



RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
99 JUL 21 AM 10:03
MAIL ROOM

July 16, 1999

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. 990945 -WS
Application for Amendment of Certificate Nos. 306-W and Wastewater
Certificate No. 255-S in Charlotte County.

Dear Ms. Bayo:

Enclosed for filing is one original application as described above. Also enclosed are 12 copies of the application, along with two sets of maps, an original and two copies of the applicable tariff sheets, the original certificates and the required filing fee check in the amount of \$3,500.00.

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) 598-4267. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Matthew J. Feil". The signature is written in a cursive style with a large, looping "F" and "J".

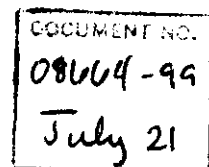
Matthew J. Feil
Staff Attorney

Enclosures

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

Initials of person who forwarded check:

Handwritten initials in black ink, possibly "JF", written over a horizontal line.





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If you need any additional information or other assistance, please call me at (407) 598-

DOCUMENT HAS A VOID FEATURE IN THE COLORED BACKGROUND. BACK OF DOCUMENT HAS ENDORSEMENT AREA AND A REPEATED ARTIFICIAL WATERMARK THAT READS "CHECK PROTECT". HOLD AT ANGLE TO VIEW.



P.O. Box 609520
Orlando, FL 32860-9520
(407) 880-0058

DATE CHECK #
7/14/1999 000032062

64-79
811


SunTrust Bank, Northwest Georgia, N.A.
SunTrust Bank, Central Florida, N.A.
SunTrust Center Office (407) 839-4786
Orlando, FL 32801

ANY LEGAL AMOUNT WRITTEN OUT IN DOLLARS
Three Thousand Five Hundred and 00/100 Dollars

VOID AFTER 90 DAYS
AMOUNT
\$*****3,500.00

IN THE ORDER OF:

FLORIDA PUBLIC SERVICE COMM.
2540 SHUMARD OAK BLVD.
TALLAHASSEE FL 32399-0850

BY 
TWO SIGNATURES REQUIRED IF OVER \$100,000.00
BY _____





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Florida Public Service Commission
2540 Shumard Oak Boulevard
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DEPOSIT DATE
D171 * JUL 21 1999

Re: Docket No. _____ -WS
 Application for Amendment of Certificate Nos. 306-W and Wastewater
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Matthew J. Feil
Staff Attorney

Enclosures

Check received with filing and
forwarded to Fiscal for deposit.
Fiscal to forward a copy of check
to PAR with proof of deposit.

Initials of person who forwarded check:

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number
306 - W

Upon consideration of the record it is hereby ORDERED
that authority be and is hereby granted to:

FLORIDA WATER SERVICES CORPORATION

Whose principal address is:

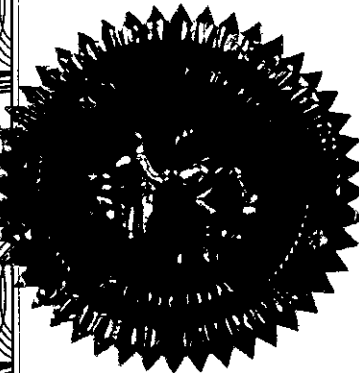
1000 Color Place
Apopka, Florida 32703
(Lee & Charlotte Counties)

to provide water service in accordance with the provision
of Chapter 367, Florida Statutes, the Rules, Regulations
and Orders of this Commission in the territory described
by the Orders of this Commission.

This Certificate shall remain in force and effect until
suspended, cancelled or revoked by Orders of this
Commission.

| | | | |
|-------|--------------------|--------|-----------|
| ORDER | 8334 | DOCKET | 770391-W |
| ORDER | 21632 | DOCKET | 881340-WS |
| ORDER | 24411 | DOCKET | 900969-WS |
| ORDER | PSC-93-0500-FOF-WS | DOCKET | 930086-WS |
| ORDER | PSC-97-0932-S-WS | DOCKET | 960907-WS |
| ORDER | PSC-97-0427-FOF-WS | DOCKET | 970028-WS |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION



Steven L. Baye

Director
Division of Records and Reporting

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number
255 - S

Upon consideration of the record it is hereby ORDERED
that authority be and is hereby granted to:

FLORIDA WATER SERVICES CORPORATION

Whose principal address is:

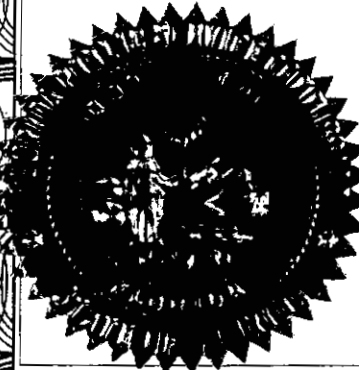
1000 Color Place
Apopka, Florida 32703
(Lee & Charlotte Counties)

to provide wastewater service in accordance with the
provision of Chapter 367, Florida Statutes, the Rules,
Regulations and Orders of this Commission in the
territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until
suspended, cancelled or revoked by Orders of this
Commission.

| | | | |
|-------|--------------------|--------|-----------|
| ORDER | 8334 | DOCKET | 770392-S |
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| ORDER | PSC-93-0500-FOF-WS | DOCKET | 930086-WS |
| ORDER | PSC-97-0932-S-WS | DOCKET | 960907-WS |
| ORDER | PSC-97-0427-FOF-WS | DOCKET | 970028-WS |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |
| ORDER | | DOCKET | |

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION



Deanna S. Bay

Director
Division of Records and Reporting

CHARLOTTE/LEE COUNTY
Description Of Territory Served

BURNT STORE

Township 42 South, Range 22 East, Charlotte County, Florida.

Section 13

All of said Section 13 East of Charlotte Harbor.

Section 25

All of said Section 25 East of Charlotte Harbor.

Section 36

All of said Section 36 East of Charlotte Harbor.

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 17

All of said Section 17.

Section 18

All of said Section 18 East of Charlotte Harbor.

Section 19

All of said Section 19 East of Charlotte Harbor.

Sections 20 and 29

All of said Sections 20 and 29.

Section 30

All of said Section 30 East of Charlotte Harbor.

Sections 31 and 32

All of said Sections 31 and 32.

Section 33

The Northwest $\frac{1}{4}$ of said Section 33.

Township 43 South, Range 22 East, Lee County, Florida.

Section 1

All of said Section 1 East of Charlotte Harbor.

Effective Date:

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

CHARLOTTE/LEE COUNTY
Description Of Territory Served

BURNT STORE (Cont.)

Township 43 South, Range 23 East, Lee County, Florida.

Section 5

All of said Section 5.

Section 6

All of said Section 6 less and except the South 1,170 feet of the East 4,170 feet and the South 840 feet of the West 1,130 feet.

Also an area to the East of the previously described area but not contiguous, located in Township 42 South, Range 23 East, Section 24 and Township 42 South, Range 24 East, Section 19, more particularly described as follows:

Township 42 South, Range 23 East, Charlotte County, Florida

Section 24

All of that portion of said Section 24 lying Westerly of the Westerly right of way of U.S. Highway 41, less the North 967 feet of said Section 24.


Township 42 South, Range 24 East, Charlotte County, Florida

Section 19

All that portion of said Section 19 lying Westerly of the Westerly right of way of U.S. Highway 41.

Effective Date:

By:

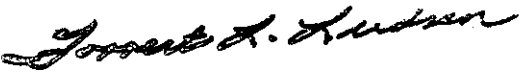

Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

CHARLOTTE/LEE COUNTY

HELD FOR FUTURE USE

Effective Date:

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

CHARLOTTE/LEE COUNTY
Description Of Territory Served

BURNT STORE

Township 42 South, Range 22 East, Charlotte County, Florida.

Section 13

All of said Section 13 East of Charlotte Harbor.

Section 25

All of said Section 25 East of Charlotte Harbor.

Section 36

All of said Section 36 East of Charlotte Harbor.

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 17

All of said Section 17.

Section 18

All of said Section 18 East of Charlotte Harbor.

Section 19

All of said Section 19 East of Charlotte Harbor.

Section 20

All of said Section 20 less and except:

Beginning at the Southwest corner of said Section 20 run North 44°34'25" East a distance of 1,496.80 feet, thence North 44°34'25" East a distance of 444.09 feet, thence North 88°25'38" East a distance of 1,291.47 feet, thence South 00°45'58" West a distance of 1,345.81 feet, thence South 88°25'38" West a distance of 2,636.15 feet, thence North 88°02'44" East a distance of 9.72 feet to the Point of Beginning.

Section 29

All of said Section 29.

Section 30

All of said Section 30 East of Charlotte Harbor.

Sections 31 and 32

All of said Sections 31 and 32.

Section 33

The Northwest ¼ of said Section 33.

Effective Date:

By:



Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

CHARLOTTE/LEE COUNTY
Description Of Territory Served

BURNT STORE (Cont.)

Township 43 South, Range 22 East, Lee County, Florida.

Section 1

All of said Section 1 East of Charlotte Harbor.

Township 43 South, Range 23 East, Lee County, Florida.

Section 5

All of said Section 5.

Section 6

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Effective Date:

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

CHARLOTTE/LEE COUNTY

HELD FOR FUTURE USE

Effective Date:

By:



Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK

Public Service Commission

Maps

Copy for Docket #

Docket No.: 990945-WS

Docket Title: Application by Florida Water Services Corporation for amendment of Certificates Nos. 306-W and 255-S in Charlotte and Lee Counties.

DN 08664-99: Florida Water Services Corporation (Feil) - Application for amendment of Certificate Nos. 306-W and 255-S in Charlotte and Lee Counties. [CLK note: Original certs sent to WAW; 2 copies of maps included, 1 to Docket file, 1 to WAW; Appendix R-1 [Territory Maps] and Appendix S-1 [System Maps] can be found in maps microfilm.]



990945-WS

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

APPLICATION FOR AMENDMENT OF
CERTIFICATE NOS. 306-W AND 225-S
IN CHARLOTTE COUNTY BY
FLORIDA WATER SERVICES CORPORATION

CONTAINING:

APPLICATION AND EXHIBITS

JULY 1999

DOCUMENT NO.
08604-99
July 21

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 INFORMATION

A) **WATER**

- (1) Exhibit C - 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 D - 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 E - 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 F - 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

000000

- (6) Exhibit G - 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 H - 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 I - 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 J - 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 K.
- (5) Exhibit L - 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 M - 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.

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PART IV FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit N - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit O - 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 has been overturned in part by the First District Court of Appeal and remand proceedings are currently pending before the Commission in Docket No. 950495-WS.
- D) Exhibit P - 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 Q - 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 R - 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 S - 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.

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PART VI

NOTICE OF ACTUAL APPLICATION

A) Exhibit T - 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 U - 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 V - 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.

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PART VII FILING FEE

Indicate the filing fee enclosed with the application:
\$ 1,750 (for water) and/or \$ 1,750 (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 W - An affidavit that the utility has tariffs and annual reports on file with the Commission
- B) Exhibit X - 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).

000006

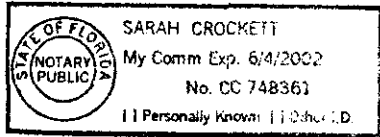
PART IX AFFIDAVIT

I, Brian P. Armstrong as General Council 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: Charles L. Sweat
Charles L. Sweat
Vice President -
Developer Relations & Planning

Subscribed and sworn to me this 20th day of July, 1999,
by Charles L. Sweat, Vice President, Developer Relations, a
Florida corporation, who is personally known to me and did take an
oath.



Sarah Crockett
Sarah Crockett
Notary Public, State of Florida
Commission Number: CC 748361
Commission Expires: 6/4/2002

*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.

reg-app

000007

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.

Florida Water Services is requesting this territory expansion in response to numerous requests for service by developers surrounding our current territory. The request to the north of the current territory is from a developer with planned unit development (PUD) of 1800 units to be known as Caliente Springs. Florida Water Services was previously designated as this developer's service provider through a DRI permit. The developer is now moving forward with the project and would like service to be available in the year 2000. Charlotte County does not have facilities adjacent to this proposed development.

Florida Water has also received requests to the east and south of the current territory. One developer to the southeast is developing an area for public warehouses and needs water and wastewater service. This area is outside of Cape Coral's current city boundary. Lee County's water/wastewater utility facilities are also not located in this area.

Therefore, in order to provide the most cost efficient and economical water and wastewater service to the proposed developments, Florida Water Services must expand its current territory to include the proposed development areas.

