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**ORIGINAL**

PREFILED DIRECT TESTIMONY OF BRIAN P. ARMSTRONG  
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
ON BEHALF OF  
FLORIDA WATER SERVICES CORPORATION  
CONSOLIDATED DOCKETS NOS. 980261-WS & 970657-WS

DOCUMENT NUMBER-DATE  
13888 NOV 12 88  
FPSC-RECORDS/REPORTING

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

1 A. My testimony has several basic purposes: (1)  
2 sponsor and support the application for a water and  
3 wastewater territory amendment in Charlotte County  
4 that Florida Water filed with the Commission on  
5 February 18, 1998; (2) dispel the position  
6 expressed by Charlotte County, and Charlotte County  
7 Utilities (or "CCU") regarding Florida Water's bulk  
8 water and wastewater services agreement with the  
9 County; and (3) dispute the claims of Lake Suzy  
10 Utilities, Inc. ("Lake Suzy" or "LSU") regarding  
11 Florida Water's territorial claims in DeSoto  
12 County.

13 **Q. IS THE APPLICATION FOR TERRITORY AMENDMENT YOU**  
14 **REFERRED TO ATTACHED AS AN EXHIBIT TO YOUR DIRECT**  
15 **TESTIMONY?**

16 A. Yes, it is attached and marked for identification  
17 as Exhibit (\_\_\_) BPA-1. It should be noted that  
18 since filing the application on February 18, 1998,  
19 Florida Water filed amendments to certain exhibits  
20 and filed revised, substitute pages to other  
21 exhibits. The attached is a consolidation of the  
22 original and subsequent filings such that original  
23 and amended exhibit pages are included and, in the  
24 case of revised pages, only the substitute, revised

1 pages appear. Further, it should be noted that the  
2 territory and system maps and tariff pages filed  
3 with the application are not included in Exhibit  
4 (\_\_\_) BPA-1; however, two sets of those maps and  
5 tariff pages, as originally filed and as amended,  
6 were filed with the Commission as required by  
7 Commission rules.

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

10 A. Yes, the application was prepared at my direction  
11 and under my control. It should be understood,  
12 however, that the application represents an inter-  
13 departmental effort. For example, the maps were  
14 prepared by the Engineering Department, the legal  
15 descriptions and certain technical exhibits were  
16 prepared by the Corporate Development Department,  
17 and so on. After preparation of the application, I  
18 reviewed and signed it.

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

21 A. To the best of my knowledge, yes it is.

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

1       A.    Yes.  Florida Water has the financial and technical  
2            ability to provide service to the territory it has  
3            requested.  As reflected in its 1998 PSC annual  
4            report, Florida Water's total net utility assets  
5            exceed \$282 million, its total equity capital  
6            exceeds \$86 million, and its net utility operating  
7            income was over \$13 million.  Florida Water is the  
8            largest and one of the most experienced investor-  
9            owned water and wastewater utility in the state; it  
10           has a staff of licensed operators, engineers,  
11           accountants, and professionals qualified to provide  
12           the technical expertise necessary to support safe,  
13           adequate, reliable service to our customers.

14       **Q.    DO YOU HAVE ANY COMMENTS ON THE OBJECTION FILED BY**  
15       **CHARLOTTE COUNTY TO FLORIDA WATER'S APPLICATION?**

16       A.    Yes.  Charlotte County's objection, and subsequent  
17            pleadings, argue that Florida Water lacks the  
18            ability to provide service because Charlotte  
19            County, the supplier of bulk water and wastewater  
20            treatment to the Florida Water service area  
21            involved (Deep Creek), may not allow Florida Water  
22            to make additional connections due to alleged non-  
23            payment of connection charges.

24            The County's claim that Florida Water owes the

1 County water and wastewater capacity charges is  
2 false. Instead, the County owes Florida Water  
3 reimbursement for overpayment of capacity charges.  
4 The dispute between the parties stems from the  
5 County's attempt to alter the parties' bulk sale  
6 agreement which established the connection charges  
7 Florida Water was to pay and to collect excess  
8 charges. Florida Water maintains that the County  
9 had no power or right to unilaterally amend the  
10 contract by resolution, ordinance or otherwise  
11 thereby increasing the capacity charges or to  
12 assess excess charges. This is particularly so in  
13 this case since, the County's increased costs must  
14 be attributable to the higher than expected price  
15 the County was forced to pay in a quick-take  
16 condemnation proceeding for the former General  
17 Development Utilities' systems and to the County's  
18 utility decisions and practices, such as its  
19 decision to spend some \$20 million on a wastewater  
20 study project that caused a public furor and from  
21 which the County's customers received little  
22 benefit.

23 In April, 1999, Florida Water sued Charlotte  
24 County, seeking injunction relief from and money

1 damages for the County's improper overcharges. In  
2 May, 1999, Charlotte County answered Florida  
3 Water's complaint and counterclaimed for damages.  
4 No temporary injunction relief has been sought or  
5 granted which would impair Florida Water's ability  
6 to serve. The parties to these suits attended  
7 mediation at the end of October, and, although no  
8 settlement was reached, a compromise is still being  
9 considered.

10 In any event, at this time, the County's assertions  
11 should not detract from Florida Water's ability to  
12 provide service to the additional territory.

13 **Q. HAS FLORIDA WATER BEEN GRANTED A WATER AND**  
14 **WASTEWATER FRANCHISE BY DESOTO COUNTY?**

15 A. Yes. The ordinance granting the franchise is  
16 attached to the testimony of Florida Water witness  
17 Sweat. This ordinance has neither been stayed nor  
18 overturned in court, and is therefore, legally  
19 valid.

20 **Q. DOES FLORIDA WATER MAINTAIN THAT THE PSC SHOULD NOT**  
21 **GRANT LSU ANY TERRITORY WHICH OVERLAPS THAT ALREADY**  
22 **GRANTED FLORIDA WATER BY DESOTO COUNTY?**

23 A. Yes.

24 **Q. WHY?**

1       A.    This is not a case where a government intervener (a  
2            city or a county) owns and operates its own utility  
3            and claims territory for itself to the exclusion of  
4            a PSC regulated utility's attempts to serve the  
5            same area.    Pursuant to Section 367.171, DeSoto  
6            County has practically the same regulatory  
7            authority and responsibility the PSC would have if  
8            the PSC regulated utilities in DeSoto County. It  
9            stands to reason that if the PSC itself could not  
10           grant two utilities the same area, then the PSC  
11           should not grant a second utility an area which a  
12           County, acting in the role of the PSC, has already  
13           granted another utility. Just as the PSC requests  
14           the courts to respect the PSC's authority over the  
15           regulatory matters within PSC jurisdiction pursuant  
16           to Chapter 367, Florida Statutes, the PSC should  
17           respect DeSoto County's authority and jurisdiction  
18           --also established pursuant to Chapter 367, Florida  
19           Statutes--by not acting on Lake Suzy's request for  
20           territory already granted to Florida Water. Florida  
21           Water is ready, willing and able to serve this  
22           territory in accordance with DeSoto County's  
23           regulations and requirements, and Lake Suzy has  
24           presented no convincing proof otherwise.



