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(LICENSED IN TEXAS ONLY)

January 16, 2004

HAND DELIVERY

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 030445-SU; Application by Utilities, Inc. of Eagle Ridge for Rate Increase in Lee County, Florida
Our File No.: 30057.43

Dear Ms. Bayo:

In response to Mr. Tim Devlin's letter dated December 16, 2003, regarding the above-referenced file, we provide the following responses on behalf of Utilities, Inc. of Eagle Ridge (the "Utility"):

Deficiency no. 1

Rule 25-30.436(4)(h), Florida Administrative Code, requires that any system that has costs allocated or charged to it from a parent, in addition to those reported on Schedule B-12 of Commission Form PSC/WAW 20, shall file three copies of additional schedules showing additional information as detailed in the rule. The document that the utility submitted did not reflect all of the information that is required by this rule. The utility has failed to include the following items of this rule:

3) The allocation or direct charging method used and the basis for using that method; and

(4) The workpapers used to develop the allocation method, including but not limited to the numerator and denominator of each allocation factor.

Response:
See Attachment "A"

DOCUMENT NUMBER DATE

00677 JAN 16 3

FPSC-COMMISSION CLERK

Deficiency No. 2

Pursuant to Order No. PSC-00-2388-AS-WU, issued December 13, 2000, Utilities, Inc. (UI), agreed to provide a cross-reference for its general ledger account numbers to the National Association of Regulated Utility Commission Uniform System of Accounts primary account numbers. Staff notes that we have received a cross reference in Docket No. 020407-WS in connection with the staff's discussion with UI regarding its books and records. However, that document did not include references for all operation and maintenance expense accounts, particularly materials and supplies and miscellaneous expenses. Please submit a complete copy which cross-references all accounts for this docket.

Response:

Attachment "B" provides the cross reference of all accounts in this docket. It consists of (1) a two page general cross reference chart of accounts that was provided in Docket No. 020407-WS and referenced in the deficiency above, and (2) a two page chart titled "Utilities, Inc. of Eagle Ridge Detailed General Ledger 2002, Reconciled to Trial Balance and Annual Report Spreadsheets." This chart specifically reconciles the UI accounts to the NARUC O&M accounts for the Utility.

Rule 25-30.43 7, Florida Administrative Code, requires that each utility applying for a rate increase shall provide the information required by Commission Form PSC/ERC 20 (11/93), entitled "Class B Water and/or Wastewater Utilities Financial, Rate and Engineering Minimum Filing Requirements." Numbers 3-11 of the following list are deficiencies pursuant to this rule.

Deficiency No. 3

Schedule A-3, Schedule of Adjustment to Rate Base
Schedule A-6, Schedule of Wastewater Plant in Service By Primary Account.
Schedule A-10, Schedule of Wastewater Accum. Depreciation By Primary Account
Schedule B-14, Net Depreciation Expense - Wastewater

Pro forma adjustments have to be reflected by primary account on these schedules. Also, if the amount in the account is subject to a used and useful adjustment, the used and useful adjustment has to be made to the pro forma adjusted balance. The UJanuary 15, 2004tility has not done this.

Response:

The Utility has reviewed the referenced Form PSC/ECR 20 (11/93), the referenced schedules in the form, the format of each schedule, the instructions on each schedule and the Commission rules and has found no requirement that the pro forma adjustments have to be reflected by primary account on Schedules A-6 or A-10. The place indicated in the form for adjustments to these schedules is A-2 and A-3 and the Utility has properly shown its adjustments on these schedules. Schedules A-6 and A-10 were not revised because

that would require major reconstruction of the schedules not required by the rules. Rather, the Utility has revised Schedule A-3 to show the primary accounts of the pro forma adjustments and has added a supplemental page that develops the accumulated depreciation and depreciation expense associated with each line item. In addition, the Utility has applied the non-used & useful percentage where considered appropriate, or has explained why such percentage is not applied. A revision to the other schedules would not provide any information in addition to that shown on Schedule A-3 as supplemented. The form does require that adjustments be shown on Schedule B-14 and the Utility has revised that schedule to include the pro forma adjustments. In addition, the Utility has revised Schedule B-3 to show the primary accounts of those pro forma adjustments and, as with Schedule A-3, has added a supplemental page that develops the accumulated depreciation and depreciation expense associated with each line item. In addition the non-used & useful percentage has been applied where considered appropriate or an explanation has been provided when such percentage is not applied.

Deficiency No. 4

Schedule A-15, Schedule of Annual AFUDC Rates Used

The explanation for this schedule requires that the utility state the authority for any AFUDC rates used. The utility has not provided this information.

Response:

The Utility has not stated the authority because there has been no order issued authorizing the charges. The Utility will revise the schedule to so indicate.

Deficiency No. 5

Schedule B-3, Schedule of Adjustments to Operating Income

The explanation for this schedule requires that the utility provide a detailed description of all adjustment to operating income per books, The utility did not explain the removal of the nonrecurring debit to Misc. Service Charges reflected on this schedule.

Response:

The Utility disagrees. The fact that the debit was nonrecurring is, in itself, the explanation for its removal. For purposes of filing the MFR that should be all that is required. It is the Utility's position that this request is a basis for an information request, not a deficiency. Nevertheless, to avoid delay of the acceptance of this filing, it further explained that the purpose of the debit.

In May, 2001, the Utility received \$3,100 as a customer deposit of \$50 each for 62 units at Eagle Ridge Lakes. In accordance with a contract between the developer and the prior owner, the developer was to pay the Plant Capacity Charge and customer deposit for each

new phase of development. When the units were provided service, the deposits were to be transferred to each individual account. The amount was booked to Misc. Service Revenues. In March, 2002, the \$3,100 was debited to Misc. Service Revenues and transferred to the Customer Deposits account. An adjustment was made for ratemaking purposes because the amount distorted the Misc. Revenues account. It was a nonrecurring entry, it offset another out of period entry, and it should be booked directly to Customer Deposits and not run through the Misc. Revenues account.

Deficiency No. 6

Schedule B-4, Test Year Operating Revenues
Schedule E-2, Revenue Schedule at Present and Proposed Rates

Column (10) of schedule E-2 should agree with column (2) of schedule B-4. If an adjustment is needed, provide a detailed explanation.

Response:

The Utility disagrees that the difference between revenues calculated on a billing analysis basis and the booked test year revenues is not explained. Revenues calculated by billing analysis are not going to pick up any adjustments to bills and breaking down the analysis for more than one rate period during the test year, as was required in this filing, increases the possibility of differences occurring. The Utility indicated the difference, \$5,556 or only 0.8% of total revenues, was immaterial. Differences that small have been accepted in previous filings as immaterial differences without any further explanation. It is not worth the cost to specifically identify such small differences. It is the Utility's position that this request is not a basis for a deficiency. The Utility understands that Staff may not always agree with the explanation provided, but one was provided. It is the Utility's position that this is not a basis for declaring the filing deficient.

Deficiency No. 7

Schedule B-8, Operation & Maintenance Expense Comparison Wastewater

Line 28 of this schedule requires the use of Equivalent Residential Connections (ERCs), not Customer Equivalents (CEs). Please provide a statement that the utility has in fact used ERCs. If the utility has used CEs, provide the appropriate comparison of ERCs as required.

Response:

The Utility has reviewed Schedule B-8 in Commission Form PSC/ECR 20-W, 11/93 and the forms states Customers and not ERCs. It is the Utility's position that this request is not a basis for a deficiency. Nevertheless, the Utility will respond. The schedule reflects meter equivalent ERCs and the schedule will be revised to so state.

Deficiency No. 8

Schedule B-15, Taxes Other Than Income

Miscellaneous Service Charges are subject to regulatory assessment fees and, thus, the test year revenue should reflect 4.5% of total revenues. Also, please provide the calculation for non-used and useful property tax and the pro forma property tax adjustment.

Response:

The amount shown on B-15 does reflect 4.5% of total revenues for the total increased revenues (at col. (2), line 18). With regard to annualized test year revenue, before any increase, the amount (at col. 2, line 16) show booked test year RAF plus the amount associated with annualization. After review, it was determined that the booked RAF was associated with the prior year total revenue. The schedule will be changed to properly reflect current year RAF plus the effect of annualization.

Deficiency No. 9

Schedule C-6, Accumulated Deferred Income Taxes - Summary

Please provide an explanation stating whether the negative numbers are debit or credit balances. Also, the balances shown on the summary schedule, page 1 of 3, do not match the balances reflected on the balance sheet or the capital structure.

Response:

Negative numbers are credit balances. The Utility is aware that the 2002 balance of \$55,286 on Schedule C-6 does not match the 2002 balance on the balance sheet, Schedule A-18. First, on Schedule C-6, all deferred taxes are combined as liabilities, but on the balance sheet they are shown partially as assets and partially as liabilities. On a combined basis, the \$55,286 on Schedule C-6 is to be compared to the net balance, \$53,182, of the accounts on Schedules A-18 and A-19 (\$69,887 - \$16,705 = \$53,182). The difference of \$2,104 is the result of a \$1,052 true up to Account 190.1031, Deferred Federal Taxes - Depreciation being inadvertently booked as a debit instead of a credit. The Utility chose to show the balance on Schedule C-6 as it should be, even though it would not be corrected until the coming year. Schedule C-6 has been changed to reflect the 2002 books.

Deficiency No. 10

Schedule D-2, Reconciliation of Capital Structure to Requested Rate Base

Schedule D-4, Simple Average Cost of Short Term Debt

Schedule D-5, Cost of Long-Term Debt

Schedule D-2, line 1, Long Term Debt does not tie to the total on Schedule D-5, column 4.

Schedule D-2, line 2, Short Term Debt does not tie to the total on schedule D-4, column 3.

Response:

Schedule D-5 is incorrect. The amount in line 2, col. 4 inadvertently shows the 13-month average rather than the beginning/ending year average. When that correction is made, Schedules D-2 and D-5 are in agreement with regard to long term debt.

Schedule D-4 is correct, but Schedule D-2 is not. When the beginning/ending year balances for short term debt were carried forward to Schedule D-2, the last three zeroes were inadvertently dropped. Therefore, on Schedule D-2, line 2, the prior year balance in col. 2 should be \$23,649,000, not \$23,649 and the average balance in col. 4 should be \$11,824,500, not \$11,825. The affected schedules will be changed.