000008

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 water and wastewater sections of Charlotte County's and Lee County's comprehensive plans, Florida Water Services believes that, to the best of its knowledge, the provision of service to the proposed territory will be consistent with the water and wastewater sections of said plans. The provision of water and wastewater service by Florida Water Services to customers in the proposed territory addition will best benefit the local community. Florida Water Services owns water and wastewater service lines near the proposed amended territory, and Florida Water Services has expertise providing service in the area. The proposed addition is outside of the City of Cape Coral's limits (the only possible provider on the south side). Charlotte County has already designated Florida Water Services as the provider for the approved planned unit development (PUD) which comprises the addition to the north. On the east side there is no other potential service provider.

000000

Exhibit C

A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, non-potable, or both).

The water service territory addition being proposed is for both potable and non-potable/reuse water services.

Exhibit D

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

The existing water lines have ample capacity to deliver water at a pressure of 55 - 70 psi under normal operating conditions. The distribution system consists of 12-inch, 10-inch, 8-inch, 6-inch, 4-inch and 2-inch lines.

The treatment system consists of three water supply wells, a reverse osmosis treatment plant, a ground storage tank, and three high service pumps. The system can supply a maximum daily demand of 567,000 gallons per day and a peak instantaneous demand of 2400 gallons per day. The highest maximum daily demand in the last 12 months was 526,422 gallons per day (6/98). This demand occurred during the peak of last year's drought. The design for the expansion of the reverse osmosis wellfield and the expanded reverse osmosis treatment plant is currently underway.

The estimated water demand for all phases of the proposed development is approximately 547,000 gallons per day. The phasing of this development is still uncertain. The developer of Caliente Springs will run water lines from his development directly to the treatment plant site so that there is minimal impact to the existing distribution system.

Florida Water Services will expand its water treatment facilities as required in order to meet the demands of the this developer and other future developers as they connect in accordance with Rule 62-555.320, Florida Administrative Code.

Exhibit E

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

The Burnt Store water plant currently has the following permits:

1. FDEP Injection Well IW-1 Operating Permit. ID - 5208P05024, Number 44562-001-UO.
2. Southwest Florida Water Management District Permit No. 203522.05, issued November 28, 1995.

Currently, no construction permits are issued for the treatment or injection well facilities or for lines in the proposed amended territory.

Copies of these permits are attached and marked as Appendix E-1.

000012



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wether
Secretary

PERMIT

PERMITTEE:

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

I.D. No: 5208P05024
Permit/Certification
Number: 44562-001-UO
Date of Issue: January 27, 1998
Expiration Date: January 27, 2003
County: Charlotte
Latitude: 26° 46' 15" N
Longitude: 82° 02' 20" W
Section/Town/Range: 32/42S/23E
Project: Burnt Store Utility
Injection Well IW-1

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, 62-520, 62-550, 62-660, and 62-528. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Operate a nominal 3 inch diameter tubing and packer Class I injection well (IW-1) with 7 5/8 inch steel casing cemented to 2,528 feet below land surface (bls) and a total depth of 3,268 feet bls utilized for the disposal of 0.26 million gallons per day (MGD) or 177 gallons per minute (gpm) of non-hazardous reverse osmosis concentrate from the Burnt Store Utility Water Treatment Plant. The maximum injection pressure shall not exceed eighty (80) psi. The existing dual zone monitor well will monitor from a shallow zone (1207 - 1287 feet bls) and a deeper zone (1832 - 1868 feet bls).

This project was constructed according to permit UC08-247431 and further described on the application to operate a Class I injection well system received August 19, 1997 with supporting documents and additional information last received November 12, 1997. The certificate of financial responsibility demonstration was issued November 3, 1994. Project is located at the Burnt Store Utility WTP, 17430 Burnt Store Road, Punta Gorda, Charlotte County, Florida.

Subject to General Conditions 1-16 and Specific Conditions 1-7.

000913

PERMITTEE:

Florida Water Services Corp.

I.D. No.: 5208P05024 PAGE 2 OF 21
Permit/Cert. No.: 44562-001-UO
Date of Issue: January 27, 1998
Expiration Date: January 27, 2003GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) 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 any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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.
5. This permit does not relieve the permittee from liability 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, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

PERMITTEE:

Florida Water Services Corp.

I.D. No.: 5208P05024 PAGE 3 OF 20
Permit/Cert. No.: 44562-001-UO
Date of Issue: January 27, 1998
Expiration Date: January 27, 2003GENERAL CONDITIONS:

- a. A description of and cause of non-compliance; and
 - b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.
9. 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 where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee 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 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
- (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports

PERMITTEE:

Florida Water Services Corp.

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PAGE 4 OF 21GENERAL CONDITIONS:

required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. In the case of an underground injection control permit, the following permit conditions also shall apply:

- (a) All reports or information required by the Department shall be certified as being true, accurate and complete.
- (b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
 1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.
 2. The written submission shall contain a description of an a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-28.415(4)(b), F.A.C.
- (d) The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the State.

PERMITTEE:

Florida Water Services Corp.

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Permit/Cert. No.: 44562-001-U0

Date of Issue: January 27, 1998

Expiration Date: January 27, 2003

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SPECIFIC CONDITIONS:1. OPERATING REQUIREMENTS

- a. Injection of fluids other than those permitted into the disposal wells(s) will constitute a violation of this permit and shall constitute cause for permit revocation and possible enforcement action for water quality violations.
- b. In the event the permittee is temporarily unable to comply with any of the conditions of a permit due to breakdown of equipment, power outages, destruction by hazard of fire, wind, or by other cause, the permittee of the facility shall notify the Department.
 - 1) Notification shall be made in person, by telephone, or by telegraph within 24 hours of breakdown or malfunction to the South District office.
 - 2) A written report of any noncompliance referenced in Specific Condition 1.b.1) above shall be submitted to the South District and Tallahassee offices within five days after its occurrence. The report shall describe the nature and cause of the breakdown or malfunction, the steps being taken or planned to be taken to correct the problem and prevent its reoccurrence, emergency procedures in use pending correction of the problem, and the time when the facility will again be operating in accordance with permit conditions.
- c. The permittee shall calibrate all pressure gauges, flow meters, chart recorders, and other related equipment associated with the injection well system on a semiannual basis. The permittee shall maintain all monitoring equipment and shall ensure that the monitoring equipment is calibrated and in proper operating condition at all times. Laboratory equipment, methods, and quality control will follow EPA guidelines as expressed in Standard Methods for the Examination of Water and Wastewater.

The pressure gauges, flow meters, and chart recorders shall be calibrated using standard engineering methods. Calibration records shall be submitted to the Department with the monthly monitoring data.
- d. In the event a well must be plugged or abandoned, the permittee shall obtain a permit from the Department as required by Chapter 62-528, Florida Administrative Code. When no longer used for their intended purpose, these wells shall be properly plugged and abandoned. Within 180 days of well abandonment, the permittee shall submit to the Department and the TAC the proposed plugging method, pursuant to Rule 62-528.460, F.A.C.
- e. The permittee shall notify the Department and obtain approval prior to any physical alterations or additions to the injection well or monitor wells, including removal of the well head.
- f. No underground injection is allowed which causes or allows movement of fluid into underground sources of drinking water.
- g. Any permit noncompliance constitutes a violation of the Safe Drinking Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

PERMITTEE:

Florida Water Services Corp.

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SPECIFIC CONDITIONS:

- h. 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.
- i. The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.
- j. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
- k. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation or reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- l. When requested by the Department, the permittee shall furnish, within the time specified, any information needed to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.
- m. The permittee shall retain all records concerning the nature and composition of injected fluid until five years after completion of any plugging and abandonment procedures specified under Rule 62-528.400(3) (hazardous waste wells) or 62-528.435, F.A.C. The permittee shall deliver the records to the Department office that issued the permit at the conclusion of the retention period unless the permittee elects to continue retention of the records.
- n. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or injection activity which may result in noncompliance with permit requirements.
- o. The permittee shall report any noncompliance which may endanger health or the environment, including:
 1. Any monitoring or other information which indicates that any contaminant may cause an endangerment to an underground source of drinking water; or
 2. Any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

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 5 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 times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

PERMITTEE:

Florida Water Services Corp.

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SPECIFIC CONDITIONS:

2. TESTING AND REPORTING REQUIREMENTS

- a. A specific injectivity test shall be performed quarterly on the injection well as required by Rule 62-528.430(2)(b)1.b., F.A.C.
The specific injectivity test shall be performed with the pumping rate to the well set at a predetermined level and reported as the specific injectivity index (gallons per minute/specific pressure). The pumping rate to be used shall be based on the expected flow, the design of the pump types, and the type of pump control used. As part of this test, the well shall be shut-in for a period of time necessary to conduct a valid observation of pressure fall-off. The specific injectivity test data shall be submitted along with the monitoring results of the injection and monitoring well data.
- b. The permittee shall demonstrate the mechanical integrity pursuant to Rule 62-528.300(6)(b) and (c), Florida Administrative Code (F.A.C.), at least once every five (5) years during the life of the well. As part of the mechanical integrity survey a video television survey shall be conducted from the surface to the bottom of the injection zone or more frequently if deemed necessary by the Department, pursuant to Rule 62-528.425(1)(d), F.A.C. The last mechanical integrity test for injection well IW-1 was conducted on September 12, 1995. Therefore, the next mechanical integrity test on the injection well shall be completed on or before September 12, 2000.
- c. The Department must be notified seventy-two (72) hours prior to all testing for mechanical integrity on the injection wells. The testing procedure must be approved by the Department before testing begins. All testing must be initiated during daylight hours, Monday through Friday. An evaluation of all test results must be submitted with all test data.
- d. The injection system shall be monitored in accordance with Rules 62-528.425(1)(g) and 62-528.430(2), F.A.C. The following injection well performance and monitor zone data shall be recorded and reported in the Monthly Operating Report as indicated below. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

Injection Well

The specifications for the injection well is as follows:

| Well Number | Casing | Tubing | Total Depth (Ft bls) |
|-------------|----------------------------------|----------------------------------|----------------------|
| | Diameter/Depth (Inches/Feet bls) | Diameter/Depth (Inches/Feet bls) | |
| IW-1 | 7 5/8 Steel/2528 | 3 1/2 RFP/2514 | 3268 |

The injection well shall be monitored in accordance with F.A.C. Rule 62-528.430(2) and the frequency and the parameters listed below. Injection pressure, annulus pressure and injection flow rate shall be monitored continuously and reported at the frequency indicated below.

PERMITTEE:

Florida Water Services Corp.

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Date of Issue: January 27, 1998

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PAGE 8 OF 20**SPECIFIC CONDITIONS:**

| <u>Parameters</u> | <u>Frequency</u> |
|---|------------------|
| Monthly Average Injection Pressure (psig) | Monthly |
| Monthly Maximum Injection Pressure (psig) | Monthly |
| Monthly Minimum Injection Pressure (psig) | Monthly |
| Monthly Average Flow Rate (gpm) | Monthly |
| Monthly Maximum Flow Rate (gpm) | Monthly |
| Monthly Minimum Flow Rate (gpm) | Monthly |
| Monthly Average Annular Pressure (psig) | Monthly |
| Monthly Maximum Annular Pressure (psig) | Monthly |
| Monthly Minimum Average Pressure (psig) | Monthly |
| Daily Average Injection Pressure (psig) | Daily |
| Daily Maximum Injection Pressure (psig) | Daily |
| Daily Minimum Injection Pressure (psig) | Daily |
| Daily Average Flow Rate (gpm) | Daily |
| Daily Maximum Flow Rate (gpm) | Daily |
| Daily Minimum Flow Rate (gpm) | Daily |
| Daily Maximum Annular Pressure (psig) | Daily |
| Daily Minimum Annular Pressure (psig) | Daily |
| Totalizer Reading | Daily |
| Total Volume Injected (Gals.) | Daily |
| Total Volume Injected (Gals.) | Monthly |
| Maximum Daily Volume Injected (Gals.) | Monthly |
| Minimum Daily Volume Injected (Gals.) | Monthly |
| Average Daily Volume Injected (Gals.) | Monthly |
| Fluid Added to Annulus (Gals.) | Daily/Monthly |
| Pressure Added to Annulus (psig) | Daily/Monthly |
| Injected Fluid Parameters: | |
| Specific Conductance (umhos/cm) | Monthly |
| pH (std units) | Monthly |
| Total Dissolved Solids (TDS) (mg/l) | Monthly |
| Total Kjeldahl Nitrogen (mg/l) | Monthly |
| Chloride (mg/l) | Monthly |
| Sulfate (mg/l) | Monthly |
| Field Temperature (°C) | Monthly |
| Bicarbonate (mg/l) | Quarterly |
| Calcium (mg/l) | Quarterly |
| Carbonate-CO3 (mg/l) | Quarterly |
| Iron (mg/l) | Quarterly |
| Magnesium (mg/l) | Quarterly |
| Potassium (mg/l) | Quarterly |
| Sodium (mg/l) | Quarterly |

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PERMITTEE:

Florida Water Services Corp.