1           The Commission should also consider another  
2           important factor in this case. In Docket No.  
3           950495-WS (Florida Water's last rate case) the  
4           Commission criticized Florida Water (then Southern  
5           States Utilities, Inc.) for allegedly failing to  
6           execute a cohesive acquisition strategy which  
7           incorporated considerations beyond immediate  
8           business criteria. This criticism was made even  
9           though each and every of Florida Water's prior  
10          acquisitions were approved by the Commission as  
11          being in the public interest. Moreover, during  
12          Florida Water's most active acquisition period,  
13          Florida Water rarely, if ever, paid more than net  
14          book value for acquired utilities. Aqua Source,  
15          which acquired the stock of Lake Suzy, as well as a  
16          number of other utilities, has at no time asserted  
17          or made apparent its acquisition strategy, if any.  
18          Aqua Source has routinely paid substantially over  
19          net book value for acquired utilities (more than  
20          \$13.5 million over net book value in the case of  
21          Rotunda West), and Aqua Source has little or no  
22          experience in the Florida regulatory arena.  
23          Florida Water maintains that the criticism  
24          expressed by the Commission in Docket No. 950495-WS

1 is more valid as applied to Aqua Source than it  
2 ever was to Florida Water.

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

4 **A. Yes, it does.**



February 18, 1998

**Via Federal Express**

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

Re: Docket No. \_\_\_\_\_ -WS  
Application for Amendment of Certificate Nos. 570-W and  
496-S in Charlotte County by Florida Water Services Corporation

Dear Ms. Bayo:

Enclosed for filing is one original application as described above. Also enclosed are 15 copies of the application, along with two sets of maps, an original and two copies of the applicable tariff sheets, the original and two copies of the certificates and the required filing fee check in the amount of \$200 (\$100 for water and \$100 for wastewater).

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

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

Sincerely,

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

Matthew J. Feil  
Staff Attorney

Enclosures

APPLICATION FOR AMENDMENT OF CERTIFICATE  
(EXTENSION OR DELETION)

PAGE 2 OF 89

(Pursuant to Section 367.045, Florida Statutes)

To: Director, Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of Water Certificate No. 570-W and/or Wastewater Certificate No. 496-S to add territory located in Charlotte County, Florida, and submits the following information:

**PART I** APPLICANT INFORMATION

- A) The full name (as it appears on the certificate), address, and telephone number of the applicant:

Florida Water Services Corporation  
Name of Utility

(407) 880-0058 (407) 880-1395  
Phone Number Fax Number

1000 Color Place  
Office Street Address

Apopka Florida 32703  
City State Zip Code

P.O. Box 609520, Orlando, FL 32860-9520  
Mailing address if different from street address

http://www.florida-water.com  
Internet Address if applicable

- B) The name, address and telephone number of the person to contact concerning this application:

Matthew J. Feil, Esquire (407) 880-0058, x260  
Name Phone Number

1000 Color Place  
Street Address

Apopka Florida 32703  
City State Zip Code



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

**PART IV      FINANCIAL AND TECHNICAL INFORMATION**

- A) Exhibit     L     - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit     M     - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. Order No. PSC-96-1320-FOF-WS, issued October 30, 1996. This order is currently on appeal before the First District Court of Appeal.
- D) Exhibit     N     - 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     O     - An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

**B)      TERRITORY MAPS**

Exhibit     P     - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' 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     Q     - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

PART VI NOTICE OF ACTUAL APPLICATION

A) Exhibit     R     - 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     S     - 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     T     - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.



## PART VII

FILING FEEPAGE 7 OF 89

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

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

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

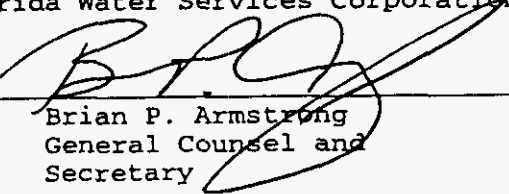
## PART VIII

TARIFF AND ANNUAL REPORTS

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

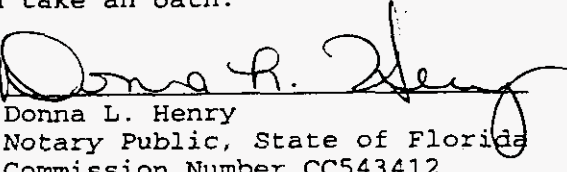
**PART IX      AFFIDAVIT**

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

Florida Water Services Corporation  
By:   
Brian P. Armstrong  
General Counsel and  
Secretary

Subscribed and sworn to me this 18th day of February, 1998, by Brian P. Armstrong as General Counsel and Secretary of Florida Water Services Corporation, a Florida corporation, who is personally known to me and did take an oath.

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

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

\*If the applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If the applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

Exhibit A

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

A subdivision of approximately 50 lots is developing in the proposed addition, which is adjacent to Florida Water Services existing Deep Creek service area. Florida Water Services' water and wastewater lines are located adjacent to the lots on Kings Highway. The Company maintains it would be the best water and wastewater provider for the proposed addition based on proximity and other factors referenced herein.

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 Comprehensive Plan, Florida Water Services believes that, to the best of its knowledge, the provision of service to the proposed territory will be consistent with the water and wastewater section of the said plan. The provision of water and wastewater service by Florida Water Services to customers in the proposed territory addition will benefit the customers in the area. Florida Water Services' water and wastewater service lines are in close proximity to the proposed territory addition. Further, Florida Water Services has considerable expertise in providing safe and reliable water and wastewater service to the area. Lake Suzy Utilities, one possible water and wastewater provider in the area, has limited experience and inferior technical and financial abilities. Charlotte County Utilities ("CCU") is the only other possible service provider, but CCU must cross I-75 to provide service. While this is possible, it is highly expensive and would not be in the best interest of the community to be served.

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 potable water services. Non-potable reuse service is not contemplated at this time, but may be provided at some undetermined future date.

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 system consists of a well-looped grid of 12-inch, 10-inch, 8-inch, 6-inch, and 4-inch water mains. Water pressure typically averages 50 psi throughout the system.

Florida Water Services does not own treatment or withdrawal facilities in Deep Creek. Water is obtained from Charlotte County via an 8-inch and 10-inch interconnect. The agreement between Charlotte County and Florida Water Services allows for water and sewer service for up to 10,000 residential units. There are currently 3163 water meters in Deep Creek.

The Company's water lines and water supply can adequately serve the proposed 50 additional connections.

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.

Florida Water Services' Deep Creek water system is not required to have operating or consumptive use permits since Florida Water Services does not own or operate any treatment or withdrawal plant associated with the system.

Currently, there are no construction permits issued for the system.

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 50 single-family homes.



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.

Florida Water Services does not own or lease any land in the service area and does not operate any water withdrawal or treatment or wastewater treatment or effluent disposal facilities in the service area. Florida Water Services purchases its potable water from Charlotte County and sends its wastewater to Charlotte County for treatment.

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. The system consists of 12-inch, 10-inch, and 8-inch collecting mains. The system also includes 6-inch force mains and 26 lift stations.

Florida Water Services does not own wastewater treatment facilities in Deep Creek. All of the wastewater is conveyed to Charlotte County via an 8-inch force main. The agreement between Charlotte County and Florida Water Services allows for water and sewer service for up to 10,000 residential units. There are currently 3216 sewer customers in Deep Creek.

The wastewater lines and County wastewater facilities are adequate to serve the proposed 50 connections.

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.

Florida Water Services' Deep Creek wastewater system is not required to have operating or disposal permits since Florida Water Services does not own or operate any treatment or disposal plant associated with the system.

Currently, there are no construction permits issued for the system.

