTRIAL VENTURE, a Florida general partnership

By: WILDMERE INDUSTRIAL PROPERTIES, INC., a Florida corporation, general partner

*George St. Laurent*  
George St. Laurent, President

(CORPORATE SEAL)

By: PIONEER FLORIDA DEVELOPMENT CORPORATION, a Florida corporation, general partner

By: *Paul H. Corace*  
Paul H. Corace, President

(CORPORATE SEAL)

This instrument Prepared by:  
GEOFFNEY D. WITHERS, Attorney at Law  
1200 Southeast Bank Building  
201 E. Pine Street  
Orlando, Florida 32801

This Warranty Deed is given to modify the provision for reversion to grantor contained in that certain Warranty Deed dated January 6, 1988, and recorded March 9, 1988, in Official Records Book 1938, Page 702, Public Records of Seminole County, Florida.

Documentary Tax Paid: 8.00  
Intangible Tax Paid: 0.00  
David M. Berrin, Clerk, Seminole County, Fla.

ALCOBS AND RETURN TO:  
Coy, Hark & Robinson, P.A.  
P. O. Box 3066  
Orlando, Florida 32816

*Hope A. Micochi*  
*Eugene A. Frank*

CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FL.

533585

898 AUG 17 PM 2:12

RECORDED & VERIFIED

EXHIBIT  
PAGE 35 OF 64

(B99-1)

STATE OF Florida  
COUNTY OF Alameda

OFFICIAL RECORDS  
BOOK PAGE  
1987 1336

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared GEORGES ST. LAURENT, to me known to be the President of WILDMERE INDUSTRIAL PROPERTIES, INC., a Florida corporation, which corporation is a general partner of Park Industrial Venture, a Florida general partnership, who executed the foregoing instrument and acknowledged before me that he had full authority to do so for all purposes expressed therein.

WITNESS my hand and official seal in the County and State last aforesaid the 29 day of July, A.D. 1988.

M. Ann Sautter  
Notary Public State of Florida  
at Large

My Commission Expires: July 28, 1992  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JULY 28, 1992  
BONDED THROUGH GENERAL REG. BLD.

STATE OF Florida )  
COUNTY OF Pinellas )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared PAUL H. CORACE, to me known to be the President of PIONEER FLORIDA DEVELOPMENT CORPORATION, a Florida corporation, which corporation is a general partner of Park Industrial Venture, a Florida general partnership, who executed the foregoing instrument and acknowledged before me that he had full authority to do so for all purposes expressed therein.

WITNESS my hand and official seal in the County and State last aforesaid the 8th day of August, A.D. 1988.

Emil J. Frank  
Notary Public

My Commission Expires: Aug 18, 1991  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. AUG 18, 1991  
BONDED THROUGH GENERAL REG. BLD.

273/31:348/4R

EXHIBIT (BAA-1)  
PAGE 36 OF 64

Exhibit I

**A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.**

Florida Water Services has the requisite technical and financial ability to render service to the proposed amended territory. Florida Water Services has been regulated by the Commission since 1964 and currently owns and operates 144 water and wastewater service territories throughout the state which are under the Commission's regulatory authority. Florida Water Services has a staff of engineers, scientists, accountants, and other professionals based in its Orlando headquarters, as well as licensed operators that operate and maintain facilities located throughout the state. Furthermore, Florida Water Services' facilities are in substantial compliance with all applicable environmental regulations. At year-end 1996, Florida Water Services' capital structure consisted of more than \$212 million in total capital, including more than \$130 million in long-term debt and more than \$82 million in equity capital. The Commission has acknowledged the technical and financial ability of Florida Water Services Corporation in numerous proceedings, including transfers and amendments. In consideration of the foregoing, Florida Water Services submits that it has more than adequate technical and financial ability to render service to the proposed amended territory.

Exhibit J

A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.

The wastewater lines for development within the proposed service territory addition will be designed and constructed by the individual building owners in accordance with Florida Water Service's standards and specifications and then donated to Florida Water Services. Florida Water Services will bear the cost of any improvements necessary to its own treatment facilities to provide service to the proposed territory. Florida Water Services' capital costs will be disposed through Florida Water Service's capital projects budget and funded by capital project reserves (funds obtained pursuant to scheduled and existing financing) and/or accumulated operating fund reserves.

Development in the proposed territory will be undertaken in accordance with Florida Water Services' Commission-approved service availability policy and the Commission's service availability rules.

