# HOLLAND & KNIGHT LLP

315 South Calhoun Street Suite 600 P.O. Drawer 810 (ZIP 32302-0810) Tallahassee, Florida 32301

850-224-7000 FAX 850-224-8832 www.hklaw.com

September 23, 2003

Annapolis San Francisco Seattle Atlanta Bethesda Tallahassee Boston Tampa Bradenton Washington, D.C. Chicago\* West Palm Beach Fort Lauderdale International Offices. Jacksonville Caracas\*\* Lakeland Los Angeles Helsinki Miami Mexico City New York Rio de Janeiro Northern Virginia São Paulo Orlando Tel Aviv\*\* Portland Tokyo Providence

D. BRUCE MAY, JR. 850-425-5607

bruce.may@hklaw.com

St. Petersburg

San Antonio

### VIA HAND DELIVERY

Blanca S. Bayo
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

COMMISSION

ට SEP 23 PM 3: 06

\*Holland & Knight LLC

\*\*Representative Office

In re: Joint Application of IHC Realty Partnership L.P. and Columbia Properties Stuart, LLC for Authority to Transfer Certificate Nos. 336-W and 291-S, Docket No. 030891-WS

Dear Ms. Bayo:

AUS CAF

CMP COM CTR

ECR GCL OPC

MMS SEC OTH Re:

Enclosed for filing in the referenced docket are an original and twelve (12) copies of the Notice of Filing Late-Filed Exhibits of IHC Realty Partnership, L.P. d/b/a Plantation Utilities, along with late-filed exhibits "F", "G" and "H" to the Joint Application for Authority to Transfer Certificate Nos. 336-W and 291-S.

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

• Blanca Bayo September 23, 2003 Page 2

Sincerely,

HOLLAND & KNIGHT LLP

DBM:kjg Enclosures

cc: Donald S. Hart, Esq. (w/enclosures)

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Application for Authority to Transfer Certificate Nos. 336-W and 291-S in Martin County, Florida from IHC Realty Partnership, L.P. d/b/a Plantation Utilities to Columbia Properties Stuart, LLC.

Docket No. 030891-WS

Filed: September 23, 2003

### NOTICE OF FILING LATE-FILED EXHIBITS

IHC Realty Partnership, L.P. d/b/a Plantation Utilities, by and through its undersigned counsel, hereby gives notice that on this 23<sup>rd</sup> day of September, it has filed with the Director, Division of the Commission Clerk and Administrative Services, the following late-filed exhibits to the Joint Application previously filed on September 8, 2003:

- 1. Exhibit "F" Affidavit of Notice to entities listed by Florida Public Service Commission;
- 2. Exhibit "G" Affidavit of Mailing Notice to utility customers; and
- 3. Exhibit "H" Affidavit of Publication of Notice.

Respectfully submitted this 23<sup>rd</sup> day of September, 2003.

D. Bruce May

Florida Bar No. 0354473

HOLLAND & KNIGHT LLP

P. O. Drawer 810

Tallahassee, Florida 32302

(850) 224-7000

Attorneys for IHC Realty Partnership, L.P. d/b/a Plantation Utilities NUMBER - DAIE

09114 SEP 238

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via United States Mail to: Donald S. Hart, Esquire, Glenn, Rasmussen, Fogarty & Hooker, P.A., P.O. Box 3333, Tampa, FL 33061-3333 and Rosanne Gervasi, Florida Public Service Commission, Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, this 23<sup>rd</sup> day of September, 2003.

D. Bruce May

### **AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF LEONS

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared CONNIE H. SHIVERS, CLA who, after being duly sworn on oath, did depose on oath and say that she is a paralegal with Holland & Knight LLP, attorneys for IHC Realty Partnership, L.P., d/b/a Plantation Utilities, and that on September 9, 2003, she did send by regular United States mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

Connie H. Shivers, CLA

SWORN TO and subscribed before me this 23 day of September 2003, by Connie H. Shivers, CLA, who did take an oath.