Exhibit J

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 wastewater service territory will contain 50 single-family homes.

Exhibit K

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.

Florida Water Services does not own or lease any land in the service area and does not operate any water withdrawal or treatment or wastewater treatment or effluent disposal facilities in the service area. Florida Water Services purchases its potable water from Charlotte County and sends its wastewater to Charlotte County for treatment.

Exhibit L

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 138 water and wastewater service territories throughout the state, 127 of which are under the Commission's regulatory authority. Florida Water Services has a staff of engineers, scientists, accountants, and other professionals based in its Orlando headquarters, as well as, licensed operators that operate and maintain facilities located throughout the state. Furthermore, Florida Water Services facilities are in substantial compliance with all applicable environmental regulations. At year-end 1996, Florida Water Services' capital structure consisted of more than \$212 million in total capital, including more than \$130 million in long-term debt and more than \$82 million in equity capital. The Commission has acknowledged the technical and financial ability of Florida Water Services Corporation in numerous proceedings, including transfers and amendments. In consideration of the foregoing, Florida Water Services submits that it has more than adequate technical and financial ability to render service to the proposed amended territory.

Exhibit M

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 proposed service territory additions are normally designed and constructed by the developer in accordance with Florida Water Services' standards and specifications and then donated to Florida Water Services. Florida Water Services' capital costs, if any, will be dispensed from 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 Services' capital structure and overall contributions-in-aid-of-construction (CIAC) levels will be minimal.

Exhibit N

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

The proposed amendment concerns the Deep Creek service area. Florida Water Services believes that the development of 50 single family homes within the proposed territory should have little if any effect on the current rates at Deep Creek. In future rate proceedings this additional service area may have the effect of decreasing rates because of higher CIAC levels and a larger customer base, absent other changes in rate base and expenses.

The impact of the extension on Florida Water Services' prospective service availability charges is negligible given the fact that this area's total potential build out is 50 single-family homes.



Exhibit O

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

The territory proposed to be added is the same for both water and wastewater and is described as follows:

All in Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6

All of the North 660 feet of Section 6 East of the East right of way of Interstate 75.

## Amended Exhibit O

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

The territory proposed to be added is the same for both water and wastewater and is described as follows:

All in Township 40 South, Range 23 East, Charlotte County, Florida.

### Section 6

All of the North 660 feet of Section 6 East of the East right of way of Interstate 75.

The corrected territory proposed to be added is the same for both water and wastewater and is described as follows:

All in Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6: All of the North 320 feet of the East 2.662 feet of Section 6.

Exhibit P

One copy of an official county tax assessment map or other map showing township, range, and section with a scale such as 1" = 200' or 1" = 400' 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.

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

Amended Exhibit P

One copy of an official county tax assessment map or other map showing township, range, and section with a scale such as 1" = 200' or 1" = 400' 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.

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

The revised map reflecting a reduction to the requested territory addition is provided as a separate attachment (Revised Appendix P-1) to this package.

Exhibit Q

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

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

Amended Exhibit Q

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

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

The revised map reflecting a reduction to the requested territory addition is provided as a separate attachment (Revised Appendix Q-1) to this package.

Revised Exhibit R

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.

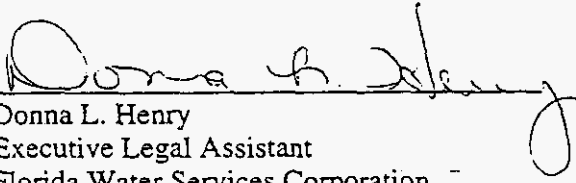
Please see attached.

Please see the affidavit attached to this Revised Exhibit R, which should replace the Exhibit R originally filed on February 18, 1998.

State of Florida  
County of Orange

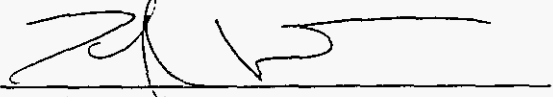
Before me, the undersigned authority, personally appeared Donna L. Henry as Executive Legal Assistant for Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

1. That she has personal knowledge of the matters contained herein.
2. Attached hereto and identified as "Revised Appendix R-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 "Revised Appendix R-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 "Revised Appendix R-3" were sent by regular or certified U.S. Mail on February 18, 1998, to those entities identified by the Commission on the aforesaid "Revised Appendix R-2." However, Mr. Dallas Shepard of Lake Suzy Utilities, Inc. was not provided the aforesaid notice by certified mail on February 18, 1998. Mr. Dallas Shepard of Lake Suzy Utilities, Inc. was sent the aforesaid notice, marked "Revised Appendix R-4" by certified mail on March 6, 1998.
5. Certified mail stubs are attached as "Revised Appendix R-5" for those notices sent by certified mail.

  
 Donna L. Henry  
 Executive Legal Assistant  
 Florida Water Services Corporation

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of March, 1998, by Donna L. Henry as Executive Legal Assistant for Florida Water Services Corporation who is personally known to me and did take an oath.

OFFICIAL NOTARY SEAL
KIRK D MARTIN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC561441
MY COMMISSION EXP. JUNE 16, 2000

  
 Kirk D. Martin  
 Notary Public, State of Florida at Large  
 Commission Number CC561441  
 My Commission Expires: 6-16-00



Revised Appendix R-1

Letter to Commission



February 12, 1998

Via Facsimile: (850) 413-7000  
and Federal Express

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

Re: Charlotte County Certificate Amendment

Dear Mr. Redemann:

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

I have attached a legal description for the proposed water and wastewater territory addition in Charlotte County.

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

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

Sincerely,

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

Donna L. Henry  
Executive Legal Assistant

Attachments

February 12, 1998

**Deep Creek**  
**Description of Proposed Service Territory Addition**

The territory proposed to be added is the same for both water and wastewater and is described as follows:

All in Township 40 South, Range 23 East, Charlotte County, Florida.

**Section 6**

All of the North 660 feet of Section 6 East of the East right of way of Interstate 75.

Revised Appendix R-2

List of Entities



**PUBLIC SERVICE COMMISSION**

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

---

To: Mr. Matt File

Date: 2-12-98

From: Richard Redemann

Page 1 of 4

---

LIST OF WATER AND WASTEWATER UTILITIES IN CHARLOTTE COUNTY

EXHIBIT

(BPA-1)

(VALID FOR 60 DAYS)  
02/12/1998-04/12/1998

PAGE 36 OF 89

UTILITY NAME

MANAGER

CHARLOTTE COUNTY

BOCILLA UTILITIES, INC. (WJ744)  
7025-A PLACIDA ROAD  
ENGLWOOD, FL 34224-8758

R. CRAIG NIDEN  
(941) 697-2000

FIVELAND INVESTMENTS, INC. (WJ736)  
ST. ARMANDS CIRCLE  
400 MADISON DRIVE, SUITE 200  
SARASOTA, FL 34236-1409

THEODORE C. STEFFENS  
(941) 388-3686

FLORIDA WATER SERVICES CORPORATION (WS666)  
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