Deficiency No. 11

Schedule F-6, Used and Useful Calculations

As required by Rule 25-30.432, Florida Administrative Code, the numerator of the equation for calculating the used and useful percentage of a wastewater treatment plant shall be the same period or basis stated on the most recent operating permit issued by the Florida Department of Environmental Protection. Permit No. FLAO 14498 for Utilities, Inc. of Eagle Ridge (Eagle Ridge), submitted with the application states the utility can operate an existing 443,000 gallon per day (gpd) three month average daily flow, TMADF, contact stabilization process and/or 318,000 TMADF extended aeration process. Please resubmit Schedule F-6 using only the TMADF as reflected in the permit for Eagle Ridge. Provide the dates during the test year that extended air and contact stabilization process were used for Eagle Ridge.

Also, in determining the used and useful amount, the Commission will also consider other factors such as the allowance for growth pursuant to Section 367.08 1(2)(a)2., F.S., infiltration and inflow. The utility did not address infiltration and inflow, Please provide the amount of water in gallons by month the residential, multifamily and commercial customers purchased from their water supplier for the test year for Eagle Ridge and Cross Creek. Based on the amount of water purchased, estimate the amount of water returned as wastewater in gallons by month. Also, provide the size of the diameter of the collection pipes in inches, the corresponding length of pipe in miles for Eagle Ridge and Cross Creek, and calculate the amount of infiltration and inflow for Eagle Ridge and Cross Creek for the test year. Provide your calculations. Please resubmit Schedule F-6 for Eagle Ridge and Cross Creek addressing infiltration and inflow

Response:

It is the Utility's position that Schedule F-6, as submitted, is correct for the test year with

regard to reliance on the weekly average daily flow (WADF) criterion. Schedule F-6 has not been revised to show calculations based on TMADF. The current permit, as referenced by PSC Staff, and as included in the Additional Engineering Information accompanying the MFR, was issued April 30, 2003. The permit under which the Eagle Ridge plant was operating during the test year, issued January 15, 1998, was not included in the Additional Engineering Information and is herein submitted as Attachment "E". Also included in Attachment "E" is a letter from DEP, issued April 30, 1999, that revises the permit to include additional conditions. It is upon the first paragraph of the letter that the Utility relies for the WADF criterion. That paragraph states:

The treatment facility shall be operated in extended aeration mode up to 0.318 mgd, weekly average daily flow (WADF). At any time the WADF to the facility exceeds 0.318 mgd, the mode of operation shall be changed to contact stabilization process. The maximum permitted capacity is 0.443 mgd, three month average daily flow (TMADF) in contact stabilization mode.

The plant operated, at all times during the test year, in the extended aeration mode.

With regard to infiltration and inflow, Schedule F-6 has been revised to show the calculation of I&I for the Eagle Ridge system. The water used by wastewater customers is taken from the billing analysis input for Eagle Ridge (MFR Schedule E-14) and is on an annual basis. As explained in the supplemental information on revised F-6, the water returned for single family residences is 60% and water returned for General Service & master metered multi-unit customers is 80%. The reason for choosing these reduced levels of returned water is that the area served by the Eagle Ridge plant is individual lots and common areas that are heavily landscaped and use substantial amounts of irrigation. Additionally, the general service customer base is dominated by master metered multi-unit customers and these areas also use substantial irrigation. The Utility cannot make a calculation of I&I for the Cross Creek system because it has no water use information. The Cross Creek system was purchased from a not-for-profit association. The customers were already receiving water directly from Lee County through metered connections. The Association charged its members a flat rate per unit for wastewater service and this Utility agreed to continue to charge on a flat rate basis. As such, the Utility does not have a need for, nor does it have information on, water consumption. The Utility does monitor the sewage flows and it has not observed any fluctuations that would indicate the presence of any inflow problems.

Deficiency No. 12

Schedule F-10, Equivalent Residential Connections - Wastewater

As required by Rule 25-30.431(2), Florida Administrative Code, provide the following data needed to complete this schedule (1) historical customer growth, (2) a linear regression

analysis, and (3) a wastewater capacity analysis report for Eagle Ridge and Cross Creek.

Response:

Schedule F-10 has been revised to show historical customer and gallonage changes and a regression analysis for the Eagle Ridge system. There is no such data for the Cross Creek system. Water is provided by Lee County to individual Cross Creek customers and is billed to them by the County. Wastewater service is provided by the Utility at a flat rate based on a total of 905 units, as was done by the predecessor Association. The Utility does not have any gallonage usage data for the Cross Creek system. A copy of the most recent capacity analysis reports for Eagle Ridge and Cross Creek are contained in Attachment "D".

Deficiency No. 13

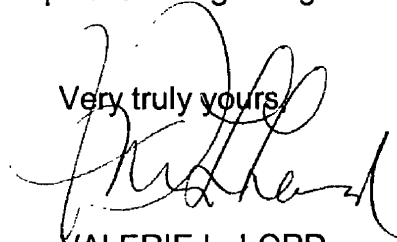
If any corrections to the above deficiencies require a corresponding change to any schedules, those corrected schedules must also be submitted.

Response:

Attachment "C" contains all schedules that required revisions as a result of responses to the above deficiencies.

Should the Staff have any additional questions regarding this Application, they should not hesitate to give me a call.

Very truly yours,



VALERIE L. LORD
Of Counsel

VLL/mp
Enclosures

cc: Mr. Steven M. Lubertozi (w/enclosure)
Mr. Patrick C. Flynn (w/enclosure)
Mr. Frank Seidman (w/enclosure)

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ATTACHMENT "A"

Response to Deficiencies

Docket No. 030445-SU

Utilities, Inc. of Eagle Ridge

Response to Deficiency No. 1 Regarding Rule 25-30.436(4)(h)3 and 4.

The responses regarding each rule section are shown below. The UI Staff in Northbrook is available to the Audit Staff of the Commission to further explain or clarify the allocation factors and the workpapers.

Rule 25-30.436(4)(h)3.

The allocation method used can be found in the Water Service Corporation Distribution of Expenses book under the "CODES" tab. Water Service Corporation's allocations are based on customer equivalents, which can be calculated by using the following method:

Water = 1 x no. of customers
Sewer = 1 x no. of customers
Water & Sewer = 1.5 x no. of customers
Availability = .25 x no. of customers
Distribution = .5 x no. of customers
Collection = .5 x no. of customers

Code 1 calculates customer equivalent % by taking customer equivalents of a UI subsidiary and dividing by the total customer equivalents of UI.

Code 2 is a customer equivalent percentage based on total customer equivalents in Illinois, Indiana, and Ohio. For example, Apple Canyon is calculated by taking 1,202 divided by total Illinois, Indiana, and Ohio customers(20,630).

Code 3 is customer equivalent % based on total customer equivalents in Illinois only. For example, Apple canyon equals 1,202 divided by total Illinois customers(13,444).

Code 4 allocation percentage is based on the total number of invoices and bills. Code 4 is used for SE.51 distribution of computer costs. This is simply calculated by taking the total number of invoices and bills of a UI subsidiary and divide by total number of invoices and bills of UI.

ATTACHMENT "B"

Response to Deficiencies

Docket No. 030445-SU

Utilities Inc. of Eagle Ridge

UTILITIES, INC. GENERAL CROSS REFERENCE CHART
GENERAL LEDGER TO NARUC ACCOUNTS

WASTEWATER

<u>A/R Account</u>	<u>Annual Report Description</u>	<u>G/L Account</u>	<u>Allocation Method</u>
701	Salaries and Wages - Employees	6019020	Customers
		6019040	Customers
		6019045	Customers
		6019050	Customers
		6019054	Customers
704	Employee Pensions and Benefits	6049010	Customers
711	Sludge Removal Expense	7754008	Actual
715	Purchased Power	7151020	Actual
718	Chemicals	6181010	Revenues
		6181090	Revenues
720	Materials and Supplies	7754003	Actual
		6205003	Gross Plant
		6355030	Revenues
		7352020	Actual
732	Contractual Services - Accounting	6329002	Customers
		6329014	Customers
733	Contractual Services - Legal	6338001	Customers
736	Contractual Services - Other	6369003	Customers
		6369005	Customers
		6369006	Customers
		6369007	Customers
		6369008	Customers
		6369009	Customers
		6369090	Customers
750	Transportation Expenses	6501020	Customers
759	Insurance - Other	6599090	Revenues
766	Regulatory Commission Expenses - Amortization of Rate Case Expense	7668010	Customers
770	Bad Debt Expense	6708000	Revenues
775	Miscellaneous Expenses	6759001	Customers
		6759002	Customers
		6759003	Customers
		6759004	Customers
		6759005	Customers
		6759006	Customers
		9759008	Customers
		9759009	Customers
		6759010	Customers
		6759013	Customers
		6759014	Customers
		6759015	Customers
		6759016	Customers
		6759090	Customers
		6759110	Customers
		6759210	Customers
		6759330	Customers

Utilities, Inc. of Eagle Ridge Detailed General Ledger 2002
 Reconciled to Trial Balance & Annual Report Spreadsheet
 Note: Sub 673 = Eagle Ridge; Sub 674 = Cross Creek

Account	Sub	12/31/2002	Ann. Rpt. Totals
601.9020 Salaries Charged to Plant	674	(700.00)	
601.9020 Salaries - Charged to Plant	673	(11,396.00)	
601.9040 Salaries - Operations	673	126,258.00	
601.9045 Salaries SE51	673	1,290.00	
601.9050 Salaries Office	673	22,214.00	
601.9054 Salaries Admin SE60	673	18,861.04	156,527.00
Total Account 701		156,527.04	
604.9010 Health Ins. Reimb. SE60	673	27,529.45	
604.9011 Employee Ins. Deduct. SE60	673	(332.60)	
604.9012 Health Costs Other SE60	673	42.81	
604.9015 Dental Reimb SE60	673	113.70	
604.9020 Pension Contrib.	673	4,263.82	
604.9050 Health Ins. Prem. SE60	673	274.72	
604.9055 Dental Prem. SE60	673	13.07	
604.9060 Term Life Ins. SE60	673	50.16	
604.9070 ESOP Contrib.	673	5,767.06	
604.9080 Disability Ins. SE60	673	23.49	
604.9090 Other Emp. Pens. & Bens.	673	1,434.87	39,181.00
Total Account 704		39,180.55	
610.1020 Purch. Water for Sewer System	673	1,601.00	
610.1020 Purch. Water for Sewer System	674	102.67	1,704.00
Total Account 710		1,703.67	
775.4008 Sludge Hauling	673	71,135.00	
775.4008 Sludge Hauling	674	12,665.00	83,800.00
Total Account 711		83,800.00	
715.1020 Electric Power	673	44,286.17	
715.1020 Electric Power	674	20,157.90	64,444.00
Total Account 715		64,444.07	
618.1010 Chlorine	673	4,758.00	
618.1010 Chlorine	674	2,452.00	7,210.00
618.1050 Odor Control Chemicals	673	139.92	
618.1090 Other Treatment Chemicals	673	27,477.24	
618.1090 Other Treatment Chemicals	674	442.50	28,060.00
Total Account 718		35,269.66	35,270.00
620.5003 Op. Exp.	674	173.80	
620.5003 Operators Expense	673	656.30	
675.9017 Op. Cleaning Supplies	673	113.42	
675.9017 Op. Cleaning Supplies	674	150.69	
675.9018 Op. Other Exp.	673	2,480.53	