Personally Known Produced Identification Form of Identification

Notary Public

Print Name

My Commission Expression

mailed 9/9/03/ ATES / CAS

### APPLICATION FOR TRANSFER OF CERTIFICATES

(Section 367.071, Florida Statutes)

### LEGAL NOTICE

Notice is hereby given on September 9, 2003, pursuant to Section 367.071, Florida Statutes, of the application for a transfer of Water Certificate No. 336-W and Wastewater Certificate No. 291-S held by IHC Realty Partnership, L.P. d/b/a Plantation Utilities to Columbia Properties Stuart, LLC, providing service to the following described territory in Martin County, Florida:

#### **UTILITY SERVICE AREA**

Being a parcel of land lying in Government Lots 3, 4, 5, 6, 7, 8, 9 and 10 of Section 31, Township 37 South, Range 42 East and a portion of Government Lot 1 of Section 32, Township 37 South, Range 42 East, more particularly described as follows:

Begin at a point of intersection of the Southeasterly Right-of-Way line of State Road A-1-A (being a 200 feet Right-of-way) and the South line of the North 1000 feet of Government Lots 3, 4 and 5 of said Section 31; thence North 88°44'44" East along said South line of the North 1000 feet of Government Lots 3, 4, and 5, a distance of 1650 feet more or less to the Mean High Water line of the Atlantic Ocean; thence Southeasterly along the Mean High Water line of the Atlantic Ocean, a distance of 1880 feet more or less to the Easterly prolongation of the South line of Government Lot 6 of Section 31, Township 37 South, Range 42 East; thence North 89°23'27" West along the Easterly prolongation of the South line of Government Lot 6, a distance of 510 feet more or less to the Easterly right-of-way of MacArthur Boulevard relocated. as recorded in O.R. Book 438, Page 293 through 295, Public Records of Martin County, Florida: thence along said South line of Government Lot 6 of Section 31. Township 37 South, Range 42 East, a distance of 396.89 feet; thence departing said South line of Government Lot 6, North 01°10'31" East, a distance of 45.00 feet; thence North 89°23'27" West, a distance of 231.50 feet; thence North 01°10'31" East, a distance of 45.00 feet; thence North 89°23'27" West, a distance of 60.00 feet; thence South 01°10'31" West, a distance of 735.34 feet; thence South 43°49'29" East, a distance of 69 feet more or less to the Mean High Water line of the Indian River, thence along the Mean High Water line of the Indian River, Southerly, Westerly and Northwesterly, a distance of 4950 feet more or less; thence North 12°15'46" West, a distance of 174 feet more or less to the Easterly Right-of-Way line of State Road A-1-A; thence along the Easterly Right-of-Way of State Road A-1-A (being a 200 foot Right-of-Way), North 62°27'20" East, a distance of 1937.31 feet to the Point of Beginning.

### TOGETHER WITH THE FOLLOWING:

Commence at a point of intersection of the Southeasterly right-of-way of State Road A-1-A being a 200 foot right-of-way and the South line of the North 1000 feet of Government Lot 4 of said Section 31, thence North 88°44'44" West, along said South line of the north 1000 feet, a distance of 415.17 feet to the Northwesterly right-of-way line of State Road A-1-A and the Point of Beginning of the following described parcel:

Thence continue North 88°44'44" West, along the aforesaid South line of the North 1000 feet, a distance of 1505.00 feet more or less to the intersection with the Mean High Water line of the Indian River; thence meander the said Mean High Water line Southerly, a distance of 375.00 feet more or less to the intersection with the North line of said Government Lot 8; thence South 89°07'26" East, along said North line of Government Lot 8, a distance of 351.00 feet more or less to that point of intersection with a line that is 880.00 feet West of, as measured at right angles and parallel with the East line of said Government Lot 8, thence South 00°59'59" West, along lastly said line, a distance of 248.73 feet to the said Northwesterly right-of-way line of State Road A-1-A; thence North 62°27'20" East, along said Northwesterly right-of-way line, a distance of 1245.66 feet to the Point of Beginning.