NHC UTILITIES, INC. (WJ796)  
3737 EL JOBEAN ROAD (SP776)  
PORT CHARLOTTE, FL 33963-6669

SUSAN STURCELL  
(941) 624-4511

FAYPART UTILITIES, INC. (WS738)  
ST. ARMANDS CIRCLE  
400 MADISON DRIVE, SUITE 200  
SARASOTA, FL 34236-1409

THEODORE C. STEFFENS  
(941) 388-3686

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

ROBERT M.C. ROSE  
(880) 877-6665

(VALID FOR 60 DAYS)  
02/12/1998-04/12/1998

UTILITY NAMEMANAGERGOVERNMENTAL AGENCIES

BOARD OF COUNTY COMMISSIONERS, CHARLOTTE COUNTY  
CHARLOTTE COUNTY ADMINISTRATION CENTER  
18500 MURDOCK CIRCLE  
FORT CHARLOTTE, FL 33948-1094

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 364  
FORT MYERS, FL 33901

MAYOR, CITY OF PUNTA GORDA  
325 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 34609-6859

SOUTH FLORIDA WTR MANAGEMENT DISTRICT  
P.O. BOX 24630  
WEST PALM BEACH, FL 33416-4630

(VALID FOR 60 DAYS)  
02/12/1998-04/12/1998

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



State of Florida



# Public Service Commission

## FAX COVER SHEET

DATE: February 12, 1998

FROM: Division of Water & Wastewater, Richard Redemann P.E.  
Florida Public Service Commission

FAX (850) 413-7000

If you have any questions or problems, please contact me at (850) 413-6999.

TO: Mr. Matt Fell

FAX NUMBER: 6-1-407-880-1395

PHONE NUMBER:

comments: Desoto County List

Number of pages including cover sheet: 2

CAWP61

UTILITY NAMEMANAGERGOVERNMENTAL AGENCIES

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

Mr. Dallas A. Shepard  
Lake Suzy Utilities, Inc.  
12408 S. W. Sheri Avenue  
Lake Suzy, FL 34266

CLERK, BOARD OF COUNTY COMMISSIONERS, DESOTO COUNTY  
251 EAST OAK STREET  
ARCADIA, FL 34266-4426

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

MAYOR, CITY OF ARCADIA  
P. O. DRAWER 351  
ARCADIA, FL 34265-0351

S.W. FLORIDA WATER MANAGEMENT DISTRICT  
2779 BROAD STREET  
BROOKSVILLE, FL 34609-6899

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL  
C/O THE HOUSE OF REPRESENTATIVES  
THE CAPITOL  
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850



## NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

Notice is hereby given on February 13, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water Certificate No. 570-W and Wastewater Certificate No. 496-S to add territory in Charlotte County, Florida, as follows:

## CHARLOTTE COUNTY

DEEP CREEK -- PROPOSED ADDITION TO WATER  
AND WASTEWATER SERVICE TERRITORY:

All in Township 40 South, Range 23 East, Charlotte  
County, Florida:

Section 6

All of the North 660 feet of Section 6 East of the East right  
of way of Interstate 75.

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 applicant whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.

Revised Appendix R-4

Copy of Notice Dated March 6, 1998

## NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

Notice is hereby given on March 6, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water Certificate No. 570-W and Wastewater Certificate No. 496-S to add territory in Charlotte County, Florida, as follows:

## CHARLOTTE COUNTY

DEEP CREEK -- PROPOSED ADDITION TO WATER  
AND WASTEWATER SERVICE TERRITORY:

All in Township 40 South, Range 23 East, Charlotte  
County, Florida:

Section 6

All of the North 660 feet of Section 6 East of the East right  
of way of Interstate 75.

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 applicant whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.

Revised Appendix R-5

Certified Mail Stubs

P 246 492 847

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Division of Killebrew Park	
Street & Number 2540 Shilward Oak Blvd	
Post Office, State, & ZIP Code Tallahassee, FL 32395	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 841

US Postal Service  
Receipt for Certified Mail <sup>the H.S.</sup>  
No Insurance Coverage Provided. <sup>10/24/94</sup>  
Do not use for International Mail (See reverse)

Sent to State of Florida Kublick	
Street & Number The Capitol	
Post Office, State, & ZIP Code Tallahassee, FL 32399-1300	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 845

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to DEP South District	
Street & Number 2286 Victoria Ave. Ste. 304	
Post Office, State, & ZIP Code Fort Myers, FL 33901	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 846

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Mayor, City of Punta Gorda	
Street & Number 326 West Manon Ave	
Post Office, State, & ZIP Code Punta Gorda, FL 33950	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995



P 246 492 832

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to NHC Utilities, Inc.	
Street & Number 3737 E Jobean Rd.	
Post Office, State, & ZIP Code Fort Charlotte, FL 33518	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 840

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to S.W. Florida Water MGT.	
Street & Number 2379 Broad St.	
Post Office, State, & ZIP Code Dunelville, FL 34609-6899	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 834

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to Bocilla Utilities, Inc	
Street & Number 7025-A Placida Rd	
Post Office, State, & ZIP Code Englewood, FL 34224	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 839

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to DEP Southwest Dist.	
Street & Number 3804 Coconut Palm Dr	
Post Office, State, & ZIP Code Jasmine, FL 33618-8318	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 837

P 246 492 833

US Postal Service  
Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	
Fiveland Investments, Inc	
Street & Number	
St. Armands Circle	
Post Office, State, & ZIP Code	
400 Madison Dr. Suite 200	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
2/18/98	

PS Form 3800 April 1995

US Postal Service  
Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	
Robert B. & Sharon H.	
Street & Number	
24358 Kingsway Cir.	
Post Office, State, & ZIP Code	
Arcadia, FL 34266	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
2/18/98	

PS Form 3800 April 1995

P 246 492 838

US Postal Service  
Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	
Clerk Board of CC, Des	
Street & Number	
211 East Oak St.	
Post Office, State, & ZIP Code	
Arcadia, FL 34266-4126	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
2/18/98	

PS Form 3800 April 1995

P 246 492 835

US Postal Service  
Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	
Kampart Utilities Inc	
Street & Number	
400 Madison Dr. Suite 200	
Post Office, State, & ZIP Code	
Jarasota, FL 34236	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
2/18/98	

PS Form 3800 April 1995

P 246 492 844

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Board of County Commissioners	
Street & Number 15500 Murders Cir.	
Post Office, State, & ZIP Code Port Charlotte, FL 33949	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 843

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Div. of Rec. & Reports Florida Public Serv. Comm.	
Street & Number 2540 Shumard Oak Blvd.	
Post Office, State, & ZIP Code Tallahassee, FL 32395	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 2/18/98	

PS Form 3800, April 1995

P 246 492 831

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Dallas Shepard	
Street & Number 13408 S.W. Sheri Ave	
Post Office, State, & ZIP Code Lake City, FL 32066	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, April 1995

Appendix R-6

Certified Mail Return Receipt Cards for Entities

Add your address in the "RETURN TO" space on reverse.

ATTACH appropriate label as shown in Section 932 of the DMM.

MAY 13 1998

Mailing post office postmark to indicate fee previously paid for item 2.

1. AFTER MAILING: provide name of individual, company, or organization to whom delivered and date of delivery. (Attach appropriate fee as shown in Section 932.2 of the DMM)

2. DUPLICATE: provide name of individual, company, or organization to whom delivered and date of delivery.

3. DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.

3. Mailing Date: 2-18-98

4. COD No.

5. Registered No.

6. Certified No.: P246 492 834

7. Insured No.

8. Express Mail No.

9. Article Addressed To: Bonilla Utilities Inc 7025-A Placida Road Englewood FL

10. To: unable to read signature

11. Date of Delivery: 2-20-98

12. Address (Complete only if requested)

13. Clerk's Initials: Juy

MAY 15 1998

POSTAL RECORDS SHOW DELIVERY

PS Form 3811-A, July 1984 REQUEST FOR RETURN RECEIPT (AFTER MAILING)

is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fees.