Utilities, Inc. of Eagle Ridge Detailed General Ledger 2002
 Reconciled to Trial Balance & Annual Report Spreadsheet
 Note: Sub 673 = Eagle Ridge; Sub 674 = Cross Creek

Account	Sub	12/31/2002	Ann. Rpt. Totals
675.9018 Op. Other Off. Exp.	674	1,105.09	
675.9019 Op. Publications SE90	673	36.00	
675.9080 Deferred Maint. Charges SE4	673	6,300.00	
675.9410 Op. Ed. Exp.	673	395.00	
675.9413 Op. Postage & Fedex	673	155.61	
675.9413 Op. Postage & Fedex	674	14.11	
675.9414 Op. Off. Supplies	674	598.09	
675.9414 Op. Office Supplies	673	413.58	
675.9416 Op. Memberships	673	394.96	
675.9430 Sales/use Tax	673	414.02	
675.9490 Garbage Removal	673	944.16	14,345.00
635.5030 Testing Equip & Chem	674	391.94	
635.5030 Testing Equip. & Chem.	673	1,811.60	2,204.00
735.2020 Sewer Tests	673	11,857.83	
735.2020 Testing	674	8,901.33	20,759.00
775.4003 Maint Supplies	673	6,577.84	
775.4003 Maint. Supplies	674	1,557.89	8,136.00
775.4006 Maint Repairs	673	10,206.04	
775.4006 Maint. Repairs	674	2,474.69	12,681.00
775.4009 Elc. Equip. Repair	673	422.57	422.00
775.4011 Sewer Rodding	673	7,387.50	
775.4011 Sewer Rodding	674	10,630.00	18,018.00
775.5070 Permits	673	3,000.00	
775.5070 Permits	674	3,000.00	6,000.00
775.8490 Other Maint.	673	8,632.68	
775.8490 Other Maint.	674	860.92	9,494.00
Total Account 720		92,058.19	92,059.00
632.9002 Audit Fees SE60	673	2,032.34	
632.9014 Tax Return Review SE60	673	1,287.01	
636.9003 Temp. Employee SE60	673	214.08	
636.9005 Outside Computer SE51	673	194.00	
636.9006 Employee Finder Fee SE60	673	1,115.08	
636.9007 Computer Maint SE51	673	429.00	
636.9008 Directors Fees SE60	673	243.75	
636.9009 Other Computer SE51	673	254.00	
636.9090 Other Director SE60	673	138.97	
Total Account 736		5,908.23	5,908.00
650.1020 Gasoline	673	6,548.69	
650.1030 Auto Repair & Tires	673	5,570.61	

Utilities, Inc. of Eagle Ridge Detailed General Ledger 2002
 Reconciled to Trial Balance & Annual Report Spreadsheet
 Note: Sub 673 = Eagle Ridge; Sub 674 = Cross Creek

Account	Sub	12/31/2002	Ann. Rpt. Totals
650.1040 Auto Licenses	673	347.05	
650.1040 Auto Licenses	674	46.10	
650.9090 Other Transp. Exp. SE90	673	17.00	12,529.00
Total Account 750		12,529.45	
659.9090 Other Ins. SE52	673	11,749.00	11,749.00
Total Account 759		11,749.00	
670.8000 Uncollectible Accts	673	226.49	
670.8001 Agency Expense	673	143.12	369.00
Total Account 770		369.61	
675.9001 Publications	673	321.34	
675.9002 Answering Service	673	345.00	
675.9003 Computer Supplies	673	1,400.00	
675.9004 Printing	673	319.57	
675.9005 Postage	673	4,499.00	
675.9006 UPS & Air Feight	673	390.35	
675.9008 Xerox	673	216.54	
675.9009 Office Supplies	673	1,160.91	
675.9010 Reimb. Off. Empl. Exp. SE60	673	25.05	
675.9013 Cleaning Supplies	673	55.62	
675.9014 Memberships	673	21.67	
675.9016 Microfilming SE51	673	64.00	
675.9090 Other Office Exp.	673	295.83	9,115.00
675.9110 Off. Tel.	674	435.24	
675.9110 Office Telephone	673	570.59	
675.9120 Office Electric	673	282.51	
675.9130 Office Gas	673	45.41	
675.9135 Op. Telephone	673	2,304.65	
675.9136 Op. Tel. LD SE90	673	37.00	
675.9140 Alalrm System	673	286.20	
675.9140 Alarm Phone Exp.	674	34.34	
675.9190 Other Off. Util.	673	28.40	4,024.00
675.9210 Off. Cleaning Service	673	758.54	
675.9220 Landscaping, etc.	673	274.21	
675.9230 Off. Garbage Removal	673	14.82	
675.9260 Offive Repairs	673	54.72	
675.9290 Other Off. Maint.	673	910.11	2,012.00
704.8055 Off. Ed/Training	673	109.45	
775.8370 Meals, etc.	673	382.15	
775.8380 Bank Charges	673	2,531.21	
775.8390 Other Misc. General	673	5,313.88	8,339.00
Total Account 775		23,488.31	23,490.00
Total O&M Accounts		527,027.78	527,030.00

ATTACHMENT "C"

Response to Deficiencies

Docket No. 030445WS

Utilities, Inc. of Eagle Ridge

The following are the revised schedules for the MFR for Utilities, Inc. of Eagle Ridge:

A-3	2, 2a	Adjustments to Rate Base
A-15	12	Schedule of AFUDC Rates Used
B-2	17	Net Operating Income Statement - Sewer
B-3	18, 18a	Adjustments to Net Operating Income
B-8	21	Comparative O&M Expenses - Sewer
B-14	26	Net Depreciation Expense - Sewer
B-15	27	Taxes Other than Income
C-1	28	Reconciliation of Total Income Tax Provision
C-2	29	State and Federal Income Tax Calculation - Current
C-6	33, 35	Accumulated Deferred Income Taxes
D-1	43	Requested Cost of Capital
D-2	44	Reconciliation of Capital Structure to Rate Base
D-5	47	Long-Term Debt - Beginning & End of Year Average
E-1	50	Rate Schedule - Present, Interim, and Final
E-2	51	Revenues at Test Year and Proposed Rates
E-10	59	Service Availability Charges Schedule
F-6	66, 66a	Used and Useful Calculations - Wastewater
F-10	69	Equivalent Residential Connections - Wastewater
B-2 Interim	72	Net Operating Income Statement - Sewer
B-3 Interim	73	Adjustments to Net Operating Income
C-1 Interim	74	Reconciliation of Total Income Tax Provision
C-2 Interim	75	State and Federal Income Tax Calculation - Current
D-1 Interim	76	Requested Cost of Capital
D-2 Interim	77	Reconciliation of Capital Structure to Rate Base
E-1 Interim	78	Rate Schedule - Present, Interim, and Final
E-2 Interim	79	Revenues at Test Year and Interim Rates

Schedule of Adjustments to Rate Base

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Schedule Year Ended: December 31, 2002
Interim [] Final [X]
Historic [X] Projected []

Schedule: A-3/B-3
Page 2 of 2
Docket No.: 030445-WS
Preparer: Seidman, F.
Revision No. 1

Eagle Ridge Proforma Adjustments

Plant in Service	W	S	Pct U&U	NARUC Acct	Service Life
Acct. 380.4 WWTP Aeration Improvement		10,000	100%	380	18
Acct. 380.4 Install Aqua Disc Filter		150,000	100%	380	18
Acct. 370.3 Pump Sta. #5, increase capacity		25,000	100%	371	18
Acct. 380.4 Install Catwalk Toeboard @ WWTP		5,767	100%	380	32
Acct. 380.4 Install Toeboard @ CI Contact Chamber		19,013	100%	380	32
Totals	0	209,780			
Accum. Depreciation					
Acct. 380.4 WWTP Aeration Improvement		556	100%		
Acct. 380.4 Install Aqua Disc Filter		8,333	100%		
Acct. 370.3 Pump Sta. #5, increase capacity		1,389	100%		
Acct. 380.4 Install Catwalk Toeboard @ WWTP		180	100%		
Acct. 380.4 Install Toeboard @ CI Contact Chamber		594	100%		
Totals	0	11,052			
Depreciation Expense					
Acct. 380.4 WWTP Aeration Improvement		556	100%		
Acct. 380.4 Install Aqua Disc Filter		8,333	100%		
Acct. 370.3 Pump Sta. #5, increase capacity		1,389	100%		
Acct. 380.4 Install Catwalk Toeboard @ WWTP		180	100%		
Acct. 380.4 Install Toeboard @ CI Contact Chamber		594	100%		
Totals	0	11,052			

NOTE RE USED & USEFUL:

Account 380.4 - All improvements are required to maintain the condition of the plant to serve existing customers.

They are not related to growth. It is the utility's position, therefore, that they are 100% used & useful.

Account 370.3 - Although this improvement increases capacity, the increase was necessary to better serve existing customers. This system is essentially built out and the improvement is not related to additional growth.

It is the utility's position that this improvement is 100% used & useful.

Schedule of Annual AFUDC Rates Used

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002

Schedule: A-15
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the annual AFUDC rates used since either rate base was last established by this Commission, or the date of inception of utility service if rate base has not been established previously. Include a description of practices and authority of rate(s) used.