Any objection to said application must be made in writing <u>and filed</u> with the Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

IHC Realty Partnership, L.P. d/b/a Plantation Utilities c/o Hutchinson Island Marriott Beach Resort 555 N.E. Ocean Boulevard Stuart, Florida 34996-1692

# LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY (VALID FOR 60 DAYS) 08/27/2003 - 10/25/2003

UTILITY NAME

**MANAGER** 

### **MARTIN COUNTY**

FLORIDA WATER SERVICES CORPORATION (WS231) P. O. BOX 609520

ORLANDO, FL 32860-9520

CARLYN KOWALSKY

(407) 598-4297

IHC REALTY PARTNERSHIP, L.P. D/B/A PLANTATION UTILITIES (WS793) % HUTCHINSON ISLAND MARRIOTT BCH RESOR

% HUTCHINSON ISLAND MARK 555 N.E. OCEAN BLVD.

STUART, FL 34996-1692

TIM DIGBY (772) 225-3700

INDIANTOWN COMPANY, INC. (WS120)

P. O. BOX 397

INDIANTOWN, FL 34956-0397

ROBERT M. POST, JR.

(772) 597-3113

LANIGER ENTERPRISES OF AMERICA, INC. (WS617)

1662 N.E. DIXIE HIGHWAY

JENSEN BEACH, FL 34957-6350

REGINALD J. BURGE

(772) 334-3433

MILES GRANT WATER AND SEWER COMPANY (WS433)

200 WEATHERSFIELD AVENUE

ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN

(407) 869-1919

# LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY (VALID FOR 60 DAYS) 08/27/2003 - 10/25/2003

UTILITY NAME MANAGER

### **GOVERNMENTAL AGENCIES**

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY 2401 S.E. MONTEREY ROAD STUART, FL 34996-3397

CITY OF STUART 121 S.W. FLAGLER AVE. STUART, FL 34994-2139

DEP SOUTHEAST DISTRICT 400 NORTH CONGRESS AVENUE WEST PALM BEACH, FL 33401

MAYOR, TOWN OF JUPITER ISLAND P. O. BOX 7 HOBE SOUND, FL 33475-0007

MAYOR, TOWN OF OCEAN BREEZE PARK P. O. BOX 1025 JENSEN BEACH, FL 34958-1025

MAYOR, TOWN OF SEWALL'S POINT 1 SOUTH SEWALL'S POINT ROAD STUART, FL 34996-6730

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

TREASURE COAST REGIONAL PLAN. COUNCIL 301 EAST OCEAN BLVD, SUITE 300 STUART, FL 34994

# LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY (VALID FOR 60 DAYS) 08/27/2003 - 10/25/2003

**UTILITY NAME** 

**MANAGER** 

### STATE OFFICIALS

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

DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850

### **AFFIDAVIT OF MAILING**

### STATE OF FLORIDA COUNTY OF MARTIN

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared EDWARD GRIFFITH who, after being duly sworn on oath, did depose and say that he is the General Manager of Plantation Utilities and that on September 12, 2003, he did send via United States Mail, a copy of the notice attached hereto to each customer of Plantation Utilities within the territory described in the Notice.

FURTHER AFFIANT SAYETH NAUGHT.

EDWARD ORIFFITH

SWORN TO and subscribed before me this 2 day of September, 2003, by EDWARD GRIFFITH, who did take an oath.