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SPECIFIC CONDITIONS:

| | |
|---------------------|-----------|
| Gross Alpha (pCi/l) | Quarterly |
| Radium 226 (pCi/l) | Quarterly |
| Radium 228 (pCi/l) | Quarterly |

e. **(1) MONITOR WELL**

The monitor well consists of one dual zone monitor well as listed below:

ON-SITE MONITOR WELL

| <u>Well Number</u> | <u>Casing Diameter/Depth (Inches/Feet bls)</u> | <u>Open Hole Interval (Feet bls)</u> |
|--------------------|--|--------------------------------------|
| MW-1 (Upper) | 9 5/8 steel/ 1207 | 1207-1287 |
| MW-2 (Lower) | 4 1/2 steel/ 1832 | 1832-1868 |

(2) MONITORING WELL PARAMETERS

The monitoring parameters listed below shall be developed and reported for the monitor well listed above. The monitor well casings shall be evacuated of three (3) to five (5) well volumes prior to collection of the water sample for analysis. The volume of water evacuated shall be based on the calculated volume of water in the well casing and sampling interval. The water sample collected shall be of sufficient volume to complete the analysis required. All samples must be analyzed by a laboratory certified in the State of Florida. The laboratory reports shall be submitted and shall include information required by General Condition 14C of this permit.

Monthly Maximum, Minimum and Average Pressure or Water Level (psig or ft NGVD)

Monthly

Daily Maximum and Minimum Pressure or Water Level (psig or ft NGVD)

Daily

Water level or pressure recorders shall keep a continuous record

Parameters

| | |
|--|-----------|
| Specific Conductance (umhos/cm) | Monthly |
| Chloride (mg/l) | Monthly |
| Total Dissolved Solids (T.D.S.) (mg/l) | Monthly |
| Sulfate (mg/l) | Monthly |
| Field Temperature (°C) | Monthly |
| Total Kjeldahl Nitrogen (TKN) (mg/l) | Monthly |
| pH(standard units) | Monthly |
| Bicarbonate (mg/l) | Quarterly |

PERMITTEE:

Florida Water Services Corp.

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SPECIFIC CONDITIONS:

| | |
|----------------------|-----------|
| Calcium (mg/l) | Quarterly |
| Carbonate-CO3 (mg/l) | Quarterly |
| Iron (mg/l) | Quarterly |
| Magnesium (mg/l) | Quarterly |
| Potassium (mg/l) | Quarterly |
| Sodium (mg/l) | Quarterly |

Lower Monitor Well Only

| | |
|------------------------|-----------|
| Gross Alpha (pCi/l) | Quarterly |
| Radium 226/228 (pCi/l) | Quarterly |

- f. The permittee shall submit monthly to the Department the results of all injection well and monitor well data required by this permit no later than the fifteenth (15) day of the month immediately following the month of record. The results shall be sent to the Department of Environmental Protection, South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901-3881. Copies shall also be sent to the Department of Environmental Protection, Underground Injection Control Section, Twin Towers Office Building, 2600 Blair Stone Road, Mail Station 3530, Tallahassee, Florida 32399-2400.
- g. In accordance with Rules 62-4.090(1) and 62-528.455(3)(a), F.A.C., Renewals, the permittee shall submit an application for renewal of the existing operating permit (a minimum of 5 copies) with the applicable fee sixty (60) days prior to the expiration of the operating permit. The application for renewal shall include the items listed in Rule 62-528.455(3)(b), F.A.C.

3. EMERGENCY DISPOSAL

- a. All applicable federal, state and local permits must be in place to allow for any alternate discharges due to emergency or planned outage conditions.
- b. Any changes in emergency disposal methods must be submitted for Technical Advisory Committee (TAC) review and Department approval.
- c. The permittee shall notify the local office of the Department in the event the emergency discharge has been used. The notification should include the reason for using the emergency discharge, the duration of the discharge, and the volume discharged.

4. FINANCIAL RESPONSIBILITY

- a. The permittee shall maintain the resources necessary to close, plug, and abandon the injection and associated monitor wells, at all times (Rule 62-528.435(9), F.A.C.).

PERMITTEE:

Florida Water Services Corp.

I.D. No.: 5208P05024

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Date of Issue: January 27, 1998

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PAGE 11 OF 20SPECIFIC CONDITIONS:

- b. The permittee shall review annually the plugging and abandonment cost estimates. An increase of 10 % or more over the cost estimate upon which the financial responsibility demonstration is based shall require the permittee to submit documentation to obtain an updated Certificate of Demonstration of Financial Responsibility.
- c. In the event that the mechanism used to demonstrate financial responsibility should become invalid for any reason, the permittee shall notify the Department of Environmental Protection in writing within 14 days of such invalidation. The permittee shall then within 30 days of said notification submit to the Department for approval new financial documentation in order to comply with Rule 62-528.435(9), F.A.C., and the conditions of this permit.
5. Mechanical Integrity
- a. The permittee shall maintain the mechanical integrity of the injection well at all times.
- b. If the Department determines that the injection well lacks mechanical integrity, written notice shall be given to the permittee.
- c. Unless the Department requires immediate cessation of injection, within 48 hours of receiving written notice that the well lacks mechanical integrity the permittee shall cease injection into the well unless the Department allows continued injection pursuant to d. below.
- d. The Department may allow the permittee to continue operation of a well that lacks mechanical integrity if the permittee demonstrates that fluid movement into or between underground sources of drinking water is not occurring.
6. Signatories
- a. All reports and other submittal required to comply with this permit shall be signed by a person authorized under Rules 62-528.340(1) or (2), F.A.C.
- b. In accordance with Rule 62-528.340(4), F.A.C., all reports shall contain the following certification:
 "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

PERMITTEE:

Florida Water Services Corp.

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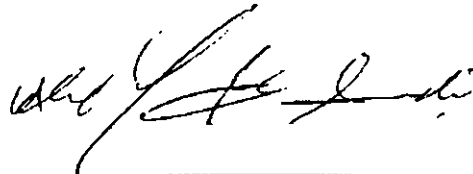
SPECIFIC CONDITIONS:

- 7. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. these regulations may include, but are not limited to, those of the Federal Emergency Management Agency in implementing flood control measures. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.

Note: In the event of an emergency the permittee shall contact the Department by calling (850)488-1320. During normal business hours, the permittee shall call (941)332-6975.

Issued this 27th day of January, 1998.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Abdul B. Ahmadi, Ph.D., P.E.
Water Facilities Administrator

ABA/JBM/klm

000024

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO. 203522.05

EXPIRATION DATE: November 28, 2005

PERMIT ISSUE DATE: November 28, 1995

THE PERMITTEE IS RESPONSIBLE FOR APPLYING FOR A RENEWAL OF THIS PERMIT PRIOR TO THE EXPIRATION DATE WHETHER OR NOT THE PERMITTEE RECEIVES PRIOR NOTIFICATION BY MAIL. FAILURE TO DO SO AND CONTINUED USE OF WATER AFTER EXPIRATION DATE IS A VIOLATION OF DISTRICT RULES AND MAY RESULT IN A MONETARY PENALTY AND/OR LOSS OF WATER. APPLICATION FOR RENEWAL PRIOR TO THE EXPIRATION DATE IS SUBJECT TO DISTRICT EVALUATION AND APPROVAL.

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined herein, and may require various activities to be performed by the Permittee as outlined by the Special Conditions. This permit, subject to all terms and conditions, meets all District permitting criteria.

GRANTED TO: Southern States Utilities
(Burnt Store Utilities)
1000 Color Place
Apopka, FL 32703

ABSTRACT: This is a modification of an existing water use permit (WUP) located in Charlotte County within the Southern Water Use Caution Area with an increase in quantities. Annual average quantity increases from 275,000 gallons per day (g.p.d.) to 914,000 g.p.d. (increase of 639,000 g.p.d.) due to an increase in projected demand in the service area over the next ten years. The Annual Average daily quantity is assigned based on the applicant's updated water demand projections through the year 2005. The previous permit was for projected population demands through the year 2000. The Peak Month quantity also increases from 358,000 g.p.d. to 1,552,800 g.p.d. (increase of 1,194,800 g.p.d.). The modification also makes provision for the construction of three additional public supply wells including a horizontal well which will withdraw water from the surficial aquifer for public supply purposes. Special conditions are added to require mitigation of withdrawal-related well complaints, recording and reporting of pumpage on a monthly basis, quarterly recording and reporting of water quality, capping of withdrawals not in use, stipulation of construction standards for three proposed withdrawals, and the completion and reporting of a specific capacity test.

| | |
|--|-------------------------|
| TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gpd) | |
| AVERAGE: 914,000 | PEAK MONTHLY: 1,552,800 |

| <u>Use</u> | <u>Average</u> | <u>Peak Monthly</u> |
|----------------|----------------|---------------------|
| Public Supply: | 914,000 gpd | 1,552,800 gpd |

See Withdrawal Table for quantities permitted for each withdrawal point.

Permit No.: 203522.05
 Permittee: Southern States Utilities (Burnt Store Utilities)
 Page 2

PROPERTY LOCATION: Charlotte County, approximately 9 miles south of Punta Gorda on the east side of Burnt Store Road, on the north side of the Charlotte County/Lee County Line.

TYPE OF APPLICATION: Modification
 WATER USE CAUTION AREA: Southern

APPLICATION FILED: May 11, 1995
 ACRES: 78.94 Owned
 2880.00 Serviced
 2958.94 Total

APPLICATION AMENDED: N/A

WATER USE: PUBLIC SUPPLY

SERVICE AREA NAME

Burnt Store Utilities

| <u>USE TYPE</u> | <u>POPULATION SERVED</u> | <u>PER CAPITA RATE</u> |
|---------------------------|--------------------------|---------------------------|
| Residential Single Family | 5,594 | 108 |
| Residential Multi-Family | 139 | 108 |
| Desalination Reject | | |
| Water Utility Use | | |
| Unaccounted Use | | |
| Total Public Supply Use | 5,733 | 159/Gross Per Capita |
| | 5,733 | 125/Compliance Per Capita |

| <u>I.D. NO.</u> <u>PERMITTEE/ DISTRICT</u> | <u>LOCATION LAT/LONG</u> | <u>DIAM. (INCHES)</u> | <u>DEPTH TOTAL/CASED</u> | <u>USE</u> | <u>GALLONS PER DAY</u> | | |
|---|------------------------------|---------------------------|------------------------------|------------|------------------------|-------------------------|---------|
| | | | | | <u>AVERAGE</u> | <u>PEAK MONTHLY</u> | |
| 6 / 6 | 264640/820220 | 4 | 448 / 199 | PS | 68,800 | 89,500 | Standby |
| 7 / 7 | 264623/820211 | 8 | 596 / 300 | PS | 228,500 | 388,200 | |
| 8 / 8 | 264624/820206 | 8 | 600 / 304 | PS | 228,500 | 388,200 | |
| 9 / 9 | 264623/820215 | 12 | 602 / 313 | PS | 228,500 | 388,200 | |
| 10 / 10 | 264614/820151 | 6 | 20 / 20 | PS | 137,500 | 175,000 | Standby |
| 11 / 11 | 264651/820220 | 12 | 600 / 300 | PS | 228,500 | 388,200 | Standby |
| 12 / 12 | 264637/820219 | 12 | 600 / 300 | PS | 228,500 | 388,200 | |

PS=Public Supply

Permit No.: 203522.05
Permittee: Southern States Utilities (Burnt Store Utilities)
Page 3

| <u>DISTRICT</u> <u>I.D. NO.</u> | <u>SECTION/TOWNSHIP/RANGE</u> |
|------------------------------------|-------------------------------|
| 6, 11, 12 | 31/42/23 |
| 7, 8, 9, 10 | 32/42/23 |

SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Venice Regulation Department, Resource Regulation.

1. All reports required by the permit shall be submitted to the District on or before the tenth day of the month following data collection and shall be addressed to:

Permit Data Section, Records and Data Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34609-6899

Unless otherwise indicated, three copies of each plan or report, with the exception of pumpage, rainfall, evapotranspiration, water level or water quality data which require one copy, are required by the permit.

2. The Permittee shall investigate withdrawal related well complaints within the area within 1500' of north property boundary and 400' of west of property boundary. The complaint handling/mitigation procedure shall be as follows:
 - a. Within 48 hours of complaint receipt by the Permittee, the Permittee shall perform a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem.
 - b. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes, such as drinking water.
 - c. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected within 15 days of complaint receipt. Full correction shall be restoration of the complainant's well to pre-impact condition or better, including the aspects of pressure levels, discharge quantity, and water quality. This detailed investigation shall include, but not be limited to, an analysis of water levels and pumpage impacts at the time of the complainant's problem, well and pump characteristics including depths, capacity, pump curves, and irrigation system requirements.