Line No.				
1	AFUDC rates since transfer :			
2			Jan - Jun	Jul - Dec
3		1998	10.30%	10.16%
4		1999	9.74%	9.79%
5		2000	9.96%	10.04%
6		2001	10.11%	9.36%
7		2002	8.96%	8.92%
	There is no order authorizing the above AFUDC rates.			
8	Per Rule 25-30.116(3)(a), the requested monthly discounted AFUDC rate, going forward is:			
9	$M = [(1 + A/100)^{1/12}] \times 100$			
10	where:			
11	A = Annual AFUDC rate (see Sch. D-1) =		8.91%	
12		M =	0.713799%	

Schedule of Wastewater Net Operating Income

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Interim [] Final [X]
 Historic [X] or Projected []

Schedule: B-2
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the calculation of net operating income for the test year. If amortization (Line 4) is related to any amount other than an acquisition adjustment, submit an additional schedule showing a description and calculation of charge.

Line No.	(1) Description	(2) Balance Per Books	(3) Utility Test Year Adjustments	(4) Utility Adjusted Test Year	(5) Requested Revenue Adjustment	(6) Requested Annual Revenues	(7) Supporting Schedule(s)
1	OPERATING REVENUES	\$ 698,437	\$ 13,899 A	\$ 712,336	\$ 177,832 F	\$ 890,168	B-4, E-2
2	Operation & Maintenance	527,028	16,183 B	543,211	6,477 G	549,688	B-6, B-3
3	Depreciation, net of CIAC Amort.	67,737	5,342 C	73,079		73,079	B-14, B-3
4	Amortization				0	-	B-3
5	Taxes Other Than Income	47,710	2,523 D	50,233	8,002 H	58,236	B-15, B-3
6	Provision for Income Taxes	(3,699)	3,699 E	-	35,176 I	35,176	C-1, B-3
7	OPERATING EXPENSES	638,776	27,747	666,523	49,656	716,179	
8	NET OPERATING INCOME	\$ 59,661	\$ (13,849)	\$ 45,813	\$ 128,176	\$ 173,989	
9	RATE BASE	\$ 1,921,163		\$ 1,952,739		\$ 1,952,739	
10	RATE OF RETURN	3.11 %		2.35 %		8.91 %	

Schedule of Adjustments to Operating Income

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Schedule Year Ended: December 31, 2002
 Interim [] Final [X]
 Historic [X] or Projected []

Schedule: B-3
 Page 1 of 2
 Docket No.: 030445-WS
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a detailed description of all adjustments to operating income per books, with a total for each line item shown on the net operating income statement.

Line No.	Description	Water	Wastewater
1	(A) <u>Operating Revenues</u>		
	Adjust for annualized revenues at current rates		10,799
	Remove nonrecurring debit to Misc. Service Charges		3,100
2		\$ -	\$ 13,899
3	(B) <u>Operations & Maintenance (O&M) Expenses</u>		
5	(1) Adjust salaries for 3% increase over TY expenses	-	4,696
7	(2) Adjust health cost expense - 25.86% over TY expenses	-	7,154
9	(3) Adjust insurances expenses - 36.88% over TY expenses	-	4,333
10	Total O&M adjustments.	\$ -	\$ 16,183
	(C) <u>Depreciation Expense</u>		
	(1) Depreciation expense for proforma additions		
	Acct. 380.4 WWTP Aeration Improvement		556
	Acct. 380.4 Install Aqua Disc Filter		8,333
	Acct. 370.3 Pump Sta #5, increase capacity		1,389
	Acct. 380.4 Install Catwalk Toeboard @ WWTP		180
	Acct. 380.4 Install Toeboard @ Cl Contact Chamber		594
	(2) Non-used and useful depreciation (Page B-14)	-	(5,710)
		\$ -	\$ 5,342
13	(D) <u>Taxes Other Than Income</u>		
14	(1) Payroll taxes		
15	Adjust for salary changes per Adjustmmt (B) above		
16	(Page B-15)		397
17	(2) Property Taxes		
18	Adjust for proforma additions to plant and for non-used & useful plant (Page B-15)		227
19	(3) Regulatory Assessment fees		
20	Adjust for actual TY & annualized revenues.		1,900
21	Total Taxes Other adjustments.	\$ -	\$ 2,523
22	(E) <u>Provision for Income Taxes</u>		
23	Remove negative income tax expense		3,699
24	(F) <u>Revenue Increase</u>		
25	Increase in revenue required by the Utility to realize a		
26	8.91 % rate of return	\$ -	\$ 177,832
27	(G) <u>Rate Case Expense</u>		
28	1/4 of Rate Case Expense (Page B-10)	\$ -	\$ 6,477
29	(H) <u>Taxes Other Than Income</u>		
30	Regulatory Assessment Fees (RAFs)		
27	Adjust for requested revenue increase (Page B-15)	\$ -	\$ 8,002
28	(I) <u>Provision for Income Taxes</u>		
29	Income Taxes (Page C-1)	\$ -	\$ 35,176

Schedule of Adjustments to Rate Base

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Schedule Year Ended: December 31, 2002
Interim [] Final [X]
Historic [X] Projected []

Schedule: A-3/B-3
Page 2 of 2
Docket No.: 030445-WS
Preparer: Seidman, F.
Revision No. 1

Eagle Ridge Proforma Adjustments

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Acct. 370.3 Pump Sta. #5, increase capacity		25,000	100%	371	18
Acct. 380.4 Install Catwalk Toeboard @ WWTP		5,767	100%	380	32
Acct. 380.4 Install Toeboard @ CI Contact Chamber		19,013	100%	380	32
Totals	0	209,780			
Accum. Depreciation					
Acct. 380.4 WWTP Aeration Improvement		556	100%		
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Acct. 370.3 Pump Sta. #5, increase capacity		1,389	100%		
Acct. 380.4 Install Catwalk Toeboard @ WWTP		180	100%		
Acct. 380.4 Install Toeboard @ CI Contact Chamber		594	100%		
Totals	0	11,052			
Depreciation Expense					
Acct. 380.4 WWTP Aeration Improvement		556	100%		
Acct. 380.4 Install Aqua Disc Filter		8,333	100%		
Acct. 370.3 Pump Sta. #5, increase capacity		1,389	100%		
Acct. 380.4 Install Catwalk Toeboard @ WWTP		180	100%		
Acct. 380.4 Install Toeboard @ CI Contact Chamber		594	100%		
Totals	0	11,052			

NOTE RE USED & USEFUL:

Account 380.4 - All improvements are required to maintain the condition of the plant to serve existing customers.

They are not related to growth. It is the utility's position, therefore, that they are 100% used & useful.

Account 370.3 - Although this improvement increases capacity, the increase was necessary to better serve existing customers. This system is essentially built out and the improvement is not related to additional growth.

It is the utility's position that this improvement is 100% used & useful.

Operation & Maintenance Expense Comparison - Wastewater

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002

Schedule: B-8
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Complete the following comparison of the applicant's current and prior test year O&M expenses before this Commission. Provide an explanation of all differences which are not attributable to the change in customer growth and the CPI-U. If the applicant has not had a previous rate case, use the year 5 years prior to the test year for comparison. Provide an additional schedule, if necessary, to explain differences.

Line No.	(1) Account No. and Name	(2) 5 Years Prior 12/31/97	(3) Adjusted Current TY 12/31/02	(6) \$ Difference	(7) % Difference	(8) Explanation
1	701 Salaries & Wages - Employees		\$ 161,223	\$ 161,223	New %	
2	703 Salaries & Wages - Officers, Etc		-	-		
3	704 Employee Pensions & Benefits		46,335	46,335	New	
4	710 Purchased Water for Sewer System		1,704	1,704	New	
5	711 Sludge Removal Expense	23,845	83,800	59,955	251.44	
6	715 Purchased Power	29,809	64,444	34,635	116.19	
7	716 Fuel for Power Purchased		-	-		
8	718 Chemicals	18,103	35,270	17,167	94.83	
9	720 Materials & Supplies	34,066	92,058	57,992	170.23	
10	731 Contractual Services - Engr.	19,206	-	(19,206)	(100.00)	
11	732 Contractual Services - Acct.	25,588	-	(25,588)	(100.00)	
12	733 Contractual Services - Legal	21,883	-	(21,883)	(100.00)	
13	734 Contractual Services - Mgmt. Fees	80,000	-	(80,000)	(100.00)	
14	735 Contractual Services - Other	58,994	5,908	(53,086)	(89.99)	
15	741 Rental of Building/Real Prop.	1,000	-	(1,000)	(100.00)	
16	742 Rental of Equipment		-	-		
17	750 Transportation Expenses	1,250	12,529	11,279	902.36	
18	756 Insurance - Vehicle		-	-		
19	757 Insurance - General Liability	6,190	-	(6,190)	see line 21	
20	758 Insurance - Workman's Comp.		-	-		
21	759 Insurance - Other		16,082	16,082	259.81	
22	760 Advertising Expense		-	-		
23	766 Reg. Comm. Exp. - Rate Case Amort.		-	-		
24	767 Reg. Comm. Exp. - Other		-	-		
25	770 Bad Debt Expense		370	370	New	
26	775 Miscellaneous Expenses	35,953	23,488	(12,465)	(34.67)	
27	TOTAL	\$ 355,887	\$ 543,211	\$ 187,324	52.64 %	
28	Total Customers (ERC's)	943	2,080	1,137	120.52 %	
	Note: the above are Meter Equivalent ERCs.					
29	Consumer Price Index - U	160.50	179.90	19	12.09 %	
30	Benchmark Index: Increase in Customer ERC's			2,2052		
31	Increase in CPI			1,1209		
32				2,4718		
33	* Rate Case expense excluded, as it is set by the PSC.					