	Susan anne Hall
V Personally Known	Notary Public Susan Anne Hall
Produced Identification Form of Identification	Print Name My Commission Expires:



### APPLICATION FOR TRANSFER OF CERTIFICATES

(Section 367.071, Florida Statutes)

### LEGAL NOTICE

Notice is hereby given on September 12, 2003, pursuant to Section 367.071, Florida Statutes, of the application for a transfer of Water Certificate No. 336-W and Wastewater Certificate No. 291-S held by IHC Realty Partnership, L.P. d/b/a Plantation Utilities to Columbia Properties Stuart, LLC, providing service to the following described territory in Martin County, Florida:

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IHC Realty Partnership, L.P. d/b/a Plantation Utilities c/o Hutchinson Island Marriott Beach Resort 555 N.E. Ocean Boulevard Stuart, Florida 34996-1692 Plantation Management Co. 2115 S.E. Ocean Blvd. Stuart, Fl. 34996

Indian River Plantation Reality 585 N.E. Ocean Blvd Stuart, Pl. 34996

Advantage Property Management P.O. Box 65 Jensen Beach, Fl. 34958

Sound Property Management | P.O. Box 2188 Stuart, Fl. 34995

Plantation Pantry 650 N.E. Ocean Blvd. Stuart, Fl. 34996

Plantation Beach Club 329 S.E. Tradewinds Lane Stuart, Fl. 34996

Wachovia National Bank P.O. Box 45032 Jacksonville, Fl, 32232 ARGUSTI

## CUSTOMER LIST INDIAN RIVER PLANTATION

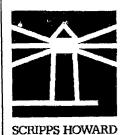
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## ARCUSTY CUSTOMER LIST

13:08:17 09-22-2003 PAGE 2

ARCUSTY .	CUSTOMER LIST INDIAN RIVER PLANTATION	10,00,00	
Cast :-C-S Teleph: e	City 30 ZIP	Address Promise	WS M
00026 R A	J. KAUB COLTS NECK NY 07722	45 YEARLING PATH FV 332 N.E. GOLFVIEW CIRCLE	
00028 RA ( 0)	DEBORAH ROSE NEW CANAAN CT 06840	142 ROCKY BROOK RD FV 834 N.S. GOLFVIEW CIRCLE	AA T
00030 RA ( 0)	STUARY I I'M STORY	184 NE EDGEWATER DR. FV 336 N.E. GOLFVIEW CIRCLE	
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00152 R A	LEIGH SAVOY STUART FL 34996	201 GOLFYTEW CR. FV 301 GOLF VIEW CIR.	AA T
00156 R A	ERICSSON : MA 02631	330 TOLMAN RD FV 317 SOLE VIEW CIRCLE	YY I
00164 RA	NEM AOBK NA TOTOS C. INGOFD	PO BOX 4130 FV 321 GOLFVIEW CR.	YY :
00165 : R A (407) 21 6998		₽W	YY I
00167 : R A	FAIRWAY VILLA HOOL STUART FL 34990	PLANTATION MGMT CO FV FAIRWAY VILLAS	YY 1
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### SCRIPPS TREASURE COAST **NEWSPAPERS**

The Stuart News The Port St. Lucie News

1939 S. Federal Highway, Stuart, FL 34994

### AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN, COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Mailing, who on oath says that she is Classified Inside Sales Manager of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affiant further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin and St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has neither paid or promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Stuart News has been entered as second class matter at the Post Offices in Stuart, Martin County, Florida and Ft Pierce, St Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Customer

Number

Pub Date

Copyline

PO#

HOLLAND & KNIGHT LLP

292844

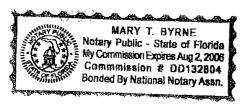
APPLICATIONFORTRANSFEROFCERTIFTRANS | 9/12/2003

Subscribed and sworn to me before this date:

September 12, 2003

S. Darline Mailing

**Notary Public** 



APPLICATION FOR TRAHSHER OF CERTIFICATES (Section 367,071, Florida Statutes) LEGAL NOTICE