Permit No.: 203522.05
Permittee: Southern States Utilities (Burnt Store Utilities)
Page 4

- d. If the resulting investigation determines that the Permittee was not responsible for the well problem, the Permittee shall document the reasons for this determination.
- e. The Permittee shall file a report of the complaint, the findings of facts, appropriate technical data, and any mitigating action taken or to be taken by the Permittee, to the Regulation Department Director, Resource Regulation, for review and approval within 20 days of the receipt of any complaint. The report shall include:
 1. The name and address of each complainant;
 2. The date and nature of the complaint;
 3. A summary of the Permittee's investigation;
 4. A summary of the Permittee's determination, including details of any mitigation activities; and
 5. Cost of mitigation activity for each complaint.

A copy of the report shall also be sent to the complainant within 20 days of complaint receipt.

3. Within 90 days of permit issuance, completion of construction of the withdrawal facility or prior to activation of a stand-by source, District ID No(s). 9, 10, 11 and 12, Permittee ID No(s). 9, 10, 11 and 12, shall be equipped with non-resettable, totalizing flow meter(s), or other measuring device(s) as approved in writing by the Regulation Department Director, Resource Regulation, unless an extension is granted by the Director. Such device(s) shall have and maintain an accuracy within five percent of the actual flow as installed. Total withdrawal and meter readings from each metered withdrawal shall be recorded on a monthly basis and reported to the Permit Data Section, Records and Data Department, (using District forms) on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, a report shall be submitted to the Permit Data Section, Records and Data Department, indicating zero gallons. Prior to meter installation, non-use shall be documented with monthly pumpage reports indicating zero gallons withdrawn.
4. The Permittee shall continue to maintain and operate the existing non-resettable, totalizing flow meter(s), or other flow measuring device(s) as approved by the Regulation Department Director, Resource Regulation, for District ID No(s). 6, 7 and 8, Permittee ID No(s). 6, 7 and 8. Such device(s) shall maintain an accuracy within five percent of the actual flow as installed. Total withdrawal and meter readings from each metered withdrawal shall be recorded on a monthly basis and reported to the Permit Data Section, Records and Data Department, (using District forms) on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, a report shall be submitted to the Permit Data Section, Records and Data Department, indicating zero gallons.

Permit No.: 203522.05
 Permittee: Southern States Utilities (Burnt Store Utilities)
 Page 5

5. Water quality samples shall be collected and analyzed, for parameter(s), and frequency(ies) specified below. Water quality samples from production wells shall be collected whether or not the well is being used, unless infeasible. If sampling is infeasible the Permittee shall indicate the reason for not sampling on the water quality data form. Water quality samples shall be analyzed by a Department of Health and Rehabilitative Services (DHRS) certified laboratory under Environmental Laboratory Certification General Category "1". At a minimum, water quality samples shall be collected after pumping the well at its normal rate for a pumping time specified in the table below, or to a constant temperature, pH, and conductivity. In addition, the Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation. Reports of the analyses shall be submitted to the Permit Data Section, Records and Data Department, (using District forms) on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory which undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

| <u>District ID No.</u> | <u>Permittee ID No.</u> | <u>Minimum Pumping Time (minutes)</u> | <u>Parameter</u> | <u>Sampling Frequency</u> |
|------------------------|-------------------------|---------------------------------------|-----------------------------|---------------------------------------|
| 8 | 8 | 15 | Chlorides Sulfate TDS | February, May, August and November |

Water quality samples shall be collected based on the following timetable:

| | |
|---------------|-------------------------------|
| Weekly | Same day of each week |
| Monthly | Same week of each month |
| Quarterly | Same week of months specified |
| Semi-annually | Same week of months specified |

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

6. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 17-532.500(3)(a)(4), F.A.C.

Permit No.: 203522.05
 Permittee: Southern States Utilities (Burnt Store Utilities)
 Page 6

7. The Permittee shall construct the proposed well(s) according to the surface diameter and total depth specifications below. The total depth specified, is an estimate, based on best available information, that will prevent the unauthorized interchange of water between different water bearing zones.

| <u>District ID No.</u> | <u>Permittee ID No.</u> | <u>Surface Diameter</u> | <u>Maximum Total Depth</u> |
|------------------------|-------------------------|-------------------------|----------------------------|
| 10 | 10 | 6" | 20' |

- a. All well casing (including liners and/or pipe) must be sealed with neat cement.
- b. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
- c. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells, and for all wells six (6) inches or more in diameter.
- d. The finished total depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Regulation Department Director, Resource Regulation, or the Supervisor of the Well Construction Permitting Section in Brooksville.
- e. Advance approval from the Regulation Department Director, Resource Regulation is necessary should the Permittee propose to change the well location, surface diameter, or total depth.

8. The Permittee shall construct the proposed wells according to the surface diameter, casing depth, and total depth specifications listed below. The casing depth specified is to prevent the unauthorized interchange of water between different water bearing zones. The surface diameter and total depth specified are those proposed by the Permittee in the application process. However, it is the Permittee's responsibility to have the water in the well sampled during well construction before reaching the estimated minimum total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion.

| <u>District ID No.</u> | <u>Permittee ID No.</u> | <u>Surface Diameter</u> | <u>Minimum Casing Depth</u> | <u>Minimum Total Depth</u> |
|------------------------|-------------------------|-------------------------|-----------------------------|----------------------------|
| 11 | 11 | 12" | 300' | 600' |
| 12 | 12 | 12" | 300' | 600' |

- a. The casing shall be continuous from land surface to the minimum depth stated above.
- b. All well casing (including liners and/or pipe) must be sealed with neat cement to the depth specified above.

Permit No.: 203522.05

Permittee: Southern States Utilities (Burnt Store Utilities)

Page 7

- c. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
 - d. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells, and for all wells six (6) inches or more in diameter.
 - e. The finished well casing depth and total depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Regulation Department Director, Resource Regulation, or the Supervisor of the Well Construction Permitting Section in Brooksville. A proposal to significantly decrease total depth may require permit modification, if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
 - f. Advance approval from the Regulation Department Director, Resource Regulation, is necessary should the Permittee propose to change the well location or casing diameter.
9. For the purpose of determining site-specific transmissivity, a step drawdown and constant rate specific capacity test shall be performed on District ID No(s). 10, Permittee ID No(s). 10, after the well has been fully developed. The test shall be performed in accordance with the specifications set forth in Design Aid 3.B, Water Use Permit Information Manual (see attachment). The recorded raw data shall be submitted to the Permit Data Section, Records and Data Department, within thirty days of completion of the well.
10. The Permittee shall investigate water resource complaints within the area within 1000' of District ID No(s). 10, Permittee ID No(s). 10. The complaint handling/mitigation procedure shall be as follows:
- a. Within 48 hours of complaint receipt by the Permittee, the Permittee shall perform a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem stated by the complainant.
 - b. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes.
 - c. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected within 15 days of complaint receipt.
 - d. If the resulting investigation determines that the Permittee was not responsible for the complainant's problem, the Permittee shall document the reasons for this determination.

Permit No.: 203522.05

Permittee: Southern States Utilities (Burnt Store Utilities)

Page 8

e. The Permittee shall file a report of the complaint to the Regulation Department Director, Resource Regulation, for review and approval within 20 days of the receipt of any complaint. The report shall include:

1. The name and address of each complainant;
2. The date and nature of the complaint;
3. A summary of the Permittee's investigation;
4. A summary of the Permittee's determination, including details of any mitigation activities; and
5. Cost of mitigation activity for each complaint.

A copy of the report shall also be sent to the complainant within 20 days of complaint receipt.

STANDARD CONDITIONS:

1. The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit "A" and made a part hereof.



Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Exhibit F

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.

It is anticipated that the additional water service territory will contain predominantly single family homes with multi-family high-rises in the addition to the north. The proposed distribution is expected to approximate the current territory's Marina area. The southern and eastern additions are expected to have commercial and multi-family dwellings.

Exhibit G

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.

Please see attached Appendix G-1.

000034

Appendix G-1

Warranty Deed

000035

Doc. Stamp \$687.50
Recording 19.50

This Instrument Prepared By:
JAMES E. MOORE III of
Peper, Matt Jensen, Malchel
and Hetlage, 2025 West Marion
Avenue, Suite 2, Punta Gorda,
Florida 33950

Doc. Stamp 687.50
Notary
[Signature]

WARRANTY DEED

THIS INSTRUMENT, made this 2nd day of December, 1988,
between BURNT STORE UTILITIES, INC., a corporation existing
under the laws of the State of Florida, having its principal
place of business in the County of Charlotte, State of
Florida, Grantor, and SOUTHERN STATES UTILITIES, INC., a
corporation existing under the laws of the State of Florida,
whose address is 1000 Color Place, Apopka, Florida 32703,
of the County of Orange, State of Florida, Grantee.

WITNESSETH, that said Grantor, for and in consideration
of the sum of TEN AND NO/100THS DOLLARS (\$10.00), and other
good and valuable considerations to said Grantor in hand
paid by said Grantee, the receipt whereof is hereby
acknowledged, has granted, bargained and sold to Grantee,
and Grantee's successors and assigns forever, the following
described land, situate, lying in and being in Charlotte
County, Florida, to-wit:

a Parcel of land lying and being in the SW 1/4 of
Section 32, Township 42 South, Range 27 E., Charlotte
County, Florida, as more particularly described in
Exhibit "A" and subject to those assessments, easements
and resolutions described in Exhibit "B", said Exhibits
being attached hereto and made a part hereof by
reference.

AND the Grantor hereby covenants with said grantee that
it is lawfully seized of said land in fee simple; that it
has good right and lawful authority to sell and convey said
land; that it hereby fully warrants the title to 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 those assessments, easements and
resolutions described in Exhibit "B".

"Grantor" and "Grantee" are used for singular or plural,
as context requires.

IN WITNESS WHEREOF, Grantor has caused these presents to
be executed by its duly authorized officers and its
corporate seal affixed hereto the day and year first above
written.

Signed, Sealed and Delivered
in our Presence:

[Signature]
1st Witness

[Signature]
2nd Witness

BURNT STORE UTILITIES, INC.

By: *[Signature]*
PAULA F. MCQUEEN, AS
SENIOR VICE PRESIDENT

CORPORATE SEAL

000036

RECORD VERIFIED - Barbara T. Scott, Clerk
By: T. SCHLANDER

DEC 8 1988

88DEC-7 PM 1:40

932529

000036

STATE OF FLORIDA
COUNTY OF CHARLOTTE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared Paula F. McQueen, as Senior Vice President of Burnt Store Utilities, Inc., to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that said person executed the same, on behalf of said corporation for the purpose therein expressed under the authority vested in her by said corporation.

WITNESS my hand and official seal in the county and state last aforesaid this 2nd day of December, 1988.

My Commission Expires:
2/11/92

Marilyn R. Marwick
NOTARY PUBLIC-STATE OF FLORIDA

OFFICIAL SEAL



RETURN TO:
PEPER, MARSH, JENSEN,
MAICHEL AND HETLAGE
1625 W. MARION AVENUE SUITE 7
PUNTA GORDA, FLORIDA 33550

001010
000001

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PAGE

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DEC 8 1988

EXHIBIT "A"

APPENDIX G-1
PAGE 3 OF 3

"BURNT STORE UTILITIES SITE"

The South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) of Section 32, Township 42 South, Range 23 East, Charlotte County, Florida lying East of the Easterly right of way line of Burnt Store Road. (C-765)

LESS AND EXCEPT the northerly 123.00 feet of the Westerly 150.00 feet thereof and being more particularly described as follows:

Commencing at the Northwest corner of the South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) Section 32, Township 42 South, Range 23 East; thence S89°39'18"E along the Northerly line of the said S1/2 of the SW1/4 of Section 32, a distance of 78.87 feet to a point on the easterly right of way line of Burnt Store Road (C-765) and said point also being the "point of beginning"; thence continuing S89°39'18"E, along said Northerly line, a distance of 150.00 feet; thence S0°19'23"W, parallel to and 150.00 feet easterly of the easterly right of way line of the said Burnt Store Road, a distance of 123.00 feet thence N89°39'18"W, parallel to and 123.00 feet southerly of the said northerly line of the S1/2 of the SW1/4, Section 32, a distance of 150.00 feet to a point on the said Easterly right of way line of Burnt Store Road; thence N0°19'23"E, along the said easterly right of way line, a distance of 123.00 feet to the "point of beginning".