Net Depreciation Expense - Wastewater

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Historic or Projected

Schedule: B-14
 Page 1 of 1
 Preparer: Seidman, F.
 Recap Schedules: B-2
 Revision No. 1

Explanation: Provide a schedule of test year non-used and useful depreciation expense by primary account

No.	(1) Line Account No. and Name	(2) Test Year 12/31/02	(3) Adjustments	(4) Adjusted Balance	(5) Non-Used & Useful % *	(6) Non-Used & Amount *
1	INTANGIBLE PLANT					
2	351.1 Organization	8,564		8,564		
3	352.1 Franchises					
4	389.1 Other Plant & Misc. Equipment					
5	COLLECTION PLANT					
6	353.2 Land & Land Rights					
7	354.2 Structures & Improvements	1,943		1,943		
8	360.2 Collection Sewers - Force	7,294		7,294		
9	361.2 Collection Sewers - Gravity	31,055		31,055		
10	362.2 Special Collecting Structures					
11	363.2 Services to Customers	4,016		4,016		
12	364.2 Flow Measuring Devices					
13	365.2 Flow Measuring Installations					
14	389.2 Other Plant & Misc. Equipment					
15	SYSTEM PUMPING PLANT					
16	353.3 Land & Land Rights					
17	354.3 Structures & Improvements					
18	370.3 Receiving Wells	1,597	1,389	2,986		
19	371.3 Pumping Equipment					
20	389.3 Other Plant & Misc. Equipment					
21	TREATMENT AND DISPOSAL PLANT					
22	353.4 Land & Land Rights					
23	354.4 Structures & Improvements					
24	380.4 Treatment & Disposal Equipment	96,196	9,663	105,860	5.94%	5,710
25	381.4 Plant Sewers					
26	382.4 Outfall Sewer Lines	874		874		
27	389.4 Other Plant & Misc. Equipment					
28	GENERAL PLANT					
29	353.7 Land & Land Rights					
30	354.7 Structures & Improvements					
31	390.7 Office Furniture & Equipment	65		65		
32	391.7 Transportation Equipment	11,526		11,526		
33	392.7 Stores Equipment					
34	393.7 Tools, Shop & Garage Equipment	980		980		
35	394.7 Laboratory Equipment	476		476		
36	395.7 Power Operated Equipment	571		571		
37	396.7 Communication Equipment					
38	397.7 Miscellaneous Equipment	3,331		3,331		
39	398.7 Other Tangible Plant	674	-	674		-
40	TOTAL	169,162	11,052	180,215		5,710
41	LESS: AMORTIZATION OF CIAC	(101,425)		(101,425)		-
42	NET DEPRECIATION EXPENSE - SEWER	\$ 67,737	\$ 11,052	\$ 78,790		\$ 5,710

* U&U factor not applied to pro forma adjustments. See Schedule B-3, page 2 of 2.

Taxes Other Than Income

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Historic [X] or Projected []

Schedule: B-15
 Page 1 of 1
 Preparer: Seidman, F.
 Recap Schedules: B-1, B-2
 Revision No. 1

Explanation: Complete the following schedule of all taxes other than income. For all allocations, provide description of allocation and calculations.

No.	(1) Line Description	(2) Regulatory Assessment Fees (RAFs)	(3) Payroll Taxes	(4) Real Estate & Personal Property	(5) Other	(6) Total
WATER						
1	Test Year Per Books					
Adjustments to Test Year (Explain)						
3	Taxes re 3% adj. to salaries		-			-
4	RAFs assoc. with annualized revenue	-				-
5	Adj. Prop. Tax for proforma & non-used			#DIV/0!		#DIV/0!
6	Total Test Year Adjustments	-	-	#DIV/0!	-	#DIV/0!
7	Adjusted Test Year	-	-	#DIV/0!	-	#DIV/0!
8	RAFs Assoc. with Revenue Increase	#DIV/0!	-	-	-	#DIV/0!
9	Total Balance	#DIV/0!	\$ -	#DIV/0!	\$ -	#DIV/0!
SEWER						
10	Test Year Per Books	\$ 30,155	\$ 13,229	\$ 4,176	\$ 150	\$ 47,710
Adjustments to Test Year (Explain)						
11	Taxes re 3% adj. to salaries		397			397
12	RAFs re actual TY & annualized rev.	1,900				1,900
14	Adj. Prop. Tax for proforma & non-used		-	227	-	227
15	Total Test Year Adjustments	1,900	397	227	-	2,523
16	Adjusted Test Year	32,055	13,626	4,403	150	50,233
17	RAFs Assoc. with Revenue Increase	8,002	-	-	-	8,002
18	Total Balance	\$ 40,058	\$ 13,626	\$ 4,403	\$ 150	\$ 58,236

Reconciliation of Total Income Tax Provision

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Interim [] Final [X]
 Historic [X] or Projected []

Schedule: C-1
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a reconciliation between the total operating income tax provision and the currently payable income taxes on operating income for the test year.

Line No.	Description	Ref.	Total Per Books	Utility Adjustments	Utility Adjusted	Water	Sewer	Adjusted for Increase Water	Sewer
1	Current Tax Expense	C-2	\$ (33,660)	\$ 25,417	\$ (8,242)		\$ (8,242)	\$ -	\$ 35,176
2	Deferred Income Tax Expense	C-5	30,144		30,144				
3	ITC Realized This Year	C-8							
4	ITC Amortization	C-8							
5	(3% ITC and IRC 46(f)(2))								
6	Parent Debt Adjustment	C-9	-	-	-	-	-	-	-
7	Total Income Tax Expense		\$ (3,516)	\$ 25,417	\$ 21,902	\$ -	\$ (8,242)	\$ -	\$ 35,176

Supporting Schedules: C-2, C-5, C-8, C-9
 Recap Schedules: B-1, B-2

State and Federal Income Tax Calculation - Current

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Interim [] Final [X]
 Historic [X] or Projected []

Schedule: C-2
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the calculation of state and federal income taxes for the test year. Provide detail on adjustments to income taxes and investment tax credits generated.

Line No.		Total Per Books	Utility Adjustments	Utility Adjusted	Water	Sewer	Adjusted for Increase Water	Sewer
1	Net Utility Operating Income (Sch. B-1 & B-2)	\$ 59,661	\$ (13,849)	\$ 45,813	\$ -	\$ 45,813	\$ -	\$ 173,989
1a	Other Income	(2,048)	2,048					
2	Add: Income Tax Expense Per Books (Sch. B-1)	(3,699)	3,699	-	-	-	-	-
3	Subtotal	53,914	(8,102)	45,813	-	45,813	-	173,989
4	Less: Interest Charges (Sch. C-3)	65,054	-	65,054	-	65,054	-	80,027
5	Taxable Income Per Books	(11,140)	(8,102)	(19,241)	-	(19,241)	-	93,962
Schedule M Adjustments:								
6	Permanent Differences (From Sch. C-4)	(1,764)	1,764	-	-	-	-	-
7	Timing Differences (From Sch. C-5)	89,623	(89,623)	-	-	-	-	-
8	Total Schedule M Adjustments	87,859	(87,859)	-	-	-	-	-
9	Taxable Income Before State Taxes	(98,999)	79,757	(19,241)	-	(19,241)	-	93,962
10	Less: State Income Tax Exemption (\$5,000)	5,000	5,000	5,000	-	5,000	-	5,000
11	State Taxable Income	(103,999)	74,757	(24,241)	-	(24,241)	-	88,962
12	State Income Tax (5.5% of Line 11)*	-	-	-	-	-	-	4,893
13	Emergency Excise Tax							
14	Credits							
15	Current State Income Taxes	-	-	-	-	-	-	4,893
16	Federal Taxable Income (Line 9 - Line 15)	(98,999)	74,757	(24,241)	-	(24,241)	-	89,069
17	Federal Income Tax Rate	0.34	0.34	0.34	0.34	0.34	0.34	0.34
18	Federal Income Taxes (Line 16 x Line 17)	(33,660)	25,417	(8,242)	-	(8,242)	-	30,283
19	Less: Investment Tax Credit Realized This Year (Sch. C-8)	-	-	-	-	-	-	-
20	Current Federal Inc. Taxes (Line 18 - Line 19)	(33,660)	25,417	(8,242)	-	(8,242)	-	30,283
Summary:								
21	Current State Income Taxes (Line 15)	-	-	-	-	-	-	4,893
22	Current Federal Income Taxes (Line 20)	(33,660)	25,417	(8,242)	-	(8,242)	-	30,283
23	Total Current Income Tax Expense (To C-1)	\$ (33,660)	\$ 25,417	\$ (8,242)	\$ -	\$ (8,242)	\$ -	\$ 35,176

24 Note (1): Adjustments zero out negative income tax and Schedule M adjustments so that tax calculated for rate purposes reflects stand alone obligation only

Supporting Schedules: B-1,B-2,C-3,C-4,C-5,C-8
 Recap Schedules: C-1

Accumulated Deferred Income Taxes - Summary

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Historic [X] Projected []

Schedule: C-6
 Page 1 of 3
 Preparer: Seidman, F.
 Revision No. 1

Explanation: For each of the accumulated deferred tax accounts provide a summary of the ending balances as reported on pages 2 & 3 of this schedule. The same annual balances should be shown.

Line No.	Year	Account No. 190.1012			Account No. 190.1021			Net Deferred Income Taxes		
		State	Federal	Total	State	Federal	Total	State	Federal	Total
2	1997		-	-		-	-		(512)	(512)
3	1998		-	-		-	-		(3,135)	(3,135)
4	1999		-	-		(6,317)	(6,317)	(1,081)	(22,163)	(23,244)
5	2000		-	-		(6,519)	(6,519)	(1,116)	(34,709)	(35,825)
6	2001		14,305	14,305		(4,495)	(4,495)	1,445	(25,719)	(24,274)
	2002		14,466	14,466		(2,460)	(2,460)	1,768	(54,950)	(53,182)
		Account No. 190.1024			Account No. 190.1021			Account No. 190.1020		
	Year	State	Federal	Total	State	Federal	Total	State	Federal	Total
	1997		(512)	(512)		-	-		-	-
	1998		(1,024)	(1,024)		(2,111)	(2,111)		-	-
	1999		(5,371)	(5,371)		(10,475)	(10,475)		-	-
	2000		(11,090)	(11,090)		(17,100)	(17,100)		-	-
	2001		(17,794)	(17,794)		(17,735)	(17,735)		-	-
	2002		(23,986)	(23,986)		(42,859)	(42,859)		(111)	(111)
		Account No. 190.2012			Account No. 190.2021			Account No. 190.2020		
	Year	State	Federal	Total	State	Federal	Total	State	Federal	Total
	1997		-	-		-	-		-	-
	1998		-	-		-	-		-	-
	1999		-	-		(1,081)	(1,081)		-	-
	2000		-	-		(1,116)	(1,116)		-	-
	2001	2,214		2,214		(769)	(769)		-	-
	2002	2,239		2,239		(454)	(454)	(17)	-	(17)

Supporting Schedules: C-7, Pg 2 & 3
 Recap Schedules: A-18,A-19,D-2

Accumulated Deferred Income Taxes - Federal

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Historic [X] Projected []

Schedule: C-6
 Page 3 of 3
 Preparer: Seidman, F.
 Revision No. 1

Explanation: For each of the accumulated deferred tax accounts provide annual balances beginning with the year of the last rate case and ending with the test year.