3. Article Addressed to: Fiveland Investments, Inc St. Armands Cir. 400 Madison Dr. Suite 200 Sarasota, FL 34236

4a. Article Number: P246 492 833

4b. Service Type:

- Registered
- Certified
- Express Mail
- Insured
- Return Receipt for Merchandise
- COD

7. Date of Delivery: 2-23-98

5. Received By (Print Name): 886

6. Signature (Addressee or Agent): [Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

1b. For ATTACH Section

USPS 22810

Mailing post office postmark to indicate fee previously paid for item 2.

2. DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.

3. Mailing Date: 2-18-98

4. COD No.

5. Registered No.

6. Certified No.: P246 492 832

7. Insured No.

8. Express Mail No.

9. Article Addressed To: NHC Utilities Inc 3737 E-1 Jobean Rd Port Charlotte FL 33953

10. To:

11. Date of Delivery:

12. Address (Complete only if requested):

13. Clerk's Initials: [Signature]

MAY 15 1998

POSTAL RECORDS SHOW DELIVERY

PS Form 3811-A, July 1984 REQUEST FOR RETURN RECEIPT (AFTER MAILING)

(DPA-1)

is your RETURN ADDRESS completed on the reverse side?

• Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Resident Utilities, Inc  
 of Armands Cir  
 400 Madison Dr.  
 Suite 200  
 Sarasota, FL 34236

4a. Article Number  
 P 246 492 835

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 2-23-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X Kelli Kouta

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

is your RETURN ADDRESS completed on the reverse side?

• Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Board of County Comm.  
 Charlotte 3rd District  
 18500 Harwick Cir.  
 Fort Charlotte, FL  
 33948

4a. Article Number  
 P 246 492 340

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 2-23-98

5. Received By: (Print Name)  
 VICKIE L. POTTS  
 TAX COLLECTOR

6. Signature: (Addressee or Agent)  
 X [Signature]  
 BY: DANIEL ROE

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

This form must be completed at the PO and compared against the customer's receipt. Do not furnish this form to customers.

1b. For return receipt after mailing ATTACH APPROVED RECEIPT shown in Section 9.33 of the DMM.

• CUSTOMER: Complete items 1 or 2 and 3 through 9 below. Add your address in the "RETURN TO" space on reverse.

1.  AFTER MAILING: provide name of individual, company, or organization to whom delivered and date of delivery.  
 2.  DUPLICATE: provide name of individual, company, or organization to whom delivered and date of delivery.  
 3.  DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.

2. Mailing Date  
 2-18-98

4. COD No.

5. Registered No.  
 P246 492 845

6. Certified No.

7. Insured No.

8. Express Mail No.

9. Article Addressed To  
 DEP South District 2286 Victoria Ave Ft. Myers FL 33901

10. To  
 DEP 2286 Victoria Ave  
 Ft. Myers FL 33901

11. Date of Delivery  
 2-20-98 (D. Jones)

12. Address (Complete only if requested)

13. City, State, and ZIP Code  
 FORT MYERS FL 33901

14. Postmark of Delivery Office  
 FORT MYERS FL 33901

Do not process if Section 9.33 above is not completed.

PS Form 3811-A, July 1984 REQUEST FOR RETURN RECEIPT (AFTER MAILING)

This form must be completed at the PO and compared against the customer's receipt. Do not furnish this form to customers.

MAILING POST OFFICE POSTMARK TO INDICATE FEE PREVIOUSLY PAID FOR ITEM 2. 1550 2-18-98		TO WHOM DELIVERED AND DATE OF DELIVERY. <input type="checkbox"/> 1 <sup>st</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.	
3. Mailing Date		4. COD No.	
5. Registered No.		6. Certified No.	
7. Insured No.		8. Express Mail No.	
9. Article Addressed To MAYR, City of Punta Gorda 326 West Marion Avenue Punta Gorda FL 33950			
10. To MARY CHEEVER		14. Postmark of Delivery Office PUNTA GORDA, FL MAY 18 1998 Do not process if Section 1b above is not completed. Mc & S	
11. Date of Delivery 2/20/98		13. Clerk's Initials AP	
12. Address (Complete only if requested)		13. Clerk's Initials	

PS Form 3811-A, July 1984 REQUEST FOR RETURN RECEIPT (AFTER MAILING)

This form must be completed at the PO and compared against the customer's receipt. Do not furnish this form to customers.

1b. Fee return receipt after mailing. ATTACH appropriate fee as shown in Section 932.2 of the DMM.		• CUSTOMER:—Complete items 1 or 2 and 3 through 9 below. Add your address in the "RETURN TO" space on reverse.	
MAY 13 1998 Mailing post office postmark to indicate fee previously paid for item 2.		<input type="checkbox"/> 1 <sup>st</sup> AFTER MAILING: provide name of individual, company, or organization to whom delivered and date of delivery. (Attach appropriate fee as shown in Section 932.2 of the DMM.) <input checked="" type="checkbox"/> 2 <sup>nd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered and date of delivery. <input type="checkbox"/> 3 <sup>rd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.	
3. Mailing Date		4. COD No.	
5. Registered No.		6. Certified No.	
7. Insured No.		8. Express Mail No.	
9. Article Addressed To S.W. Florida Water Mgmt District 2379 Broad Street Brooksville FL 34609			
10. To SILAS ROOKER		14. Postmark of Delivery Office BROOKSVILLE FL MAY 21 1998 Do not process if Section 1b above is not completed. 34609	
11. Date of Delivery 2-20-98		13. Clerk's Initials AP	
12. Address (Complete only if requested)		13. Clerk's Initials	

PS Form 3811-A, July 1984 REQUEST FOR RETURN RECEIPT (AFTER MAILING)

This form must be completed at the PO and compared against the customer's receipt. Do not furnish this form to customers.

<b>SENDER:</b> • Complete items 1 and/or 2 for additional services. • Complete items 3, 4a, and 4b. • Print your name and address on the reverse of this form so that we can return the card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Division of Records & Rep. Florida Public Serv. Comm. 2500 Shumard Oak Blvd Tallahassee, FL 32399		4a. Article Number P 246 492 843	
5. Received By: (Print Name) SOS		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6.		7. Date of Delivery FEB 20 1998	
8. Addressee's Address (Only if requested and fee is paid)			

Receipt

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: Clerk, Board of CC Desoto County 261 East Oak St. Arcadia, FL 34266-4426		4a. Article Number P 246492838
5. Received By: (Print Name)		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
6. Signature (Addressee or Agent) <i>[Signature]</i>		7. Date of Delivery FEB. 20, 1998
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

1b. For return receipt after mailing ATTACH appropriate fee as shown in Section 937.2 of the DMM.	• CUSTOMER—Complete items 1 or 2 and 3 through 9 below. Add your address in the "RETURN TO" space on reverse.	
	<input type="checkbox"/> 1 <sup>st</sup> AFTER MAILING: provide name of individual, company, or organization to whom delivered and date of delivery. (Attach appropriate fee as shown in Section 937.2 of the DMM.) <input checked="" type="checkbox"/> 2 <sup>nd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered and date of delivery. <input type="checkbox"/> 3 <sup>rd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.	
	3. Mailing Date 2-18-98	4. COD No.
	5. Registered No. P246 492 839	6. Certified No.
9. Article Addressed To DEP Southwest District 3804 Coconut Palm Drive Tampa FL 33618-8318	10. To EPA - CYNTHIA M. CRAVON	14. Postmark of Delivery Office TAMPA FL 336 MAY 22 1998 Do not process if Section 937.2 of the DMM is not completed. INQUIRY
11. Date of Delivery 2-20-98	12. Address (Complete only if requested)	13. Clerk's Initials R
PS Form 3811-A, July 1984		REQUEST FOR RETURN RECEIPT (AFTER MAILING)