AND

LESS AND EXCEPT a parcel of land, deeded to United Telephone System, adjoining the easterly right of way line of Burnt Store Road (C-765) and being more particularly described as follows:

Commencing at the Southwest corner of Section 32, Township 42 South, Range 23 East, thence S89°49'18"E, along the south line of the South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) of the said Section 32, a distance of 90.42 feet to a point on the easterly right of way line of Burnt Store Road (C-765); thence N0°19'23"E, along the said easterly right of way line, a distance of 500.00 feet to the "point of beginning"; thence continuing N0°19'23"E, along the said easterly right of way line, a distance of 200.00 feet; thence S89°40'37"E, a distance of 200.00 feet, thence S0°19'23"W, parallel to and 200.00 feet easterly of the said easterly right of way line of Burnt Store Road, a distance of 200.00 feet, thence N89°40'37"W, a distance of 200.00 feet to the "Point of Beginning".

ALL LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

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000522

Exhibit H

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 lines have sufficient capacity to convey peak wastewater flows under existing conditions. The system consists mainly of 8-inch gravity mains and 4-inch, 6-inch, 10-inch and 12-inch forcemains. The system also includes 16 lift stations and 8 air stations.

The current permitted wastewater treatment and effluent disposal capacity is 250,000 gallons per day. Effluent disposal is via two percolation ponds. The maximum three-month average daily flow is 188,400 gallons per day. The design of wastewater treatment and effluent disposal expansions are currently underway.

The wastewater flow for all phases of the proposed development is approximately 348,000 gallons per day. The phasing of this development is still uncertain. The developer of Caliente Springs will run a forcemain from his development directly to the treatment plant site so that there is minimal impact to the existing wastewater collection system.

Wastewater capacity is available for the immediate future, and Florida Water Services will expand the wastewater treatment and disposal facilities as required in order to meet the wastewater flows of this developer and other future developers as they connect in accordance with Rule 62-600.405, Florida Administrative Code.

Exhibit I

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

The Burnt Store wastewater plant currently has the following operating permit:

1. FDEP WWTF Permit # FLA1408083-267014

Currently, no construction permits are issued for the changes to the treatment or disposal facilities or for construction of lines in the proposed amended territory.

Copies of the referenced permit is attached and marked as Appendix I-1.



Department of Environmental Protection

APPENDIX I-1

PAGE 1 OF 18

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wetherell
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

Southern States Utilities, Inc.
1000 Color Place
Apopka, Florida 32703

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY I.D. NO.: FLA014083

FACILITY:

Burnt Store WWTF
17430 Burnt Store Road
Punta Gorda, Florida 33955
Latitude: 26° 46' 18" N Longitude: 82° 02' 00" 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 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 FACILITY:

An existing 0.250 MGD, three-month average daily flow (TMADF), extended aeration process domestic wastewater treatment facility consisting of primary screening, aeration, secondary clarification, chlorine disinfection, (the on-site tertiary filters are off-line & out of service) and aerobic digestion of residuals with:

REUSE:

Land Application: An existing 0.250 MGD-TMADF, Part IV rapid rate land application system (R001) consisting of two percolation ponds (267,750 sq. ft. of total bottom area) . Land application system R001 is located approximately at Latitude 26° 46' 18" N, Longitude 82° 02' 00" W .

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in pages 1 through 17 of this permit.

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY I.D. NO.: FLA014083

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 land apply reclaimed water from Reuse System R001. Such reclaimed water shall be limited and monitored by the permittee as specified below:

[62-600, 6-8-93], [62-601, 5-31-93], [62-610, 4-2-90]

| | | | Reclaimed Water Limitations | | | | Monitoring Requirements | | | |
|--|-----------------------------|-----------|-----------------------------|------------------------|----------------|---------------|-------------------------|--|---------------------------------|------------------|
| Parameter | Units | Max./Min. | Annual Average | Monthly Average | Weekly Average | Single Sample | Monitoring Frequency | Sample Type | Monitoring Location Site Number | Notes |
| Flow | mgd | Maximum | - | 0.250 (3-month ADF) | - | - | Daily 5/ week | Existing Flowmeter, Totalizer & Recorder | 20043 | |
| Carbonaceous Biochemical Oxygen Demand (5 day) | mg/L | Maximum | 20 | 25 | 40 | 60 | Every two weeks | 8-hour composite | 20043 | I.A.3. |
| Total Suspended Solids | mg/L | Maximum | 20 | 30 | 45 | 60 | Every two weeks | 8-hour composite | 20043 | I.A.3. |
| Fecal Coliform Bacteria | See Permit Condition I.A.4. | | | | | | Every two weeks | Grab | 20043 | I.A.3. |
| pH | std. units | Range | - | - | - | 6.0-8.5 | Daily 5/week | Grab | 20043 | I.A.3. |
| Total Residual Chlorine (For Disinfection) | mg/L | Minimum | - | - | - | 0.5 | Daily 5/week | Grab | 20043 | I.A.3. I.A.5. |
| Nitrate (as N) | mg/L | Maximum | - | - | - | 12 | Annually | 8-hour composite | 20043 | I.A.3. |

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PAGE 2 OF 18

APPENDIX F-1

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: ~~FLA014083-267074~~ ^{PAGE 3 OF 18}

ISSUANCE DATE: January 3, 1996

EXPIRATION DATE: January 3, 2001

FACILITY I.D. NO.: FLA014083

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 |
|---------------------------------|---|
| 20043 | After final treatment/disinfection and before discharge to the ponds. |

3. Grab samples shall be collected during periods of minimal treatment plant pollutant removal efficiencies or maximum hydraulic and/or organic loading. [Rule 62-600.740 (1) (a) 2.]
4. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of reclaimed water sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of reclaimed water, each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. [62-600.440(4)(c), 6-8-93]
5. A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. [62-600.440(4)(b), 6-8-93]
6. Nitrate (as N) shall be sampled within 60 days of this permit and at 12 months intervals thereafter. All grab samples shall be obtained during peak hourly flow conditions. The time, date and type of samples shall be clearly indicated on the DMR.

000043

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY I.D. NO.: FLA014083

B. Other Limitations and Monitoring and Reporting Requirements

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and the influent monitored by the permittee as specified below: [17-601.300(1), 5-31-93]

| Parameter | Units | Max/Min | Limitations | | | | Monitoring Requirements | | | | Notes |
|--|-------|---------|----------------|-----------------|----------------|---------------|-------------------------|------------------|---------------------------------|----------------|-------|
| | | | Annual Average | Monthly Average | Weekly Average | Single Sample | Monitoring Frequency | Sample Type | Monitoring Location Site Number | | |
| Carbonaceous Biochemical Oxygen Demand (5 day) | mg/L | - | - | - | - | - | Every two weeks | 8-hour composite | 25103 | I.B.3. & I.B.2 | |
| Total Suspended Solids | mg/L | - | - | - | - | - | Every two weeks | 8-hour composite | 25103 | I.B.3. & I.B.2 | |

000044

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY I.D. NO.: FLA014083

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 |
|------------------------------------|---|
| 25103 | Influent (located at outlet of influent forcemain to the treatment plant's bar screen). |

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. All flow measuring device(s) shall be calibrated at least annually. [62-601.500(6) and 62-601.200(17), 5-31-93]
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 a Discharge Monitoring Report (DMR), Form 62-620.910(10), for each point and reuse system specified in this permit above. The DMR shall include the test results for the parameters required to be sampled on the attached DMR form. The DMR shall be submitted to the Department and received at the Department office by the twenty-eighth (28th) of the month following the month of operation at the address specified below: [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 South's District Office at the address specified below:

Florida Department of Environmental Protection
 South District Office
 2295 Victoria Ave
 Fort Myers, Florida
 Phone Number - (941) 332-6975
 Fax Number - (941) 332-6969

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PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014

ISSUANCE DATE: January 3, 1996

EXPIRATION DATE: January 3, 2001

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II. Residuals Management Requirements:

Basic Management Requirements

1. The method of residuals use or disposal by this facility is land application.
2. Land application of residuals shall be in accordance with the conditions of this permit and the requirements of Chapter 62-640, F.A.C. [62-640, 3-1-91]
3. The domestic wastewater residuals for this facility are classified as stabilization Class B. As indicated in the permit application/sludge stabilization protocol, residuals shall be stabilized via aerobic digestion and maintain aerobic conditions for a mean cell residence time of at least 40 days. As indicated in the permit application, sludge will be sampled to verify compliance with 40 CFR, Part 503.
4. 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 it has delivered residuals that meet the chemical criteria and appropriate stabilization requirements of this permit and that the disposer (e.g. hauler, contractor, or disposal/land application site owner) has legally agreed in writing to accept responsibility for proper disposal. [62-640.300(3), 3-1-91]
5. The permittee shall sample and analyze the residuals at least once every 6 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 | 4.4 pounds /acre |
| Copper | 3000 mg/kg dry weight | 125 pounds/acre |
| Lead | 1500 mg/kg dry weight | 500 pounds/acre |
| Nickel | 500 mg/kg dry weight | 125 pounds/acre |
| Zinc | 10,000 mg/kg dry weight | 250 pounds/acre |
| pH | (Report only) standard units | Not applicable |
| Total Solids | (Report only) % | Not applicable |

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Agricultural Sites

6. Class B residuals shall not be used on unrestricted access areas. [62-640.600(6)(b), 3-1-91]
7. Class B residuals application shall be in accordance with the Agricultural Use Plan approved by the Department for this facility. [62-640.300(1), 3-1-91]
8. Florida water quality criteria and standards shall not be violated as a result of land application of residuals. [62-640.700(3)(c), 3-1-91]
9. Class B residuals shall not be used on unrestricted access areas. [62-640.600(6)(b), 3-1-91]
10. Class B residuals application shall be in accordance with the Agricultural Use Plan approved by the Department for this facility. [62-640.300(1), 3-1-91]
11. Root crops, and fruits and vegetables which touch the soil and which are to be consumed raw shall not be grown on the application site for 18 months after the last application of Class B residuals. [62-640.600(6)(c), 3-1-91.
12. Fruits and vegetables which do not touch the soil and which are to be consumed raw shall not be harvested from the application site for 30 days following the last application of Class B residuals. Orchard tree crops, which do not come in contact with the residuals due to the application method, are exempted. This exemption does not apply to orchard tree crops which have fallen to the ground before harvesting. [62-640.600(6)(d), 3-1-91]
13. Pasture vegetation on the application site shall not be cut or used for grazing by livestock for 30 days following the last application of Class B residuals. [62-640.600(6)(e), 3-1-91]
14. The public shall be restricted from the application area for 12 months after the last application of Class B residuals. [62-640.600(6)(f), 3-1-91]
15. The wastewater treatment facility permittee shall apply for a minor permit revision on Form 62-620.910(9) for new, modified, or expanded residuals land application sites. The facility's permit shall be revised to include the new or revised Agricultural Use Plan(s) prior to application of residuals to the new, modified, or expanded sites. The current Agricultural Use Plan identify residuals landspreading on 4,550 acres of the Hudson Farms site located in Charlotte & Desoto County and on 1,155 acres of the Hollingsworth Ranch site, located in Desoto County, Florida. [62-640.300(2), 3-1-91]
16. Annual residuals application rates shall not exceed the agronomic rates based on the nitrogen requirements of the site vegetation in accordance with the approved Agricultural Use Plan. [62-640.700(3)(d), 3-1-91]
17. Residuals shall be applied with techniques and equipment to assure uniform application over the site. [62-640.700(3)(n), 3-1-91]
18. The pH of the domestic wastewater residuals soil mixture shall be 6.5 or greater at the time domestic wastewater residuals are applied. At a minimum, testing shall be done annually. [62-640.700(3)(h), 3-1-91]

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19. The permittee shall maintain records of application areas and application rates on DEP Form 62-640.900(3) and shall have these records available for inspection upon request by the Department or the appropriate Local Environmental Program. These records shall include:

- a. Date of application of the residuals,
- b. Location of the residuals application site,
- c. Amount of residuals applied or delivered,
- d. Identification of specific areas of the site where residuals were applied and acreage of that area,
- e. Method of incorporation of residuals (if any),
- f. Water table level at time of application, and
- g. Concentration of nitrogen and heavy metals in the residuals, percent solids, and date of last analysis.