Line No.	Year	Account No. 190.1012 Def. Tax Dr - Tap Fee					Account No. 190.1021 Def. Tax Cr - Def. Maint.				
		Beginning Balance	Current Year Deferral	Flowback To Curr. Year	Adjust. Debit (Credit)	Ending Balance	Beginning Balance	Current Year Deferral	Flowback To Curr. Year	Adjust. Debit (Credit)	Ending Balance
1											
2	1997	-				-					-
3	1998	-				-					-
4	1999	-				-	(8,234)		1,917		(6,317)
5	2000	-				-	(6,317)	(1,880)	1,678		(6,519)
6	2001	-	14,305			14,305	(6,519)		2,024		(4,495)
	2002	14,305	447		(286)	14,466	(4,495)		2,035		(2,460)

Year	Account No. 190.1024 Def. Tax Cr - Orgn. Exp.					Account No. 190.1031 Def. Tax Cr - Depr.				
	Beginning Balance	Current Year Deferral	Flowback To Curr. Year	Adjust. Debit (Credit)	Ending Balance	Beginning Balance	Current Year Deferral	Flowback To Curr. Year	Adjust. Debit (Credit)	Ending Balance
1997		(512)			(512)					-
1998	(512)	(512)			(1,024)	-	(2,111)			(2,111)
1999	(1,024)	(4,347)			(5,371)	(2,111)	(8,364)			(10,475)
2000	(5,371)	(5,719)			(11,090)	(10,475)	(6,625)			(17,100)
2001	(11,090)	(6,704)			(17,794)	(17,100)	(2,341)		1,706	(17,735)
2002	(17,794)	(6,192)			(23,986)	(17,735)	(26,176)		1,052	(42,859)

Year	Account No. 190.1020 Def. Tax Cr - Rate Case				
	Beginning Balance	Current Year Deferral	Flowback To Curr. Year	Adjust. Debit (Credit)	Ending Balance
2002	-	(111)			(111)

Supporting Schedules: None
 Recap Schedules: C-6

**Schedule of Requested Cost of Capital (Final Rates)
Beginning and End of Year Average**

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Schedule Year Ended: December 31, 2002
 Historic [X] or Projected []

Schedule: D-1
 Page 1 of 2
 Preparer: Seidman, F.
 Revision No. 1
 Subsidiary [] or Consolidated [X]

Explanation: Provide a schedule which calculates the requested Cost of Capital on a beginning and end of year average basis. If a year-end basis is used, submit an additional schedule reflecting year-end calculations.

Line No.		(1)	(2)	(3)	(4)
		Total Capital	Ratio	Cost Rate	Weighted Cost
1	Long-Term Debt	964,333	49.38 %	7.56 %	3.73 %
2	Short-Term Debt	121,104	6.20	3.93	0.24
3	Preferred Stock				
4	Customer Deposits	39,336	2.01	6.00	0.12
5	Common Equity	789,238	40.42	11.92	4.82
6	Tax Credits - Zero Cost				
7	Accumulated Deferred Income Tax	38,728	1.98		
8	Other (Explain)				
9	Total	<u>1,952,739</u>	<u>99.99 %</u>		<u>8.91 %</u>
10	Note: Cost of Equity based on Order Nos. PSC-03-0707-PAA-WS and PSC-03-0799-CO-WS.				

Reconciliation of Capital Structure to Requested Rate Base
Beginning and End of Year Average

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002
Schedule Year Ended: December 31, 2002
Historic [X] Projected [] Parent [X]

Schedule: D-2
Page 1 of 1
Preparer: Seidman, F.
Revision No. 1

Explanation: Provide a reconciliation of the simple average capital structure to requested rate base. Explain all adjustments. Submit an additional schedule if a year-end basis is used.

Line No.	(1) Class of Capital	(2) Prior Year 12/31/01	(3) Test Year 12/31/02	(4) Average	(6) Reconciliation Adjustments		(8) Reconciled To Requested Rate Base
					(5) Specific	(7) Prorata Amount	
1	Long-Term Debt	70,345,623	117,834,538	94,090,081		51.44	964,333
2	Short-Term Debt	23,649,000	-	11,824,500		6.46	121,104
3	Preferred Stock						
4	Common Equity	76,392,765	77,650,144	77,021,455		42.1 %	789,238
5	Customer Deposits	37,596	41,076	39,336			39,336
6	Tax Credits - Zero Cost						
7	Tax Credits - Wtd. Cost						
8	Accum. Deferred Income Tax	24,274	53,182	38,728			38,728
9	Other (Explain)						
10	Total	\$ 170,449,258	\$ 195,578,940	\$ 183,014,099	\$ -	100.00 %	\$ 1,952,739

11 * List corresponding adjustments to rate base below:

Description	Amount
-------------	--------

12 Note: Customer Deposits and Accum. Deferred Taxes are actual for Utilities, Inc. of Eagle Ridge

Cost of Long-Term Debt
Beginning and End of Year Average

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002
Utility [] or Parent [X]
Historic [X] or Projected []

Explanation: Provide the specified data on long-term debt issues on a simple average basis for the test year. Arrange by type of issue (i.e., first mortgage bonds). If the utility is an operating division or subsidiary, submit an additional schedule which reflects the same information on the parent level.

Schedule: D-5
Page 1 of 1
Preparer: Seidman, F.
Revision No. 1

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
Line No.	Description, Coupon Rate, Years of Life	Issue Date-Maturity Date	Principal Amount Sold (Face Value)	B/E yr Avg Principal Amount Outstanding	Amount Outstanding Within One Year	Unamortized Discount (Premium) Associated With Col(4)	Unamortized Issuing Expense Associated With Col(4)	Annual Amortization of Discount (Premium) on Principal Outstanding	Annual Amort. of Issuing Expense on Principal Outstanding	Interest Cost (Coupon Rate) x Col (4)	Total Interest Cost (8)+(9)+(10)	Effective Cost Rate (11)/((4)-(6)-(7))
1	5.41% Note due August 30, 2012		50,000,000	25,000,000			1,291,961		44,550	909,181	953,731	4.020 %
2	9.16%, \$1,000,000 due in annual installments beginning April 30, 1996	5/15/91 - 4/30/06	10,000,000	4,500,000	1,000,000		34,764		10,284	396,933	407,217	9.120 %
3	9.01%, \$1,500,000 due in annual installments beginning November 30, 1998	7/15/92 - 11/30/07	15,000,000	8,250,000	1,500,000		111,661		24,214	799,638	823,852	10.120 %
4	8.421%, \$5,857,143 due in annual installments beginning 2009	6/15/00 - 6/30/15	41,000,000	41,000,000	0		881,396		70,700	3,452,000	3,522,700	8.780 %
5	7.87%, due June 1, 2005	6/1/95 - 6/1/05	15,000,000	15,000,000	0		42,516		15,955	1,180,500	1,196,455	8.000 %
6	Mortgage Notes -											
7	OTHER Long Term Debt -	9/1/97 - 2012-17	400,000	340,081	0		-		0	31,941	31,941	9.390 %
8	Total		\$ 131,400,000	\$ 94,090,081	\$ 2,500,000	-	2,362,298	-	\$ 165,703	\$ 6,770,193	\$ 6,935,896	7.561 %

Supporting Schedules: D-6
Recap Schedules: A-19,D-2

Rate Schedule

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Water [] or Sewer [X]

Schedule: E-1
 Page 1 of 1
 Preparer: Seldman, F.
 Revision No. 1

Explanation: Provide a schedule of present and proposed rates. State residential sewer cap, if one exists.

Line No	(1) Class/Meter Size	(2) Test Year Rates thru 8/31/02	(3) Test Year Rates eff. 9/01/02	(4) Interim Rates	(6) Proposed Rates
1	Residential				
2	All meter sizes	13.93	14.18	16.89	17.73
3	Gallorage Charge (per 1000 gallons)				
4	10,000 gallons maximum	3.43	3.49	4.16	4.36
	Cross Creek Flat Rate, per mo per unit	13.45	13.69	16.30	17.12
5	General Service				
6	5/8" x 3/4"	13.93	14.18	16.89	17.73
	3/4"	20.90	21.27	25.33	26.59
7	1"	34.82	35.44	42.20	44.31
8	1 1/2"	69.62	70.87	84.39	88.60
9	2"	111.40	113.39	135.03	141.76
10	3"	222.81	226.80	270.08	283.54
11	4"	348.16	354.39	422.02	443.05
12	6"	696.34	708.80	844.05	886.13
15	Gallorage Charge (per 1000 gallons)	3.43	3.49	4.16	4.36
16					

Revenue Schedule at Present and Proposed Rates

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Water [] or Sewer [X]

Schedule: E-2
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a calculation of revenues at present and proposed rates using the billing analysis. Explain any differences between these revenues and booked revenues. If a rate change occurred during the test year, a revenue calculation must be made for each period.