1b. For return receipt after mailing ATTACH appropriate fee as shown in Section 937.2 of the DMM.	• CUSTOMER—Complete items 1 or 2 and 3 through 9 below. Add your address in the "RETURN TO" space on reverse.	
	<input type="checkbox"/> 1 <sup>st</sup> AFTER MAILING: provide name of individual, company, or organization to whom delivered and date of delivery. (Attach appropriate fee as shown in Section 937.2 of the DMM.) <input checked="" type="checkbox"/> 2 <sup>nd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered and date of delivery. <input type="checkbox"/> 3 <sup>rd</sup> DUPLICATE: provide name of individual, company, or organization to whom delivered, date of delivery, and place of delivery.	
	3. Mailing Date 2-18-98	4. COD No.
	5. Registered No. P246 492 841	6. Certified No.
9. Article Addressed To State of Florida Public Counsel The Capitol Tallahassee FL 32399-1300	10. To	14. Postmark of Delivery Office TALLAHASSEE FL 323 MAY 27 1998 Do not process if Section 937.2 of the DMM is not completed.
11. Date of Delivery 2-20-98	12. Address (Complete only if requested)	13. Clerk's Initials C76
PS Form 3811-A, July 1984		REQUEST FOR RETURN RECEIPT (AFTER MAILING)



Is your RETURN ADDRESS completed on the reverse side?	<b>SENDER:</b>		Thank you for using United Parcel's Domestic Certified	
	<ul style="list-style-type: none"> <li>• Complete items 1 and/or 2 for additional services.</li> <li>• Complete items 3, 4a, and 4b.</li> <li>• Print your name and address on the reverse of this form so that we can return this card to you.</li> <li>• Attach this form to the front of the mailpiece, or on the back if space does not permit.</li> <li>• Write "Return Receipt Requested" on the mailpiece below the article number.</li> <li>• The Return Receipt will show to whom the article was delivered and the date delivered.</li> </ul>			I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
	3. Article Addressed to:			4a. Article Number
	Dallas Shepard 12455 Swisher Ave Lake Buena Vista, FL 32816			492 831 4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
	5. Received By: (Print Name)			7. Date of Delivery
6. Signature (Addressee or Agent)		8. Addressee's Address (Only if requested and fee is paid)		
[Signature] PS Form 3811, December 1994		3-9-98 Domestic Return Receipt		

Exhibit S

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.

Please see attached. Upon information and belief, Florida Water Services understands that Lake Suzy Utilities, Inc., is currently providing water service to one property within the proposed addition. That property has a street address of: 24358 Kingsway Circle, Arcadia, Florida 34266. According to the Charlotte County Property Appraiser's Office the mailing address for the owner of said property is: Robert B. and Sharon Helphenstine, Southwest Kingsway Circle, Arcadia, Florida 34266.

As there are no other customers in the proposed territory to be added and no "system" is in place, no other customers need be noticed in accordance with the rule.

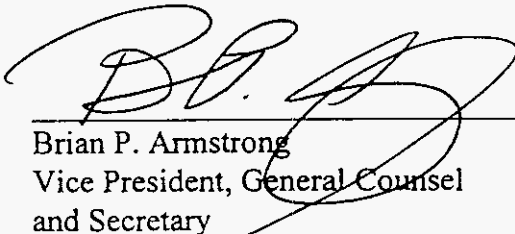
## Affidavit

State of Florida  
County of Orange

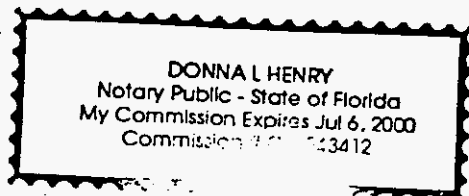
Before me, the undersigned authority, personally appeared Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

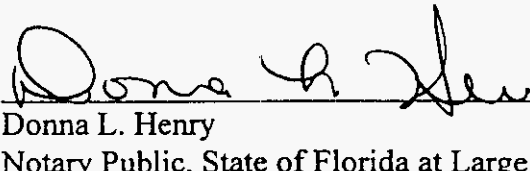
1. That he has personal knowledge of the matters contained herein.
2. Attached hereto and identified as "Appendix S-1" is a copy of the notice of application.
3. Robert B. and Sharon Helphenstine were the only customers in the proposed service territory addition known to Florida Water and their mailing address was obtained from the Charlotte County Property Appraisers Office, to wit: Robert B. and Sharon Helphenstine, Southwest Kingsway Circle, Arcadia, Florida 34266.
4. Copies of the notice were sent by U.S. Mail on February 18, 1998, to those customers identified above.

Further Affiant sayeth not.

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

The foregoing instrument was acknowledged before me this 18th day of February, 1998, by Brian P. Armstrong, Vice President, General Counsel and Secretary of Florida Water Services Corporation, who is personally known to me and did take an oath.



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

EXHIBIT

(BPA-1)

Appendix S-1

PAGE 58

OF 89

Notice

NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

As a potential customer, you are hereby noticed on February 18, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water Certificate No. 570-W and Wastewater Certificate No. 496-S to add territory in Charlotte County, Florida, as follows:

CHARLOTTE COUNTY

DEEP CREEK -- PROPOSED ADDITION TO WATER  
AND WASTEWATER SERVICE TERRITORY:

All in Township 40 South, Range 23 East, Charlotte  
County, Florida:

Section 6

All of the North 660 feet of Section 6 East of the East right  
of way of Interstate 75.

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 applicant whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.

EXHIBIT \_\_\_\_\_  
PAGE 59 OF 89  
(DPH-1)

Amended Exhibit S

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.

Please see attached. Upon information and belief, Florida Water Services understands that Lake Suzy Utilities, Inc., is currently providing water service to one property within the proposed addition. That property has a street address of: 24358 Kingsway Circle, Arcadia, Florida 34266. According to the Charlotte County Property Appraiser's Office the mailing address for the owner of said property is: Robert B. and Sharon Helphenstine, Southwest Kingsway Circle, Arcadia, Florida 34266.

As there are no other customers in the proposed territory to be added and no "system" is in place, no other customers need be noticed in accordance with the rule.

It has recently come to the attention of Florida Water Services that the persons listed in the attached Amended Appendix S-2 own property in the proposed service territory addition. Florida Water is not currently providing service to these properties and does not know whether Lake Suzy Utilities, Inc. currently provides service. However, in an abundance of caution, Florida Water Services has provided these property owners with notice as stated in the Affidavit attached hereto. Notice was sent by certified mail to Mr. & Mrs. Helphenstine on February 18, 1998, as stated in the original Exhibit S.