Notice is hereby given on September 12, 2003, pursuant to Section 367 071, Florida Statutes, of the application for a transfer of Water Certificate No. 336-W and Wastewater Certificate No. 291-S held by IHC Realty Partnership, L.P. d/b/a Planta-tion Utilities to Columbia Properties Stuart, LLC,

providing service to the following described territory in Martin County, Florida:
UTILITY SERVICE AREA
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lows:
Begin at a point of intersection of the Southeasterly Right-of-Way line of State Road A-1-A (being a 200 feet Right-of-way) and the South line of the North 1000 feet of Government Lots 3, 4 and 5 of said Section 31; thence North 88° 44′ 44″ East along said South line of the North 1000 feet of Government Lots 3, 4, and 5, a distance of 1650 feet more or less to the Mean High Water line of the Atlantic Ocean; thence Southeasterly along the Mean High Water line of the Atlantic Ocean, a distance of 1880 feet more or less to the Easterly prolongation of the South line of Government Lot the Atlantic Ocean; thence Southeasterly along the Mean High Water line of the Atlantic Ocean, a distance of 1880 feet more or less to the Easterly prolongation of the South line of Government Lot 6 of Section 31, Township 37 South, Range 42 East; thence North 89° 23′ 27″ West along the Easterly prolongation of the South line of Government Lot 6, a distance of 510 feet more or less to the Easterly right-of-way of MacArthur Boule-vard relocated, as recorded in O.R. Book 438, Page 293 through 295, Public Records of Martin County, Florida; thence along said South line of Government Lot 6 of Section 31, Township 37 South, Range 42 East, a distance of 396.89 feet; thence departing said South line of Government Lot 6, North 01° 10′ 31″ East, a distance of 45.00 feet; thence North 89° 23′ 27″ West, a distance of 45.00 feet; thence North 89° 23′ 27″ West, a distance of 60,00 feet; thence South 01° 10′ 31″ East, a distance of 45.00 feet; thence North 89° 23′ 27″ West, a distance of 60,00 feet; thence South 01° 10′ 31″ West, a distance of 60,00 feet; thence South 01° 10′ 31″ East, a distance of 60,00 feet; thence South 01° 10′ 31″ West, a distance of 60,00 feet; thence South 01° 10′ 31″ Kest, a distance of 60,00 feet; thence South 01° 10′ 31″ West, a distance of 60,00 feet; thence South 01° 10′ 31″ Kest, a distance of 60,00 feet; thence South 01° 10′ 31″ Kest, a distance of 60,00 feet; thence South 01° 10′ 31″ Kest, a distance of 60,00 feet; deet; thence South 43′ 49′ 29″ East, a distance of 69 feet more or less to the Mean High Water line of the Indian River, Southerly, Westerly and Northwesterly, a distance of 4950 feet more or less; thence North 12° 15′ 46″ West, a distance of 174 feet more or less to the Easterly Right-of-Way line of State Road A-1-A; thence along the Easterly Right-of-Way line of State Road A-1-A being a 200 foot right-of-way of State Road A-1-A being a 200 foot right-of-way of State Road A-1-A being a 200 foot right-of-way of State Road A-1-A being a 200 foot right-of-way of State Road A-1-A being

less to the intersection with the North line of said Government Lot 8; thence South 89 '07' 26" East, along said North line of Government Lot 8, a distance of 351.00 feet more or less to that point of intersection with a line that is 880.00 feet West of, as measured at right angles and parallel with the East line of said Government Lot 8, thence South 00° 59' 59" West, along lastly said line, a distance of 248.73 feet to the said Northwesterly right-of-way line of State Road A-1-A; thence North 62' 27' 20" East, along said Northwesterly right-of-way line, a distance of 1245.66 feet to the Point of Beginning. Beginning. Any objection to said application must be made

Any objection to said application must be made in writing and filed with the Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

IHC Reality Partnership, L.P.

d/b/a Plantation Utilities
c/o Hutchinson Island Marriott Beach Resort
555 N.E. Ocean Boulevard
Stuart, Florida 34996-1892

Stuart, Florida 34996-1692

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