Given the size of Florida Water Services' capital structure, the total projected financial impact of the known proposed developments on Florida Water Service's capital structure and overall contributions-in-aid-of-construction (CIAC) levels will be minimal.

Exhibit K

A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

The proposed amendment concerns Florida Central Commerce Park service area. Florida Water Services believes that the known development within the proposed territory, namely Bennett Commerce Park, should have little if any effect on the current rates at Florida Central Commerce Park. In future rate proceedings this additional service area may have the effect of decreasing rates because of higher CIAC levels and a larger customer base, absent other changes in rate base and expenses.

The impact of the extension on Florida Water Services' prospective service availability charges is negligible, given the fact that this area is built out with no future connections possible.

Exhibit L

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.

The territory proposed to be added is for wastewater and is described as follows:

Township 21 South, Range 30 East, Seminole County, Florida.

Section 6: All of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ .



Exhibit N

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

The map required is provided as a separate attachment (Appendix N-1) to this package.

Exhibit O

An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail.

Please see attached.

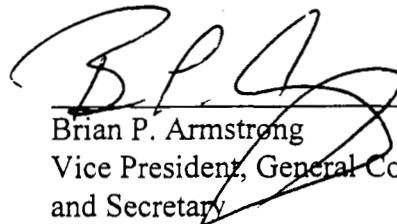
Affidavit

State of Florida  
County of Orange

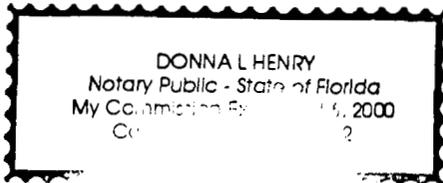
Before me, the undersigned authority, personally appeared Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

1. That he has personal knowledge of the matters contained herein.
2. Attached hereto and identified as "Appendix O-1" is a copy of the request Florida Water sent to the Public Service Commission ("Commission") pursuant to Rule 25-30.030(2), Florida Administrative Code.
3. Attached hereto and identified as "Appendix O-2" is a copy of the Commission's reply to Florida Water's aforementioned request.
4. Copies of the notice of application, attached hereto and identified as "Appendix O-3" were sent by U.S. Mail on December 19, 1997, to those entities identified by the Commission on the aforesaid "Appendix O-2."

Further Affiant sayeth not.

  
 \_\_\_\_\_  
 Brian P. Armstrong  
 Vice President, General Counsel  
 and Secretary  
 Florida Water Services Corporation

The foregoing instrument was acknowledged before me this 19th day of December, 1997, by Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation who is personally known to me and did take an oath.



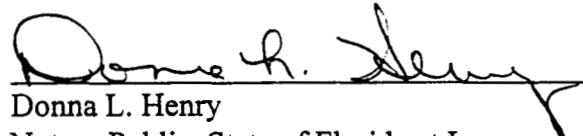
  
 \_\_\_\_\_  
 Donna L. Henry  
 Notary Public, State of Florida at Large  
 Commission Number CC543412  
 My Commission Expires: 7-6-00

EXHIBIT \_\_\_\_\_ (BPA-1)

Appendix O-1

PAGE 45 OF 64

Letter to Commission



EXHIBIT           (BPA-1)            
PAGE   40   OF   04  

December 16, 1997

Via Facsimile: (850) 413-7000

Mr. Richard Redemann  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Seminole County Certificate Amendment

Dear Mr. Redemann:

In accordance with the terms of the application for amendment of certificate, please forward to me a listing of the entities to be noticed pursuant to Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code.

I have attached the legal descriptions for the proposed wastewater territory in Seminole County.

Please return the list via fax (407/880-1395) if possible.

If you should need any additional information in order to process this request, please call me at (407) 880-0058, ext. 267. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Donna L. Henry".

Donna L. Henry  
Executive Legal Assistant

Attachment

EXHIBIT \_\_\_\_\_  
PAGE 47 OF 47  
(BPP-1)

SEMINOLE COUNTY

Description Of Territory Served

FLORIDA CENTRAL COMMERCE PARK

Township 21 South, Range 30 East, Seminole County, Florida.

Section 6

The East 125 feet of the North 890 Feet of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; together with the East 570 feet of the South 430 feet of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; together with the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  less the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and less the North 271 feet of the East 317 feet of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; together with the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; together with all that part of the South 1049 feet of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  that lies West of the westerly right-of-way line of the Seaboard Coastline Railroad; together with the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ; together with the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ; together with the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ; together with the East 100 feet of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; together with the East 100 feet of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ .

Effective Date:

By: Forrest L. Ludsen  
Forrest L. Ludsen, Vice President  
Business Development

EXHIBIT                      (BPA-1)

PAGE 48 OF 64

Appendix O-2

List of Entities

STATE OF FLORIDA

EXHIBIT CBPA-1

PAGE 49 OF 64



**PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850**

---

To: Ms. Donna L. Henry

Date: 12-16-97

From: Richard Redemann

Page 1 of 4

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LIST OF WATER AND WASTEWATER UTILITIES IN SEMINOLE COUNTY

EXHIBIT

(BPA-1)

(VALID FOR 60 DAYS)  
12/16/1997-02/13/1998

PAGE 51 OF 104

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CITY MANAGER, CITY OF CASSELBERRY  
95 TRIPLET LAKE DRIVE  
CASSELBERRY, FL 32707-3399

CLERK, BOARD OF COUNTY COMMISSIONERS, SEMINOLE COUNTY  
P. O. DRAWER C  
SANFORD, FL 32772-0659

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

EAST CENTRAL FLORIDA PLANNING COUNCIL  
1011 WYMORE ROAD, SUITE 105  
WINTER PARK, FL 32789

MAYOR, CITY OF ALTA MONTE SPRINGS  
225 NEWBURYPORT AVENUE  
ALTA MONTE SPRINGS, FL 32701-3642

MAYOR, CITY OF LAKE MARY  
P. O. BOX 950700  
LAKE MARY, FL 32746-0700

MAYOR, CITY OF LONGWOOD  
175 WEST WARREN AVENUE  
LONGWOOD, FL 32750-4107

MAYOR, CITY OF OVIEDO  
400 ALEXANDRIA BLVD.  
OVIEDO, FL 32765-0297

MAYOR, CITY OF SANFORD  
P. O. BOX 1788  
SANFORD, FL 32772-1788

LIST OF WATER AND WASTEWATER UTILITIES IN SEMINOLE COUNTY

EXHIBIT                      (BPA-1)

PAGE 52 OF 64

(VALID FOR 60 DAYS)  
12/16/1997-02/13/1998

UTILITY NAME

MANAGER

MAYOR, CITY OF WINTER SPRINGS  
1126 EAST S. R. 434  
WINTER SPRINGS, FL 32708-2715

ST. JOHN'S RIVER WTR MANAGEMENT DISTRICT  
P.O. BOX 1429  
PALATKA, FL 32178-1429

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 32399-0860

EXHIBIT                      (BPA-1)

PAGE 53 OF 64

Appendix O-3

Copy of Notice



Exhibit P

An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit.

Rule 25-30.030(6), Florida Administrative Code, requires notice be given "to each customer, of the system to be certificated, transferred, acquired, or deleted." Because there are currently no customers in the territory to be added and no "system" is in place, this rule is inapplicable.

Exhibit Q

Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. This may be a late-filed exhibit.

The required affidavit of publication will be provided separately as a late-filed exhibit. Attached hereto as Appendix Q-1 is Florida Water's request for publication of the required notice.





EXHIBIT                      (BPA-1)  
PAGE 58 OF 64

December 19, 1997

Via Facsimile: (407) 420-5011

The Orlando Sentinel  
Attn: Legal Advertising  
633 North Orange Avenue  
Orlando, FL 32801

Re: Legal Notice

Dear Sir or Madam:

Enclosed is a legal notice. Please run this notice one time in the Seminole edition of the Sentinel at your earliest convenience. Please provide me with an affidavit of publication as soon as possible.

The invoice and affidavit should be sent to:

Donna Henry  
Florida Water Services Corporation  
P. O. Box 609520  
Orlando, FL 32860-9520

If you need any additional information, please call me at (407) 880-0058, ext. 267.  
Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Donna Henry".

Donna L. Henry  
Executive Legal Assistant

Enclosure

Legal Notice

NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

Notice is hereby given on December 19, 1997, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Wastewater Certificate No. 226-S to add territory in Seminole County, Florida, as follows:

SEMINOLE COUNTY

FLORIDA CENTRAL COMMERCE PARK - PROPOSED ADDITION TO  
WASTEWATER SERVICE TERRITORY:

**Township 21 South, Range 30 East, Seminole County, Florida.**

Section 6

All of the Southwest ¼ of the Southeast ¼.

Any objection to the said application must be made in writing within thirty days from this date to: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0870. A copy of said objection should be mailed to the application, whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, 1000 Color Place, Apopka, Florida 32703.