Line No.	(1) Class/Meter Size	(2) Test Year Bills thru 8/31/02	(3) Test Year Gallons thru 8/31/02	(4) Test Year Rates thru 8/31/02	(5) Test Year Revenue thru 8/31/02	(6) Test Year Bills eff. 9/01/02	(7) Test Year Gallons eff. 9/01/02	(8) Test Year Rates eff. 9/01/02	(9) Test Year Revenue eff. 9/01/02	(10) Total Test Year Revenue	(11) Annualized Test Year Revenue	(12) Proposed Rates	(13) Revenue at Proposed Rates
1	Residential												
2	All meter sizes	6,049		\$ 13.93	\$ 84,263	3,047		\$ 14.18	\$ 43,206	\$ 127,469	\$ 128,981	\$ 17.73	\$ 161,272
3	M Gallons (thru- 10 MG)		36,546	3.43	125,353		15,543	3.49	54,245	179,598	181,791	4.36	227,108
3a	Cross Creek (Flat Rate)	7,240		13.45	97,378	3,620		13.69	49,558	146,936	148,673	\$ 17.12	185,923
4	Total Residential	13,289	36,546		\$ 306,994	6,667	15,543		\$ 147,009	\$ 454,003	\$ 459,445		\$ 574,303
5	Average Bill				\$ 23.10				\$ 22.05	\$ 22.75	\$ 23.02		\$ 28.78
6	General Service												
7	5/8" X 3/4"	80		13.93	\$ 1,114	40		14.18	\$ 567	\$ 1,681	1,702	17.73	\$ 2,128
8	M Gallons		1,193	3.43	4,092		431	3.49	1,504	5,596	5,668	4.36	7,081
9	1"	128		34.82	4,457	64		35.44	2,268	6,725	6,804	44.31	\$ 8,508
10	M Gallons		3,014	3.43	10,338		921	3.49	3,214	13,552	13,733	4.36	17,157
11	1 1/2"	266		69.62	18,519	136		70.87	9,638	28,157	28,490	88.60	\$ 35,617
12	M Gallons		20,136	3.43	69,066		11,014	3.49	38,439	107,505	108,714	4.36	135,814
13	2"	181		111.40	20,163	95		113.39	10,772	30,935	31,296	141.76	\$ 39,126
14	M Gallons		5,405	3.43	18,539		1,942	3.49	6,778	25,317	25,641	4.36	32,033
15	3"	8		222.81	1,782	4		226.80	907	2,689	2,722	283.54	\$ 3,402
16	M Gallons		4,813	3.43	16,509		2,802	3.49	9,779	26,288	26,576	4.36	33,201
17	4"	-		348.16	-	-		354.39	-	-	-	443.05	\$ -
18	M Gallons		-	3.43	-	-		3.49	-	-	-	4.36	\$ -
19	6"	-		696.34	-	-		708.80	-	-	-	886.13	\$ -
20	M Gallons		-	3.43	-	-		3.49	-	-	-	4.36	\$ -
23	Total Gen Serv	663	34,561		\$ 164,579	339	17,110		\$ 83,866	\$ 248,445	\$ 251,346		\$ 314,067
24	Average Bill				\$ 248.23				\$ 247.39	\$ 247.95	\$ 250.84		\$ 313.44
25	Miscellaneous service revenues				(1,940)				385	(1,555)	(1,555)		1,545
26	Total Annualized Revenue				\$ 469,633				\$ 231,260	\$ 700,893	\$ 709,236		\$ 889,915
27	Total revenue per books/required				\$ 464,293				\$ 234,144	\$ 698,437			\$ 890,168
28	Immaterial difference				\$ 5,340				\$ (2,884)	\$ 2,456			\$ (253)
									Pct. Difference	0.35%			

Service Availability Charges Schedule

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Water [] or Sewer [X]

Schedule: E-10
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a schedule of present and proposed service availability charges. (See Rule 25-20.580,F.A.C.) If no change is proposed, then this schedule is not required.

(1) Type Charge	(2) Present Charges	(3) Proposed Charges
System Capacity Charge		
Residential-per ERC (___ GPD)		
All others-per Gallon/Day		
Plant Capacity Charge		
Residential-per ERC (___ GPD)	692.00	692.00
or per Lot		
All others-per Gallon/Day	3.07	3.07
or per ERC (225 GPD); \$692 minimum		
Main Extension Charge		
Residential-per ERC (___ GPD)		
or-per Lot		
Multifamily-per ERC (___ GPD)		
or-per Unit		
All others-per Gallon/Day		
or-per Front Foot		
Plan Review Charge	Actual cost	Actual cost
Inspection Charge	Actual cost	Actual cost
Legal Review Charge	Actual cost	Actual cost
Recording Charge	Actual cost	Actual cost
Application Charge	Actual cost	Actual cost
Guaranteed Revenue Charge (Monthly)		
With prepayment of Serv. Avail. Charges		
Residential-per ERC (250 GPD)/Month		
All others-per Gallon/Month		
Without prepayment of Serv. Avail. Charges		
Residential-per ERC (___ GPD)/Month		
All others-per Gallon/Month		
Allowance for Funds Prudently Invested (AFPI)		
Provide a table of payments by month and years.		

Used and Useful Calculations
Wastewater Treatment Plant

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002

Schedule F-6
Page 1 of 2
Preparer: Seidman, F.
Revision No. 1

Explanation: Provide all calculations, analyses and governmental requirements used to determine the used and useful percentages for the wastewater treatment plant(s) for the historical test year and the projected test year (if applicable).

Line No.		
	There are two plants in the Eagle Ridge system - Eagle Ridge and Cross Creek. They are not interconnected and must be evaluated separately.	
	EAGLE RIDGE	
	The Eagle Ridge plant is permitted under two flow conditions, with two permitted capacities. It is permitted at 443,000 gpd at Three months ADF (TMADF) and 318,000 gpd at Weekly ADF (WADF).	
	<u>Condition 1 - TMADF</u>	
1 (A)	Used and useful flow	
2	Maximum TMADF - year 2002	260,000
3 (B)	Less: Excess I&I [from Sch 6, page 2]	-
4 (C)	Plus: Property needed for post test year period (see F-8)	-
5 (D)	Total Flows	260,000
6 (E)	Permitted capacity	443,000
7 (F)	Used and useful percentage	58.69%
8 (G)	Non-used and useful percentage	41.31%
	<u>Condition 2 - WADF</u>	
9 (A)	Used and useful flow	
10	Maximum WADF - year 2002	287,000
11 (B)	Less: Excess I&I [from Sch.6, page 2]	-
12 (C)	Plus: Property needed for post test year period (see F-8)	-
13 (D)	Total Flows	287,000
14 (E)	Permitted capacity	318,000
15 (F)	Used and useful percentage	90.25%
16 (G)	Non-used and useful percentage	9.75%
	The flows are more sensitive to the weekly condition; U&U is therefore based on WADF.	
	CROSS CREEK	
17 (A)	Used and useful flow	
18	MMADF - year 2001 (see note)	151,000
19 (B)	Less: Excess I&I [from Sch 6, page 2]	-
20 (C)	Plus: Property needed for post test year period (see F-8)	-
21 (D)	Total Flows	151,000
22 (E)	Permitted capacity	249,000
23 (F)	Used and useful percentage	60.64%
24 (G)	Non-used and useful percentage	39.36%

Note demand at Cross Creek is extremely seasonal. Although the seasonal demand in 2002 was 135,000 gpd MMADF, it reached 151,000 gpd MMADF in Feb, 2001. Capacity was required to meet that demand, even though demand dropped during the test year. This system is built out. Even though demand may fluctuate from year to year, there will never be growth to justify adding capacity. Existing capacity must be sufficient to meet fluctuating demand. On that basis alone, the utility should be able to recoup investment sufficient to at least meet expressed demand, even though it did not occur in the test year. In addition, the situation at Cross Creek is unique. The Cross Creek system was sold to Utilities, Inc. of Eagle Ridge by the the Cross Creek of Fort Myers Community Association, Inc., (Association) which, on behalf of its 905 condominium units, is the sole user of the Cross Creek system. The utility did not add capacity. It accepted the capacity of the system provided to it by the Association, which is the only beneficiary of it. And as pointed out by the Commission in transfer Order No. PSC-01-1792-PAA-SU, the customers benefit directly from the sale. Since the utility acquired the capacity from the Association which is the sole beneficiary of the capacity, and since the community was already built out when the utility was acquired, the Cross Creek treatment facilities should be considered 100% used & useful.

The above used & useful factors are applicable to Account 380. The plant in service balance applicable to the two systems is as follows:

	Pct	Plant in Service, Y/E 2002	Weighted U&U	Weighted Non U&U
Eagle Ridge	60.89%	1,909,246	54.95%	5.94%
Cross Creek	39.11%	1,226,469	39.11%	0.00%
Total Acct. 380	100.00%	3,135,715	94.06%	5.94%

Used and Useful Calculations
Wastewater Treatment Plant

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002

Schedule F-6
Page 2 of 2
Preparer: Seidman, F.
Revision No. 1

Explanation: Provide all calculations, analyses and governmental requirements used to determine the used and useful percentages for the wastewater treatment plant(s) for the historical test year and the projected test year (if

Line No.					
	There are two plants in the Eagle Ridge system - Eagle Ridge and Cross Creek. They are not interconnected and must be evaluated separately				
	EAGLE RIDGE				
	A. Infiltration & Inflow allowance, excluding service laterals				
	Main dia.	Main length		Allowance @ 500	
	inches	feet	miles	gpd/inch-dia./mile	gpy
1	6	0	0.00	0	
2	8	56,845	10.77	43,064	
3	10	0	0.00	0	
4	Total	56,845	10.77	43,064	15,718,504
5	Estimated Inflow @ 10% of flows (I.10)				12,483,100
6	Allowable I&I				28,201,604
	B. Actual Inflow & Infiltration (I&I)				
7	Wastewater treated				88,833,000
					Estimated
8	Gallons used by WW cust.			returned*	
	Residential		73,160,000	60.00%	43,896,000
9	GS & Multi Master Metered		51,671,000	80.00%	41,336,800
10	Estimated flows returned		124,831,000		85,232,800
11	* This community is heavily landscaped, both on individual lots and in common areas.				
12	It is estimated that the differential between water used and water returned is substantially greater than				
13	average. This applies to general service also, which is heavily dominated by master metered multi-family.				
14	In addition, observations of plant flow fluctuations in periods of rainfall do no indicate any I&I problems.				
15	Estimated I&I (treated less returned) [I.7-I.10]				3,600,200
16	Actual less allowable [I.11-I.6]				(24,601,404)
17	Excess, if any [I.11-I.6, if positive]				0
18	Excess as percent of wastewater treated				0.00%
	CROSS CREEK				
17	Cross Creek was originally developed and operated as a not-for-profit association. Wastewater				
18	rates were set up on a flat rate basis, based on the total number of buildout units. The area is built out.				
19	The current owner continues to bill on that basis. As such, it has need for, and no record of the amount of water				
20	purchased by the residents. Based on the utility's observations, there does not appear to be an I&I problem.				
21	The treated flows for Cross Creek average only 85 GPD per unit.				