The permittee shall provide annual updates to the Agricultural Use Plan as required by Permit Condition 15; summaries of the total residuals, nitrogen, and heavy metals applied on an annual basis; and annual summaries of the cumulative metals applied. Updates to the Agricultural Use Plan and annual summaries, including copies of the wastewater residuals analysis for that period, shall be submitted to the Department's South District Office one year from permit issuance and annually thereafter

III. Ground Water Monitoring Requirements

The ground water monitoring program for this facility is subject to the provisions of Chapters 62-4, 62-520, 62-522, 62-601, 62-620, and 62-610, Florida Administrative Code (F.A.C.), and the following conditions:

- 1. During the period of operation authorized by this permit, the permittee shall sample ground water in accordance with this permit and with Rule 62-522.600, F.A.C.
- 2. The ground water monitoring wells shall be located as depicted on the attached plat.
- 3. Any new monitor well construction shall employ those methods and details as noted in the Department's "Guidelines for Monitor Well Design and Installation" and shall be constructed and installed such that adequate recharge is obtainable within the aquifer being monitored. Prior to construction of any new ground water monitoring wells, a soil boring shall be made at each new monitoring well location in order to properly size the well depth and screen interval. Upon completion of construction, a **MONITOR WELL COMPLETION REPORT (DEP Form 62-522.900(3))** shall be completed and submitted to the District Office for each new well.
- 4. The monitoring wells for **Burnt Store Wastewater Treatment Facility** are hereby designated as follows:

| Well Name | Monitoring Location Site Number | Aquifer Monitored | Well Type | New or Existing |
|-----------|---------------------------------|-------------------|--------------|-----------------|
| MW-3 | 20047 | Surficial | Background | Existing |
| MW-7 | 20046 | " | Compliance | " |
| MW-8 | 20045 | " | Intermediate | " |

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5. All monitoring wells listed below shall be sampled and analyzed according to the following schedule:

| <u>Sampling Period</u> | <u>Well</u> | <u>Report Due Date</u> |
|------------------------|-------------|------------------------|
| January-March | 3, 7, 8 | April 15 |
| April-June | 8 | July 15 |
| July-September | 8 | October 15 |
| October-December | 8 | January 15 |

6. The following parameters shall be analyzed for each of the wells scheduled above in Item III.5.:

- a. Water level (field measurement)
- b. Nitrate (as N)
- c. Total dissolved solids
- d. Cadmium
- e. Lead

7. During the January-March sampling period, the reclaimed water shall be sampled and the analyses reported on the **Reclaimed Water or Effluent Analysis Report, Form 62-601.900(4)**. During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater dischargers have been added to collection system may be submitted in lieu of the report.

8. The sampling and analyses of the monitoring wells and reclaimed water shall be in accordance with Chapter 62-601 and 62-610, F.A.C.

9. Ground water sampling results shall be reported on the **Ground Water Monitoring Report - Part D of Form 62-620.910(10)** and submitted with the April, July, October and January DMR.

10. A Zone of Discharge is hereby established and shall not areally extend further than one hundred (100) feet beyond the perimeters of the wastewater holding ponds, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer. All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge and the minimum criteria for ground water as defined in Chapter 62-520, F.A.C. shall be met within the zone of discharge.

11. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 62-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.

12. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter. The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.

13. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured and kept free of vegetation at all times.

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IV. Additional Reuse and Land Application Requirements

1. Warning signs shall be posted around the site boundaries to designate the nature of the project area. [62-610.518, 4/2/90]
2. Percolation ponds, infiltration basins or trenches, and storage ponds shall be enclosed with a fence or provided with features to discourage the entry of animals and unauthorized persons. [62-610.518, 4/2/90]
3. Infiltration ponds, basins, or trenches normally shall be loaded for 7 days and shall be rested for 7 days. Infiltration ponds, basins, or trenches shall be allowed to dry during the resting portion of the cycle. [62-610.523(4), 4/2/90]
4. Rapid-rate systems shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids. [62-610.523(6), 4/2/90]
5. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.515 and 62-610.415(6), 4/2/90]
6. Overflows from emergency discharge facilities on storage ponds or on infiltration ponds, basins, or trenches shall be reported as an abnormal event to the South District Office within 24 hours of an occurrence as an abnormal event. The provisions of Rule 62-610.880, F.A.C., shall be met. [62-610.880, 62-610.415(5), 62-610.515, and 62-610.516, 4/2/90]

V. Operation and Maintenance Requirements

Staffing Requirements

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

A Class C or higher operator for 3 hours per day for five (5) days per week and a weekend visit. The lead operator must be a Class C operator, or higher.

2. A certified operator shall be on call during periods the plant is unattended. [62-699.311(1), 5-20-92]
3. An updated capacity analysis report shall be submitted to the Department with the pending modification to the permit to increase the permitted capacity/upgrade the WWTF, see Part VI of the permit. The updated capacity analysis report shall be prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5), 6-8-93]
4. The application to renew this operation 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]

Recordkeeping Requirements

5. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility :

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- 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]

VI. Compliance Schedules and Self-imposed Improvement Schedules:

1. In accordance with both the operation and maintenance performance report and the capacity analysis report submitted as part of the permit application for this facility, both dated August, 1995, and prepared by Southern States Utilities, the following corrective actions shall be completed according to the following schedule:

| Corrective Action | Scheduled Completion Date |
|---|---------------------------|
| 1. Conduct a study to evaluate deficiencies in the collection/transmission system, including septic wastewater and possible non-domestic discharges. Perform associated improvements. | December 31, 1996 |
| 2. Submit an application to modify this permit to include the construction of an expansion to the facility. The application shall include a reuse feasibility study. | August 31, 1996 |
| 3. Place the modified/expanded facilities in operation. | June 30, 1998 |

[62-600.735(1), 6-8-93 & 62-620.450(3)(a), 11-29-94]

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- 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]

VI. Compliance Schedules and Self-imposed Improvement Schedules:

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| Corrective Action | Scheduled Completion Date |
|---|---------------------------|
| 1. Conduct a study to evaluate deficiencies in the collection/transmission system, including septic wastewater and possible non-domestic discharges. Perform associated improvements. | December 31, 1996 |
| 2. Submit an application to modify this permit to include the construction of an expansion to the facility. The application shall include a reuse feasibility study. | May 31, 1996 |
| 3. Place the modified/expanded facilities in operation. | June 30, 1998 |

[62-600.735(1), 6-8-93 & 62-620.450(3)(a), 11-29-94]

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VII. Industrial Pretreatment Program Requirements : N/A

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. 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]
3. The deliberate introduction of stormwater in any amount into collection/transmission systems is prohibited.
[62-604.130(3), 5-31-93]
4. 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]*
5. The acceptance, by the operating authority of a collection/transmission system or by the permittee of a treatment plant, of 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
 - 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 is prohibited.
[62-604.130(4), 5-31-93]
6. The treatment facility shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. *[62-600.400(2)(b), 6-8-93]*
7. 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]*
8. The permittee shall provide adequate notice to the Department of 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 this Chapter 62-620, F.A.C. if it were directly discharging those pollutants. 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]

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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]*
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:

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- 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]*
 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]*

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- 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]*

- 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.
 - a. 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).
 - b. If the permittee monitors any contaminate 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.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. 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.
 - e. 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.
 - a. The following shall be included as information which must be reported within 24 hours under this condition:

000056

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY LD. NO.: FLA014083

- 1. Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
 - 2. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - 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]

PERMITTEE:

Southern States Utilities, Inc.

PERMIT NUMBER: FLA014083-267014
ISSUANCE DATE: January 3, 1996
EXPIRATION DATE: January 3, 2001
FACILITY I.D. NO.: FLA014083

PAGE 18 OF 18
APPENDIX E-1

23. Upset Provisions

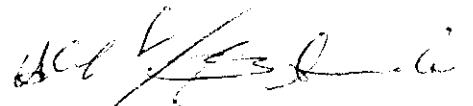
- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - 2. The permitted facility was 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]

Note: In the event of an emergency the permittee shall contact the Department by calling (904) 413-9911. During normal business hours, the permittee shall call (941) 332-6975.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Abdul B. Ahmadi, Ph.D., P.E.
Water Facilities Administrator

DATE: 1-3-96

ABA/JAA/klm

000058

Exhibit J

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.

Future expansions of the effluent disposal facilities are planned to include upgrading facilities to reuse capabilities.

Exhibit K

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

The Burnt Store wastewater system is expected to employ reuse irrigation for effluent disposal.

000060

Exhibit L

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.

It is anticipated that the additional service territory will contain predominantly single family homes with multi-family high-rises in the addition to the north. The proposed distribution is expected to approximate the current territory's Marina area. The southern and eastern additions are expected to have commercial and multi-family dwellings.

000061

Exhibit M

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.

Please see attached Appendix M-1.

000062

Appendix M-1

Warranty Deed

000063

Doc. Stamp \$687.50
Recording 19.50

This Instrument Prepared By:
JAMES E. MOORE, III of
Peper, Martensen, Maichel
and Hetlage, 225 West Marion
Avenue, Suite 2, Punta Gorda,
Florida 33950

Doc. Stamp 687.50
Recording
J. Moore

WARRANTY DEED

THIS INSTRUMENT, made this 2nd day of December, 1988,
between BURNT STORE UTILITIES, INC., a corporation existing
under the laws of the State of Florida, having its principal
place of business in the County of Charlotte, State of
Florida, Grantor, and SOUTHERN STATES UTILITIES, INC., a
corporation existing under the laws of the State of Florida,
whose address is 1000 Color Place, Apopka, Florida 32703,
of the County of Orange, State of Florida, Grantee,

WITNESSETH, that said Grantor, for and in consideration
of the sum of TEN AND NO/100THS DOLLARS (\$10.00), and other
good and valuable considerations to said Grantor in hand
paid by said Grantee, the receipt whereof is hereby
acknowledged, has granted, bargained and sold to Grantee,
and Grantee's successors and assigns forever, the following
described land, situate, lying in and being in Charlotte
County, Florida, to-wit:

a Parcel of land lying and being in the SW 1/4 of
Section 32, Township 42 South, Range 22 East, Charlotte
County, Florida, as more particularly described in
Exhibit "A" and subject to those assessments, easements
and resolutions described in Exhibit "B", said Exhibits
being attached hereto and made a part hereof by
reference.

AND the Grantor hereby covenants with said grantee that
it is lawfully seized of said land in fee simple; that it
has good right and lawful authority to sell and convey said
land; that it hereby fully warrants the title to 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 those assessments, easements and
resolutions described in Exhibit "B".

"Grantor" and "Grantee" are used for singular or plural,
as context requires.

IN WITNESS WHEREOF, Grantor has caused these presents to
be executed by its duly authorized officers and its
corporate seal affixed hereto the day and year first above
written.

Signed, Sealed and Delivered
in our Presence:

Paula F. McQueen
1st Witness

James E. Moore
2nd Witness

BURNT STORE UTILITIES, INC.

By: *Paula F. McQueen*
PAULA F. MCQUEEN, AS
SENIOR VICE PRESIDENT

CORPORATE SEAL

000064

RECORDED & INDEXED - R. W. V. T. SCHL. CO.
BY: T. SCHLAND

88 DEC - 3 PM 1:40

932529

DEC 8 1988

000064

STATE OF FLORIDA
COUNTY OF CHARLOTTE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared Paula P. McQueen, as Senior Vice President of Burnt Store Utilities, Inc., to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that said person executed the same, on behalf of said corporation for the purpose therein expressed under the authority vested in her by said corporation.

WITNESS my hand and official seal in the county and state last aforesaid this 2nd day of December, 1988.

My Commission Expires:
2/11/92

Marlene P. Marwick
NOTARY PUBLIC-STATE OF FLORIDA

OFFICIAL SEAL



RETURN TO:
PEPER, MARVIN J. JENSEN,
MICHEL AND HETLAGE
PEPER, MARVIN J. JENSEN AND HETLAGE
1025 W. MARION AVENUE SUITE 2
PUNTA GORDA, FLORIDA 33550

001010
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PAGE

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DEC 8 1988

APPENDIX M-1

EXHIBIT "A"

PAGE 3 OF 3

"BURNT STORE UTILITIES SITE"

The South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) of Section 32, Township 42 South, Range 23 East, Charlotte County, Florida lying East of the Easterly right of way line of Burnt Store Road. (C-765)

LESS AND EXCEPT the northerly 123.00 feet of the Westerly 150.00 feet thereof and being more particularly described as follows:

Commencing at the Northwest corner of the South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) Section 32, Township 42 South, Range 23 East; thence S89°39'18"E along the Northerly line of the said S1/2 of the SW1/4 of Section 32, a distance of 78.87 feet to a point on the easterly right of way line of Burnt Store Road (C-765) and said point also being the "point of beginning"; thence continuing S89°39'18"E, along said Northerly line, a distance of 150.00 feet; thence S0°19'23"W, parallel to and 150.00 feet easterly of the easterly right of way line of the said Burnt Store Road, a distance of 123.00 feet thence N89°39'18"W, parallel to and 123.00 feet southerly of the said northerly line of the S1/2 of the SW1/4, Section 32, a distance of 150.00 feet to a point on the said Easterly right of way line of Burnt Store Road; thence N0°19'23"E, along the said easterly right of way line, a distance of 123.00 feet to the "point of beginning".