Amended Appendix S-1

Notice





Amended Appendix S-2

## Customer List

William Byrd  
3851 Loves Creek Drive  
Howell, MI 48843

Duane and Joan Deplonty  
P. O. Box 309  
Punta Gorda, FL 33951

Willard Wade Dills  
79 Roundtree Drive  
Port Orange, FL 32127

Charles H. Tapalian  
P. O. Box 6684  
Providence, RI 02940

Darwin and Imogene Hany  
30 Rubi Circle  
Hot Springs, AR 71909

Ann Galante  
23033 Westchester Blvd., Apt. D502  
Port Charlotte, FL 33980

G. C. Parsons  
121 Sinclair Street SE  
Port Charlotte, FL 33952

Amended Appendix S-3

Certified Mail Stubs

P 123 394 040



Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Ann Galante	
Street and No. 23033 Westchester Blvd., #D502	
P.O., State and ZIP Code Port Charlotte, FL 33980	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 043



Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Charles H. Tapalian	
Street and No. P.O. Box 6684	
P.O., State and ZIP Code Providence, RI 02940	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 038



Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Darwin and/or Imogene Hany	
Street and No. 30 Rubi Circle	
P.O., State and ZIP Code Hot Springs, AR 71909	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 039



Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Duane and/or Joan Deplonty	
Street and No. P. O. Box 309	
P.O., State and ZIP Code Punta Gorda, FL 33951	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 041



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Willard Wade Dills	
Street and No. 79 Roundtree Drive	
P.O., State and ZIP Code Port Orange, FL 32127	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 037



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to Mr. William Byrd	
Street and No. 3851 Loves Creek Dr.	
P.O., State and ZIP Code Howell, MI 48843	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

P 123 394 042



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to C. C. Parsons	
Street and No. 121 Sinclair Street SE	
P.O., State and ZIP Code Port Charlotte, FL 33952	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3-6-98	

PS Form 3800, June 1991

EXHIBIT (BPA-1)

Appendix S-4

PAGE 68 OF 89

**Certified Mail Return Receipt Cards for Customers**

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Robert B + Sharon  
 Helphenstine  
 24358 Kingsway Cir  
 Arcadia, FL 34266

4a. Article Number  
 P 2416412 837

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 2-27-98

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Addressee)  
 [Signature]

PS Form 3811, December 1994 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Mr. William Byrd  
 3851 Loves Creek Drive  
 Howell, MI 48843

4a. Article Number  
 P 173 394 037

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 MAR 12 1998

5. Signature (Addressee)  
 KATHY BYRD

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)  
 [Signature]

PS Form 3811, December 1994 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

Fold at line over top of envelope to the

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Darwin and/or Imogene Mary  
 430 Eubi Circle  
 Hot Springs, AR 71909

4a. Article Number  
 P123 394 038

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 3-10-98

5. Signature (Addressee)  
 [Signature]

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)  
 [Signature]

PS Form 3811, December 1994 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

is your RETURN ADDRESS completed on the reverse side?

Complete items 1 and/or 2 for additional services.  
 Complete items 3, and 4a & b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Duane and/or Joan Deplonty  
 P. O. Box 309  
 Punta Gorda, FL 33951

4a. Article Number  
 P123 394 039

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 MAR 11 1996

5. Signature (Addressee)  
 Debbie Honeywell

6. Signature (Agent)  
 Debbie Honeywell

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

is your RETURN ADDRESS completed on the reverse side?

Complete items 1 and/or 2 for additional services.  
 Complete items 3, and 4a & b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Ann Carlotta  
 23033 Westchester Blvd., Apt. D502  
 Port Charlotte, FL 33980

4a. Article Number  
 P123 394 040

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 3-9

5. Signature (Addressee)  
 Ann Carlotta

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

is your RETURN ADDRESS completed on the reverse side?

Complete items 1 and/or 2 for additional services.  
 Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Willard Wade Dills  
 79 Raintree Dr.  
 Port Orange, FL  
 32127-5936

4a. Article Number  
 P 246 492 830

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 3/19/98

5. Received By: (Print Name)  
 X Willard Dills

6. Signature: (Addressee or Agent)  
 X Willard Dills

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Registered Mail.



is your RETURN ADDRESS completed on the reverse side

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
G. C. Parsons  
121 Sinclair Street SE  
Port Charlotte, FL 33952

4a. Article Number  
P 123 394 042

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
3-9-98

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

is your RETURN ADDRESS completed on the reverse side

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Charles H. Tapalian  
P. O. Box 6684  
Providence, RI 02940

4a. Article Number  
P 123 394 043

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
MAR 11 1998

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

Exhibit T

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 T-1 is Florida Water Services' request for publication of the required notice.

Appendix T-1



EXHIBIT

(BPH)

PAGE

74

OF

89

February 18, 1998

VIA FACSIMILE (941) 629-2085

Sun Herald  
Attn: Susan  
P. O. Box 2390  
Port Charlotte, FL 33949-2390

Re: Legal Notice

Dear Susan:

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

The invoice and affidavit should be sent to:

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

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

Sincerely,

A handwritten signature in black ink that reads "Donna Henry". The signature is written in a cursive style.

Donna L. Henry  
Executive Legal Assistant

Enclosure

## NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

Notice is hereby given on February 18, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water Certificate No. 570-W and Wastewater Certificate No. 496-S to add territory in Charlotte County, Florida, as follows:

## CHARLOTTE COUNTY

DEEP CREEK -- PROPOSED ADDITION TO WATER  
AND WASTEWATER SERVICE TERRITORY:

All in Township 40 South, Range 23 East, Charlotte  
County, Florida:

Section 6

All of the North 660 feet of Section 6 East of the East right  
of way of Interstate 75.

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 applicant whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.

February 18, 1998

The DeSoto Sun Herald  
Attn: Angie  
207 W. Oak Street  
Arcadia, FL 34266

Re: Legal Notice

Dear Angie:

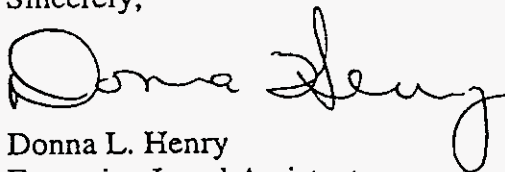
Enclosed is a legal notice. Please run this notice one time in the DeSoto Sun Herald at your earliest convenience. Please provide me with an affidavit of publication as soon as possible.

The invoice and affidavit should be sent to:

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

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

Sincerely,



Donna L. Henry  
Executive Legal Assistant

Enclosure

NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

Notice is hereby given on February 18, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water Certificate No. 570-W and Wastewater Certificate No. 496-S to add territory in Charlotte County, Florida, as follows:

CHARLOTTE COUNTY

DEEP CREEK -- PROPOSED ADDITION TO WATER AND WASTEWATER SERVICE TERRITORY:

All in Township 40 South, Range 23 East, Charlotte County, Florida:

Section 6

All of the North 660 feet of Section 6 East of the East right of way of Interstate 75.

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 applicant whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.

Late Filed Exhibit T



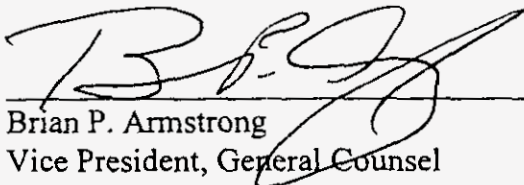


State of Florida  
County of Orange

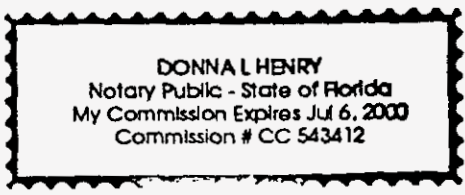
Before me, the undersigned authority, personally appeared Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation ("Florida Water") and after being duly sworn, said:

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

Further Affiant sayeth not.