EXHIBIT                      (BPA-1)  
PAGE 60 OF 64

January 15, 1998

**Via UPS**

Ms. Blanca Bayo  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 971638-SU  
Application for Amendment of Certificates 226-S  
in Seminole County by Florida Water Services Corporation

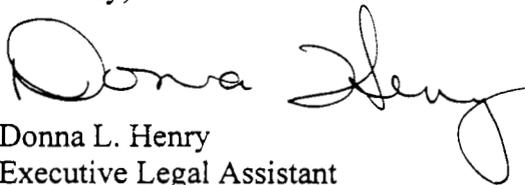
Dear Ms. Bayo:

Enclosed for filing is the original and 15 copies of the Proof of Publication Notice for Seminole County. This is being provided as Late Filed Exhibit Q to the above referenced application.

In order to confirm filing of this late-filed exhibit, please date stamp the enclosed copy of this letter and return it to me in the self-addressed, stamped envelope provided.

If you need any additional information or other assistance, please call me at (407) 880-0058, ext. 267. Thank you for your cooperation.

Sincerely,

  
Donna L. Henry  
Executive Legal Assistant

dih/D98L2

Enclosures

State of Florida } s.s.  
COUNTY OF ORANGE

ADVERTISING REPRESENTATIVE

Before the undersigned authority personally appeared Denise Little, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at ORLANDO in ORANGE County, Florida; that the attached copy of advertisement, being a LEGAL NOTICE NOTICE in the matter of Seminole County Florida Central Commerce Park in the ORANGE Court, was published in said newspaper in the issue; of 12/24/97

Affiant further says that the said Orlando Sentinel is a newspaper published at ORLANDO in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ORLANDO in said ORANGE 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/she 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.

The foregoing instrument was acknowledged before me this 30 day of December, 1997, by Denise Little who is personally known to me and who did take an oath.

(SEAL) VINCENT TARRATS  
My Comm Exp. 9/01/2001  
Bonded By Service Ins  
No. CC676796  
[ ] Personally Known [ ] Other I.D.

Legal Notice  
NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA  
Notice is hereby given on December 19, 1997, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Wastewater Certificate No. 226-S to add territory in Seminole County, Florida, as follows:  
SEMINOLE COUNTY  
FLORIDA CENTRAL COMMERCE PARK - PROPOSED ADDITION TO WASTEWATER SERVICE TERRITORY:  
Township 21 South, Range 30 East, Seminole County, Florida  
Section 6  
All of the Southwest 1/4 of the Southeast 1/4.  
Any objection to the said application must be made in writing within thirty days from this date to: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0870. A copy of said objection should be mailed to the application, whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, 1000 Color Place, Apopka, Florida 32703. cor1887473 Dec. 24, 1997

EXHIBIT (BPA-1)

Exhibit R

PAGE 62 OF 64

An affidavit that the utility has tariffs and annual reports on file with the Commission.

Please see attached.

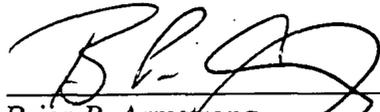
Affidavit

State of Florida  
County of Orange

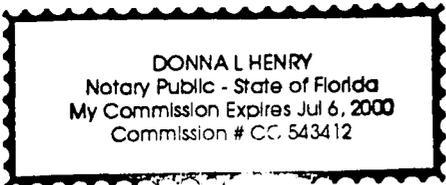
Before me, the undersigned authority, personally appeared Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

1. That he has personal knowledge of the matters contained herein.
2. That Florida Water has tariffs and annual reports on file with the Florida Public Service Commission.

Further Affiant sayeth not.

  
 \_\_\_\_\_  
 Brian P. Armstrong  
 Vice President, General Counsel  
 and Secretary  
 Florida Water Services Corporation

The foregoing instrument was acknowledged before me this 19th day of December, 1997, by Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation, who is personally known to me and did take an oath.



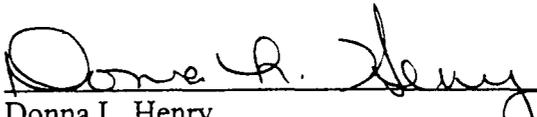
  
 \_\_\_\_\_  
 Donna L. Henry  
 Notary Public, State of Florida at Large  
 Commission Number CC543412  
 My Commission Expires: 7-6-00

Exhibit S

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

An original and two separate copies of revised tariff sheets are included in the filing under separate cover.