AND

LESS AND EXCEPT a parcel of land, deeded to United Telephone System, adjoining the easterly right of way line of Burnt Store Road (C-765) and being more particularly described as follows:

Commencing at the Southwest corner of Section 32, Township 42 South, Range 23 East, thence S89°49'18"E, along the south line of the South 1/2 (S1/2) of the Southwest 1/4 (SW1/4) of the said Section 32, a distance of 90.42 feet to a point on the easterly right of way line of Burnt Store Road (C-765); thence N0°19'23"E, along the said easterly right of way line, a distance of 500.00 feet to the "point of beginning"; thence continuing N0°19'23"E, along the said easterly right of way line, a distance of 200.00 feet; thence S89°40'37"E, a distance of 200.00 feet, thence S0°19'23"W, parallel to and 200.00 feet easterly of the said easterly right of way line of Burnt Store Road, a distance of 200.00 feet, thence N89°40'37"W, a distance of 200.00 feet to the "Point of Beginning".

ALL LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

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Exhibit N

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 in 134 water and wastewater service systems 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 1998, Florida Water Services' capital structure consisted of more than \$204 million in total capital, including more than \$117.8 million in long-term debt and more than \$86.2 million in equity capital. The Commission has acknowledged the technical and financial ability of Florida Water Services 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.

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Exhibit O

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

The water and wastewater lines for development within the proposed service territory addition will be designed and constructed by the individual developers 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 (e.g., upgrade of service pumps at the water plant). 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 P

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

The proposed amendment concerns the Burnt Store service area. Florida Water Services believes that the addition of the proposed territory should have no immediate effect on the current monthly rates at Burnt Store. In future rate proceedings this additional service area may have the effect of decreasing monthly rates for Burnt Store because of higher CIAC levels and a larger customer base, absent other changes in rate base and expenses.

The impact of the territory extension on Florida Water Services' prospective service availability charges should be negligible in the near term.

Exhibit Q

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.

Service territory additions for water and wastewater are as follows:

Additional Territory Water & Wastewater Addition

Township 42 South, Range 22 East, Charlotte County, Florida.

Sections 13

All of said Section 13 East of Charlotte Harbor.

Township 42 South, Range 23 East, Charlotte County, Florida.

Sections 17

All of said Section 17.

Section 18

All of said Section 18 East of Charlotte Harbor.

Section 32

The North $\frac{3}{4}$ of the West $\frac{1}{2}$ of said Section 32 and the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 32 and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32.

Township 43 South, Range 23 East, Lee County, Florida.

Section 5

All of said Section 5.

Water Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of the North $\frac{1}{2}$ of said Section 19 East of Charlotte Harbor and:

Commencing at the Southeast corner of said Section 19 run North $00^{\circ}07'31''$ West a distance of 1,478.89 feet to a Point of Beginning, thence

000070

North 70°17'08" West a distance of 1,535.26 feet, thence North 02°58'13" West a distance of 645.61 feet, thence North 88°26'12" East a distance of 1,478.92 feet, thence South 00°01'31" East a distance of 1,211.59 feet to the Point of Beginning.

Section 20

All of the North $\frac{3}{4}$ of said Section 20 and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 20 and:

Commencing at the Southwest corner of Section 20 run North 44°34'25" East a distance of 1,496.80 feet to a Point of Beginning, thence North 49°27'23" West a distance of 85.16 feet, thence North 70°17'08" West a distance of 687.68 feet, thence North 88°25'38" East a distance of 1,026.49 feet, thence South 44°34'25" West a distance of 444.09 feet to the Point of Beginning.

Wastewater Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of said Section 19 East of Charlotte Harbor.

Section 20

All of said Section 20 less and except:

Beginning at the Southwest corner of said Section 20 run North 44°34'25" East a distance of 1,496.80 feet, thence North 44°34'25" East a distance of 444.09 feet, thence North 88°25'38" East a distance of 1,291.47 feet, thence South 00°45'58" West a distance of 1,345.81 feet, thence South 88°25'38" West a distance of 2,636.15 feet, thence North 88°02'44" East a distance of 9.72 feet to the Point of Beginning.

Also an area to the East of the previously described area but not contiguous, located in Section 24, Township 42 South, Range 23 East and Section 19, Township 42 South, Range 24 East more particularly described as follows:

Section 24, Township 42 South, Range 23 East.

All of that portion of said Section 24 lying Westerly of the Westerly right of way of U.S. Highway 41, less the North 967 feet of said Section 24.

Section 19, Township 42 South, Range 24 East.

All that portion of said Section 19 lying Westerly of the Westerly right of way of U.S. Highway 41.

Exhibit R

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.

Please see Appendix R-1 enclosed with original filing.

00007?

Exhibit S

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.

Please see Appendix S-1 enclosed with original filing.

000073

Exhibit T

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 and Appendixes T-1, T-2, and T-3.

000074


Affidavit

State of Florida
County of Orange

Before me, the undersigned authority, personally appeared Sarah Crockett, Legal Secretary for Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

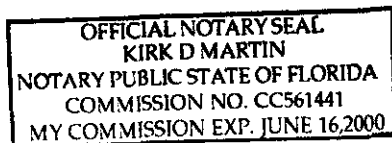
1. That she has personal knowledge of the matters contained herein.
2. Attached hereto and identified as "Appendix T-1" is a copy of the request Florida Water sent to the Public Service Commission ("Commission") pursuant to Rule 25-30.030(2), Florida Administrative Code.
3. Attached hereto and identified as "Appendix T-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 T-3" were sent by Certified Mail on July 19, 1999, to those entities identified by the Commission on the aforesaid "Appendix T-2."


Further Affiant sayeth not.



Sarah Crockett
Legal Secretary
Florida Water Services Corporation

The foregoing instrument was acknowledged before me this 20th day of JULY, 1999, by Sarah Crockett, Legal Secretary for Florida Water Services Corporation who is personally known to me and did take an oath.





Kirk D. Martin
Notary Public, State of Florida
Commission Number: CC561441
My Commission Expires: JUNE 16, 2000

000075

Appendix T-1

Letter to Commission

000076



July 12, 1999

Via Facsimile: (850) 413-7000

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

Re: Charlotte County/Lee County
Burnt Store 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 two legal descriptions for each County: proposed water territory in Charlotte County and proposed wastewater territory in Charlotte County; proposed water territory in Lee County and proposed wastewater territory in Lee County.

Please return the list via fax (407/598-4241) if possible.

If you should need any additional information in order to process this request, please call me at (407) 598-4162. Thank you for your assistance.

Sincerely,


Sarah Crockett
Legal Secretary

Attachments

000977

Service territory additions for water and wastewater are as follows:

**Additional Territory
Water & Wastewater Addition**

Township 42 South, Range 22 East, Charlotte County, Florida.

Sections 13

All of said Section 13 East of Charlotte Harbor.

Township 42 South, Range 23 East, Charlotte County, Florida.

Sections 17

All of said Section 17.

Section 18

All of said Section 18 East of Charlotte Harbor.

Section 32

The North $\frac{3}{4}$ of the West $\frac{1}{2}$ of said Section 32 and the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 32 and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32.

Township 43 South, Range 23 East, Lee County, Florida.

Section 5

All of said Section 5.

Water Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of the North $\frac{1}{2}$ of said Section 19 East of Charlotte Harbor and:

Commencing at the Southeast corner of said Section 19 run North $00^{\circ}07'31''$ West a distance of 1,478.89 feet to a Point of Beginning, thence North $70^{\circ}17'08''$ West a distance of 1,535.26 feet, thence North $02^{\circ}58'13''$ West a distance of 645.61 feet, thence North $88^{\circ}26'12''$ East a distance of 1,478.92 feet, thence South $00^{\circ}01'31''$ East a distance of 1,211.59 feet to the Point of Beginning.

Section 20

All of the North $\frac{3}{4}$ of said Section 20 and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 20 and:

Commencing at the Southwest corner of Section 20 run North $44^{\circ}34'25''$ East a distance of 1,496.80 feet to a Point of Beginning, thence North

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49°27'23" West a distance of 85.16 feet, thence North 70°17'08" West a distance of 687.68 feet, thence North 88°25'38" East a distance of 1,026.49 feet, thence South 44°34'25" West a distance of 444.09 feet to the Point of Beginning.

Wastewater Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of said Section 19 East of Charlotte Harbor.

Section 20

All of said Section 20 less and except:

Beginning at the Southwest corner of said Section 20 run North 44°34'25" East a distance of 1,496.80 feet, thence North 44°34'25" East a distance of 444.09 feet, thence North 88°25'38" East a distance of 1,291.47 feet, thence South 00°45'58" West a distance of 1,345.81 feet, thence South 88°25'38" West a distance of 2,636.15 feet, thence North 88°02'44" East a distance of 9.72 feet to the Point of Beginning.

Also an area to the East of the previously described area but not contiguous, located in Section 24, Township 42 South, Range 23 East and Section 19, Township 42 South, Range 24 East more particularly described as follows:

Section 24, Township 42 South, Range 23 East.

All of that portion of said Section 24 lying Westerly of the Westerly right of way of U.S. Highway 41, less the North 967 feet of said Section 24.

Section 19, Township 42 South, Range 24 East.

All that portion of said Section 19 lying Westerly of the Westerly right of way of U.S. Highway 41.

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Appendix T-2

List of Entities

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LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
07/15/1999-09/12/1999

UTILITY NAME

MANAGER

LEE COUNTY

BAYSHORE UTILITIES, INC. (WJ013)
2259 CLUBHOUSE ROAD
NORTH FT. MYERS, FL 33917-2523

WAYNE CARSON WAMPLER
(911) 182-1021

BONITA COUNTRY CLUB UTILITIES, INC. (SU285)
10200 MADDOX LANE
BONITA SPRINGS, FL 34135-7639

MICHAEL J. MICELI
(941) 992-2800

BUCCAEER WATER SERVICE (MHC-DEANZA FINANCING LIMITED PART (WJ730)
% MANUFACTURED HOME COMMUNITIES, INC.
2 NORTH RIVERSIDE PLAZA, SUITE 800
CHICAGO, IL 60606

DONALD BARTON
(813) 995-3337

CHATEAU COMMUNITIES, INC. (SU015)
6000 EAST PERSHING AVENUE
ORLANDO, FL 32822-3880

W. LEON PILGRIM
(407) 823-7266

DEL VERA LIMITED PARTNERSHIP (SU612)
2250 AVENIDA DEL VERA
NORTH FT. MYERS, FL 33917-6700

ROBERT G. PETERS
(941) 543-6200 EXT 528

ENVIRONMENTAL PROTECTION SYSTEMS OF PINE ISLAND, INC. (SU287)
3039 YORK ROAD
ST. JAMES CITY, FL 34766-2303

KEVIN J. O'FERRY
(941) 283-1144

FLORIDA CITIES WATER COMPANY - LEE COUNTY DIVISION (W5076)
4837 SWIFT ROAD, SUITE 100
SARASOTA, FL 34231-5157

ROGER YITTERBERG
(941) 936-3931

FLORIDA WATER SERVICES CORPORATION (W5565)
P. O. BOX 609520
ORLANDO, FL 32960-9520

BRIAN P. ARMSTRONG
(407) 598-4152

FOREST PARK PROPERTY OWNER'S ASSOCIATION (SU645)
5200 FOREST PARK DRIVE
NORTH FT. MYERS, FL 33917-5404

RONALD ZEC-MAN

FOREST UTILITIES, INC. (SU293)
6385 PRESIDENTIAL COURT, SUITE 101
FT. MYERS, FL 33919-3576

DAVID SACR
(911) 181-0111

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
07/15/1999-09/12/1999

UTILITY NAME

MANAGER

LEE COUNTY (continued)

| | |
|---|---|
| <p>FOUNTAIN LAKES SEWER CORPORATION (SU572) 523 SOUTH EIGHTH STREET MINNEAPOLIS, MN 55404-1078</p> | <p>JERRY A. SHERMAN (612) 305-2927</p> |
| <p>GLF UTILITY COMPANY (WS096) % GLF ENVIRONMENTAL SERVICES, INC. P. O. BOX 350 ESTERO, FL 33928-0350</p> | <p>CAROLYN B. ANDREWS (941) 498-1000</p> |
| <p>HACIENDA TREATMENT PLANT, INC. (SU131) % BONITA SPRINGS UTILITIES, INC. P. O. BOX 2368 BONITA SPRINGS, FL 34133-2368</p> | <p>FRED PARTIN (941) 992-0711</p> |
| <p>HUNTER'S RIDGE UTILITY CO. OF LEE COUNTY (SU674) 12500 HUNTERS RIDGE DRIVE BONITA SPRINGS, FL 34135 3401</p> | <p>DON HUPRICH (941) 992-4900</p> |
| <p>MHC SYSTEMS, INC. (WS743) % MANUFACTURED HOME COMMUNITIES, INC. 28050 U.S. HIGHWAY 19, N., SUITE 406 CLEARWATER, FL 33761-2629</p> | <p>UTILITY (941) 474-1122</p> |
| <p>MOBILE MANOR, INC. (WU167) 150 LANTERN LANE NORTH FORT MYERS, FL 33917-6515</p> | <p>CAROL JULIUS (941) 543-1414</p> |
| <p>NORTH FORT MYERS UTILITY, INC. (SU317) P. O. BOX 2547 FORT MYERS, FL 33902-2547</p> | <p>JACK SOHENKMAN (941) 543-4000 CR -1808</p> |
| <p>PINE ISLAND HOME OWNERS ASSOCIATION, INC. (SU174) 7290 LADYFISH DRIVE ST. JAMES CITY, FL 33966-2723</p> | <p>THOMAS MATHIAS (941) 200-0002</p> |
| <p>SANTIBEL BAYOU UTILITY CORPORATION (SU331) 15560 MCGREGOR BLVD., #8 FT. MYERS, FL 33908-2547</p> | <p>FIELD SUPERVISORS (941) 936-6609</p> |
| <p>SOUTH SEAS UTILITY COMPANY (SU408) 8270-106 COLLEGE PARKWAY FT. MYERS, FL 33919 5107</p> | <p>ALLEN G. TENBROOK (941) 481-2011</p> |