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

The foregoing instrument was acknowledged before me this 18th day of February, 1998, by Brian P. Armstrong as Vice President, General Counsel and Secretary of Florida Water Services Corporation, who is personally known to me and did take an oath.



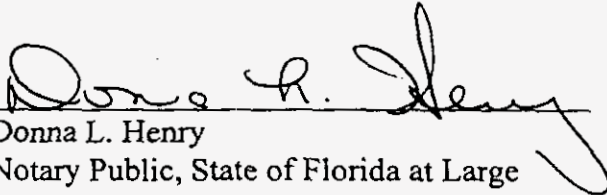
  
 Donna L. Henry  
 Notary Public, State of Florida at Large  
 Commission Number CC543412  
 My Commission Expires: 7-6-00

Exhibit U

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

Please see attached.

FLORIDA WATER SERVICES CORPORATION  
WATER TARIFF

VOLUME I SECTION II  
1st Revised Sheet No. 4.4  
Cancels Original Sheet No. 4.4

CHARLOTTE COUNTY

Description of Territory Served

DEEP CREEK (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
18.	North 89°40'24" West	3,122.92 feet		West through Section 17 to a point of intersection with the Eastern right of way of Interstate I-75, 1,298.92 feet South of the North line of Section 17 and 2,213.84 feet East of the West line of Section 17.
19.	North 31°43'37" West	1,525.92 feet		Northwesterly through Section 17 along the Eastern right of way line of I-75 to a point on the North line of Section 17 and the South line of Section 8, Township 40 South, Range 23 East, 1,413.06 feet East of the Southwest corner of Section 8.
20.	North 28°57'25" West	2,927.15 feet		Northwesterly through Section 8 along the Eastern right of way line of I-75 to the West quarter of Section 8 and the East quarter corner of Section 7, Township 40 South, Range 23 East.
21.	North 28°57'25" West	3,190.52 feet		Northwesterly from the East quarter corner of Section 7 to a point of intersection with the North line of Section 7 1,540.20 feet West of the Northeast corner of Section 7.
22.	South 89°56'58" East	1,540.20 feet		East along the North line of Section 7 to the Northeast corner of Section 7 and the Southwest corner of Section 5, Township 40 South, Range 23 East.
23.	North 00°13'30" East	5,315.13 feet		North along the West line of Section 5 to the Northwest corner of Section 5 and the Point of Beginning.

Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6  
All of the North 660 feet of Section 6 East of the East right-of-way of Interstate 75.

Effective Date:

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

FLORIDA WATER SERVICES CORPORATION  
WASTEWATER TARIFF

VOLUME II SECTION II  
1st Revised Sheet No. 2.9  
Cancels Original Sheet No. 2.9

CHARLOTTE COUNTY

Description of Territory Served

DEEP CREEK (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
60.	North 31°43'37" West	1,525.92 feet		Northwesterly through Section 17 along the Eastern right of way line of I-75 to a point on the North line of Section 17 and the South line of Section 8, Township 40 South, Range 23 East, 1,413.06 feet East of the Southwest corner of Section 8.
61.	North 28°57'25" West	2,927.15 feet		Northwesterly through Section 8 along the Eastern right of way line of I-75 to the West quarter corner of Section 8 and the East quarter corner of Section 7, Township 40 South, Range 23 East
62.	North 28°57'25" West	3,190.52 feet		Northwesterly from the East quarter corner of Section 7 to a point of intersection with the North line of Section 7 1,540.20 feet West of the Northeast corner of Section 7.
63.	South 89°56'58" East	1,540.20 feet		East along the North line of Section 7 to the Northeast corner of Section 7 and the Southwest corner of Section 5, Township 40 South, Range 23 East.
64.	North 00°13'30" East	5,315.13 feet		North along the West line of Section 5 to the Northwest corner of Section 5 and the Point of Beginning.

Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6

All of the North 660 feet of Section 6 East of the East right-of-way of Interstate 75.

Effective Date:

By:

*Forrest L. Ludsen*

Forrest L. Ludsen, Vice President  
Business Development

Exhibit V

The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions.

An original and two separate copies of revised tariff sheet are enclosed with cover letter.



FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number  
496 - 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, FL 32703 (Charlotte County)

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	PSC-95-1164-FOF-WS	DOCKET	941301-WS
ORDER	PSC-97-0427-FOF-WS	DOCKET	970028-WS
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	

BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION



*Blanca S. Gaus*  
Director  
Division of Records and Reporting

GE-7 LEGAL FORMS

BCC10-81



Amended Exhibit V

The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions.

An original and two separate copies of revised tariff sheet are enclosed with cover letter.

An original and two separate copies of corrected tariff sheets reflecting revision to the requested territory addition are enclosed with the cover letter.

FLORIDA WATER SERVICES CORPORATION  
WATER TARIFF

VOLUME I SECTION II  
1st Revised Sheet No. 4.4  
Cancels Original Sheet No. 4.4

CHARLOTTE COUNTY

Description of Territory Served

DEEP CREEK (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
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19.	North 31°43'37" West	1,525.92 feet		Northwesterly through Section 17 along the Eastern right of way line of I-75 to a point on the North line of Section 17 and the South line of Section 8, Township 40 South, Range 23 East, 1,413.06 feet East of the Southwest corner of Section 8.
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22.	South 89°56'58" East	1,540.20 feet		East along the North line of Section 7 to the Northeast corner of Section 7 and the Southwest corner of Section 5, Township 40 South, Range 23 East.
23.	North 00°13'30" East	5,315.13 feet		North along the West line of Section 5 to the Northwest corner of Section 5 and the Point of Beginning.

Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6  
All of the North 320 feet of the East 2,652 feet of Section 6.

Effective Date:

By:

*Forrest L. Ludsen*

Forrest L. Ludsen, Vice President  
Business Development

FLORIDA WATER SERVICES CORPORATION  
WASTEWATER TARIFF

VOLUME II SECTION II  
1st Revised Sheet No. 2.9  
Cancels Original Sheet No. 2.9

CHARLOTTE COUNTY

Description of Territory Served

DEEP CREEK (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
60.	North 31°43'37" West	1,525.92 feet		Northwesterly through Section 17 along the Eastern right of way line of I-75 to a point on the North line of Section 17 and the South line of Section 8, Township 40 South, Range 23 East, 1,413.06 feet East of the Southwest corner of Section 8.
61.	North 28°57'25" West	2,927.15 feet		Northwesterly through Section 8 along the Eastern right of way line of I-75 to the West quarter corner of Section 8 and the East quarter corner of Section 7, Township 40 South, Range 23 East
62.	North 28°57'25" West	3,190.52 feet		Northwesterly from the East quarter corner of Section 7 to a point of intersection with the North line of Section 7 1,540.20 feet West of the Northeast corner of Section 7.
63.	South 89°56'58" East	1,540.20 feet		East along the North line of Section 7 to the Northeast corner of Section 7 and the Southwest corner of Section 5, Township 40 South, Range 23 East.
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Township 40 South, Range 23 East, Charlotte County, Florida.

Section 6

All of the North 320 feet of the East 2,662 feet of Section 6.

Effective Date:

By:

*Forrest L. Ludsen*

Forrest L. Ludsen, Vice President  
Business Development