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
07/15/1999-09/12/1999

UTILITY NAME

MANAGER

LEE COUNTY (continued)

SPRING CREEK VILLAGE, LTD. (W3334)
24001 SPRING CREEK VILLAGE
BONITA SPRINGS, FL 33134

DEANIS M. WATSON
(941) 992-0000/906-0000

TAMIAMI VILLAGE WATER COMPANY, INC. (WJ740)
9280-5 COLLEGE PARKWAY
FT. MYERS, FL 33919-4848

JOHN J. LUSTICA
(941) 482-0717

USEPPA ISLAND UTILITY, INC. (WS249)
P. O. BOX 640
BOKEELIA, FL 33922-0640

VINCENT FORMOSA
(941) 283-1061

UTILITIES, INC. OF EAGLE RIDGE (SU749)
200 WEATHERSFIELD AVENUE
ALTA MONTE SPRINGS, FL 32714-4099

CARL J. WENZ
(708) 498-6440

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
07/15/1999-09/12/1999

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, LEE COUNTY
P. O. BOX 398
FT. MYERS, FL 33902-0398

CLERK OF CIRCUIT COURT, LEE COUNTY
P. O. BOX 2469
FORT MYERS, FL 33902-2469

DEP SOUTH DISTRICT
2296 VICTORIA AVE., SUITE 364
FORT MYERS, FL 33901

MAYOR, CITY OF CAPE CORAL
P. O. BOX 150027
CAPE CORAL, FL 33915-0027

MAYOR, CITY OF FT. MYERS
P. O. BOX 2217
FORT MYERS, FL 33902-2217

MAYOR, CITY OF SANIBEL
800 DUNLAP ROAD
SANIBEL, FL 33957-4096

S.W. FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 3455
NORTH FT. MYERS, FL 33918-3455

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

LIST OF WATER AND WASTEWATER UTILITIES IN LEFF COUNTY

(VALID FOR 60 DAYS)
07/15/1999-09/12/1999

UTILITY NAME

MANAGER

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

LIST OF WATER AND WASTEWATER UTILITIES IN CHARLOTTE COUNTY

(VALID FOR 60 DAYS)
07/12/1999-09/09/1999

UTILITY NAME

MANAGER

CHARLOTTE COUNTY

BCCILLA UTILITIES, INC. (WJ744)
7025-A PLACIDA ROAD
ENGLEWOOD, FL 34224-8758

R. CRAIG NODEN
(941) 697-2000

FIVELAND INVESTMENTS, INC. (WJ736)
6320 TOWER LANE
SARASOTA, FL 34240-8809

THEODORE C. STEFFENS
(941) 378-8412

FLORIDA WATER SERVICES CORPORATION (WS727)
P. O. BOX 609520
ORLANDO, FL 32860-9520

BRIAN P. ARMSTRONG
(407) 880-0058

FLORIDA WATER SERVICES CORPORATION (WS734)
P. O. BOX 609520
ORLANDO, FL 32860-9520

BRIAN P. ARMSTRONG
(407) 880-0058

HUNTER CREEK UTILITIES, INC. (WS907)
902 WHISPERING PINES
BLOOMINGBURG, NY 12721

JOHN KONITZ
(914) 733-4114

NHC UTILITIES, INC. (WJ796)
3737 EL JOBEAN ROAD (SR776)
PORT CHARLOTTE, FL 33953-5699

SUSAN STURCELL
(941) 624-4511

ROTONDA WEST UTILITY CORPORATION (WS732)
P. O. BOX 3609
PLACIDA, FL 33946-3609

ROBERT M.C. ROSE
(850) 877-6555

SANDLHAVEN UTILITY, INC. (SJ737)
6800 PLACIDA ROAD
ENGLEWOOD, FL 34224-8708

ROBERT W. SPADE
(800) 697-8454

LIST OF WATER AND WASTEWATER UTILITIES IN CHARLOTTE COUNTY

(VALID FOR 60 DAYS)
07/12/1999-09/09/1999

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

BOARD OF COUNTY COMMISSIONERS, CHARLOTTE COUNTY
CHARLOTTE COUNTY ADMINISTRATION CENTER
18600 MURDOCK CIRCLE, ROOM 536
FORT CHARLOTTE, FL 33948-1094

CLERK OF THE CIRCUIT COURT, CHARLOTTE COUNTY
CHARLOTTE COUNTY ADMINISTRATION CENTER
18600 MURDOCK CIRCLE, ROOM 423
FORT CHARLOTTE, FL 33948-1094

DEP. SOUTH DISTRICT
2296 VICTORIA AVE., SUITE 364
FORT MYERS, FL 33901

MAYOR, CITY OF PUNTA GORDA
326 WEST MARION AVENUE
PUNTA GORDA, FL 33950-4492

S.W. FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 3455
NORTH FT. MYERS, FL 33918-3455

S.W. FLORIDA WATER MANAGEMENT DISTRICT
2379 BROAD STREET
BROOKSVILLE, FL 34609-6889

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

LIST OF WATER AND WASTEWATER UTILITIES IN CHARLOTTE COUNTY

(VALID FOR 60 DAYS)
07/12/1999-09/09/1999

UTILITY NAME

MANAGER

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
2510 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Appendix T-3

Copy of Notice

000039

LEGAL NOTICE

NOTICE OF APPLICATION FOR AMENDMENT OF WATER AND WASTEWATER

You are hereby given notice on July 19, 1999, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water and Wastewater Certificate Nos. 255-S and 306-W to amend territory in Charlotte County, Florida as follows:

CHARLOTTE AND LEE COUNTIES

Additional Territory
Water & Wastewater Addition

Township 42 South, Range 22 East, Charlotte County, Florida.

Sections 13

All of said Section 13 East of Charlotte Harbor.

Township 42 South, Range 23 East, Charlotte County, Florida.

Sections 17

All of said Section 17.

Section 18

All of said Section 18 East of Charlotte Harbor.

Section 32

The North $\frac{3}{4}$ of the West $\frac{1}{2}$ of said Section 32 and the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 32 and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 32.

Township 43 South, Range 23 East, Lee County, Florida.

Section 5

All of said Section 5.

Water Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of the North $\frac{1}{2}$ of said Section 19 East of Charlotte Harbor and:

Commencing at the Southeast corner of said Section 19 run North $00^{\circ}07'31''$ West a distance of 1,478.89 feet to a Point of Beginning, thence

North 70°17'08" West a distance of 1,535.26 feet, thence North 02°58'13" West a distance of 645.61 feet, thence North 88°26'12" East a distance of 1,478.92 feet, thence South 00°01'31" East a distance of 1,211.59 feet to the Point of Beginning.

Section 20

All of the North ¼ of said Section 20 and the South ½ of the Southeast ¼ of said Section 20 and:

Commencing at the Southwest corner of Section 20 run North 44°34'25" East a distance of 1,496.80 feet to a Point of Beginning, thence North 49°27'23" West a distance of 85.16 feet, thence North 70°17'08" West a distance of 687.68 feet, thence North 88°25'38" East a distance of 1,026.49 feet, thence South 44°34'25" West a distance of 444.09 feet to the Point of Beginning.

Wastewater Only Addition

Township 42 South, Range 23 East, Charlotte County, Florida.

Section 19

All of said Section 19 East of Charlotte Harbor.

Section 20

All of said Section 20 less and except:

Beginning at the Southwest corner of said Section 20 run North 44°34'25" East a distance of 1,496.80 feet, thence North 44°34'25" East a distance of 444.09 feet, thence North 88°25'38" East a distance of 1,291.47 feet, thence South 00°45'58" West a distance of 1,345.81 feet, thence South 88°25'38" West a distance of 2,636.15 feet, thence North 88°02'44" East a distance of 9.72 feet to the Point of Beginning.

Also an area to the East of the previously described area but not contiguous, located in Section 24, Township 42 South, Range 23 East and Section 19, Township 42 South, Range 24 East more particularly described as follows:

Section 24, Township 42 South, Range 23 East.

All of that portion of said Section 24 lying Westerly of the Westerly right of way of U.S. Highway 41, less the North 967 feet of said Section 24.

Section 19, Township 42 South, Range 24 East.

All that portion of said Section 19 lying Westerly of the Westerly right of way of U.S. Highway 41.

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, P.O. Box 609520, Orlando, Florida 32860-9520

000092

Exhibit U

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 in the proposed amended territory, this rule is inapplicable.

Exhibit V

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 V-1 is Florida Water Services' request for publication of the required notice.

Appendix V-1

000095



APPENDIX V-1

PAGE 1 OF 2

July 13, 1999

Via Facsimile: 941-334-0708

The Newspress
2442 Dr. Martin Luther King Jr. Blvd
Ft. Myers, FL 33901

Re: Legal Notice

Dear Sir or Madam:

Attached is a legal notice to be run one time in the Lee County edition of the Newspress Newspaper at your earliest convenience. **Please fax a copy of the legal notice to me prior to publication at (407) 598-4241.** I will also need an affidavit of publication as soon as possible.

The invoice and affidavit should be sent to:

Sarah Crockett
Florida Water Services Corporation
P. O. Box 609520
Orlando, FL 32860-9520

If you need any additional information, please call me at (407) 598-4162. Thank you for your cooperation.

Sincerely,


Sarah Crockett
Legal Secretary

Attachment

000096



APPENDIX 121

PAGE 2 OF 2

July 13, 1999

Via Facsimile: (941) 639-5247

The Charlotte Sun Herald
216 Taylor Street
Punta Gorda, FL 33950

Re: Legal Notice

Dear Sir or Madam:


Attached is a legal notice to be run one time in the Charlotte County edition of the Charlotte Sun Herald Newspaper at your earliest convenience. **Please fax a copy of the legal notice to me prior to publication at (407) 598-4241.** I will also need an affidavit of publication as soon as possible.

The invoice and affidavit should be sent to:

Sarah Crockett
Florida Water Services Corporation
P. O. Box 609520
Orlando, FL 32860-9520

If you need any additional information, please call me at (407) 598-4162. Thank you for your cooperation.

Sincerely,


Sarah Crockett
Legal Secretary

Attachment

000097

Exhibit W

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

Please see attached.

000098

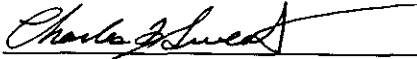
Affidavit

State of Florida
County of Orange

Before me, the undersigned authority, personally appeared Charles L. Sweat, Vice President – Developer Relations & Planning for Florida Water Services Corporation (“Florida Water”) and after being duly sworn, said:

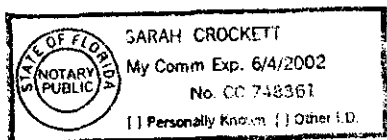
1. That he has personal knowledge of the matters contained herein.
2. That Florida Water has tariffs and annual reports on file with the Florida Public Service Commission.


Further Affiant sayeth not.



Charles L. Sweat
Vice President – Developer Relations &
Planning
Florida Water Services Corporation

The foregoing instrument was acknowledged before me this 20th day of July, 1999, by Charles L. Sweat, Vice President – Developer Relations & Planning for Florida Water Services Corporation, who is personally known to me and did take an oath.





Sarah Crockett
Notary Public, State of Florida
Commission Number: CC 74 8 361
My Commission Expires: 6/4/2002

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Exhibit X

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 the revised tariff sheets are enclosed with the cover letter.

000093