Equivalent Residential Connections - Wastewater

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 020071-WS
 Test Year Ended: December 31, 2001

Schedule F-10
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the following information in order to calculate the average growth in ERCs for the last five years, including the test year. If the utility does not have single-family residential (SFR) customers, the largest customer class should be used as a substitute.

Line No.	(1) Year	(2) SFR Customers		(4) Average	(5) SFR W - Gallons Used	(6) Gallons/ SFR (5)/(4)	(7) Total W-Gallons Used	(8) Total ERCs (7)/(6)	(9) Annual % Incr. in ERCs
		Beginning	Ending						
1	1998	729	740	735	59,087,008	80,445	93,488,262	1,162	-
2	1999	740	759	750	67,383,007	89,904	104,989,307	1,168	0.49%
3	2000	759	741	750	70,882,005	94,509	108,372,324	1,147	-1.81%
4	2001	741	746	744	68,217,004	91,751	105,556,088	1,150	0.33%
5	2002	746	752	749	73,160,000	97,677	124,831,000	1,278	11.09%
Average Growth Through 5-Year Period (Col. 8)									3.20%

NOTE: The above data is for the Eagle Ridge system only. There is no gallonage data for Cross Creek. Cross Creek is a flat rate wastewater system; water is sold to and billed to individual customers directly by Lee County. This utility has no gallonage data and the number of units is fixed at 905.

Regression Analysis per Rule 25-30.431(2)(C)

Constant: 1116.696819
 X Coefficient: 21.4392731
 R^2: 0.381465977

X	Y	
1	1,162	Actual
2	1,168	Actual
3	1,147	Actual
4	1,150	Actual
5	1,278	Actual
6	1,245	Projected
7	1,267	Projected
8	1,288	Projected
9	1,310	Projected
10	1,331	Projected

Eagle Ridge and Cross Creek are separately served golf and tennis club communities. The Eagle Ridge service area consists of 815 single family detached residences, 538 apartment units, 178 condominium units, 204 town house units and a few commercial customers. The Cross Creek service area consists of 905 condominium units, some of which are single family and some of which are multi-unit buildings. Cross Creek is billed at a flat rate for 905 units. In Eagle Ridge, units in some multi-unit buildings are individually metered and some are master metered. Therefore a customer count and a unit count will not be the same. The number of units shown for the test year are meter equivalents for all customers.

The growth exhibited above is attributed more to increases in occupancy in master metered multi-units, higher occupancy rates and more people staying in residence for longer periods during the year, than to any customer growth on the system. The utility has not specifically included changes as a growth factor, but has considered them in reaching a conclusion that plant is virtually 100% used and useful.

Schedule of Wastewater Net Operating Income

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Interim Final
 Historic or Projected

Schedule: B-2 Interim
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the calculation of net operating income for the test year. If amortization (Line 4) is related to any amount other than an acquisition adjustment, submit an additional schedule showing a description and calculation of charge.

Line No.	(1) Description	(2) Balance Per Books	(3) Utility Test Year Adjustments	(4) Utility Adjusted Test Year	(5) Requested Revenue Adjustment	(6) Requested Annual Revenues	(7) Supporting Schedule(s)
1	OPERATING REVENUES	\$ 698,437	\$ 13,899	A \$ 712,336	\$ 135,635	F \$ 847,970	B-4, E-13
2	Operation & Maintenance	527,028	16,183	B 543,211		543,211	B-5, B-3(a)
3	Depreciation, net of CIAC Amort.	67,737	(5,710)	C 62,027		62,027	B-13, B-3(a)
4	Amortization						B-3(a)
5	Taxes Other Than Income	47,710	1,696	D 49,406	6,104	G 55,510	B-15, B-3(a)
6	Provision for Income Taxes	(3,699)	3,699	E -	31,428	H 31,428	C-1, B-3(a)
7	OPERATING EXPENSES	638,776	15,868	654,644	37,532	692,175	
8	NET OPERATING INCOME	\$ 59,661	\$ (1,969)	\$ 57,692	\$ 98,103	\$ 155,795	
9	RATE BASE	\$ 1,921,163		\$ 1,754,011		\$ 1,754,011	
10	RATE OF RETURN	3.11 %		3.29 %		8.88 %	

Schedule of Adjustments to Operating Income

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Schedule Year Ended: December 31, 2002
 Interim Final
 Historic or Projected

Schedule: B-3 Interim
 Page 1 of 1
 Docket No.: 030445-WS
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a detailed description of all adjustments to operating income per books, with a total for each line item shown on the net operating income statement.

Line No.	Description	Water	Wastewater
1 (A)	<u>Operating Revenues</u>		
	Adjust for annualized revenues at current rates		10,799
	Remove nonrecurring debit to Misc. Service Charges	-	3,100
2		\$ -	\$ 13,899
3 (B)	<u>Operations & Maintenance (O&M) Expenses</u>		
4	(1) Adjust salaries for 3% increase over TY expenses	-	4,696
5	(2) Adjust health cost expense - 25.86% over TY expenses	-	7,154
6			
7	(3) Adjust insurances expenses - 36.88% over TY expenses	-	4,333
10	Total O&M adjustments.	\$ -	\$ 16,183
11 (C)	<u>Non-used and useful depreciation</u>		
12	Non-used and useful depreciation (Page B-14)	-	(5,710)
13 (D)	<u>Taxes Other Than Income</u>		
14	(1) Payroll taxes		
15	Adjust for salary changes per Adjustment (B) above		397
16	(Page B-15)		-
17	(2) Property Taxes		
18	Adjust for non-used & useful plant (Page B-15)		(601)
20	(3) Regulatory Assessment fees		
21	Adjust for actual TY & annualized revenues.	-	1,900
			1,696
22 (E)	<u>Provision for Income Taxes</u>		
23	Remove negative income tax expense	-	3,699
24 (F)	<u>Revenue Increase</u>		
25	Increase in revenue required by the Utility to realize a		
26	8.91 % rate of return	\$ -	\$ 135,635
29 (G)	<u>Taxes Other Than Income</u>		
30	Regulatory Assessment Fees (RAFs)		
27	Adjust for requested revenue increase (Page B-15)	\$ -	\$ 6,104
28 (H)	<u>Provision for Income Taxes</u>		
29	Income Taxes (Page C-1)	\$ -	\$ 31,428

Reconciliation of Total Income Tax Provision

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Interim Final
 Historic or Projected

Schedule: C-1 Interim
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a reconciliation between the total operating income tax provision and the currently payable income taxes on operating income for the test year.

Line No.	Description	Ref.	Total Per Books	Utility Adjustments	Utility Adjusted	Water	Sewer	Adjusted for Increase Water	Increase Sewer
1	Current Tax Expense	C-2(a)	\$ (33,660)	\$ 31,156	\$ (2,503)	\$ -	\$ (2,503)		\$ 31,428
2	Deferred Income Tax Expense	C-5(a)	30,144		30,144		30,144		
3	ITC Realized This Year	C-8							
4	ITC Amortization	C-8							
5	(3% ITC and IRC 46(f)(2))								
6	Parent Debt Adjustment	C-9	-	-	-	-	-	-	-
7	Total Income Tax Expense		\$ (3,516)	\$ 31,156	\$ 27,641	\$ -	\$ 27,641	\$ -	\$ 31,428

Supporting Schedules: C-2, C-5, C-8, C-9
 Recap Schedules: B-1, B-2

State and Federal Income Tax Calculation - Current

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Interim Final
 Historic or Projected

Schedule: C-2 Interim
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide the calculation of state and federal income taxes for the test year. Provide detail on adjustments to income taxes and investment tax credits generated.

Line No.		Total Per Books	Utility Adjustments	Utility Adjusted	Water	Sewer	Adjusted for Increase		
							Water	Sewer	
1	Net Utility Operating Income (Sch. B-1 & B-2)	\$ 59,661	\$ (1,969)	\$ 57,692	\$ -	\$ 57,692	\$ -	\$ 155,795	
1a	Other Income	(2,048)	2,048						
2	Add: Income Tax Expense Per Books (Sch. B-1)	(3,699)	3,699	-	-	-	-	-	
3	Subtotal	53,914	3,778	57,692	-	57,692	-	155,795	
4	Less: Interest Charges (Sch. C-3)	65,054	-	65,054	-	65,054	-	71,794	
5	Taxable Income Per Books	(11,140)	3,778	(7,362)	-	(7,362)	-	84,001	
Schedule M Adjustments:									
6	Permanent Differences (From Sch. C-4)	(1,764)	1,764	-	-	-	-	-	
7	Timing Differences (From Sch. C-5)	89,623	(89,623)	-	-	-	-	-	
8	Total Schedule M Adjustments	87,859	(87,859)	-	-	-	-	-	
9	Taxable Inc. Before State Taxes, Adj. to T/B	(98,999)	91,637	(7,362)	-	(7,362)	-	84,001	
10	Less: State Income Tax Exemption (\$5,000)	5,000	5,000	5,000	-	5,000	-	5,000	
11	State Taxable Income	(103,999)	86,637	(12,362)	-	(12,362)	-	79,001	
12	State Income Tax (5.5% of Line 11)*	-	-	-	-	-	-	4,345	
13	Emergency Excise Tax								
14	Credits								
15	Current State Income Taxes (Lim by NOL)	-	-	-	-	-	-	4,345	
16	Federal Taxable Income (Line 9 - Line 15)	(98,999)	91,637	(7,362)	-	(7,362)	-	79,656	
17	Federal Income Tax Rate	0.34	0.34	0.34	0.34	0.34	0.34	0.34	
18	Federal Income Taxes (Line 16 x Line 17)	(33,660)	31,156	(2,503)	-	(2,503)	-	27,083	
19	Less: Investment Tax Credit Realized This Year (Sch. C-8)	-	-	-	-	-	-	-	
20	Current Federal Inc. Taxes (Line 18 - Line 19)	(33,660)	31,156	(2,503)	-	(2,503)	-	27,083	
Summary:									
21	Current State Income Taxes (Line 15)	-	-	-	-	-	-	4,345	
22	Current Federal Income Taxes (Line 20)	(33,660)	31,156	(2,503)	-	(2,503)	-	27,083	
23	Total Current Income Tax Expense (To C-1)	\$ (33,660)	\$ 31,156	\$ (2,503)	\$ -	\$ (2,503)	\$ -	\$ 31,428	

24 Note (1): Adjustments to test year operating income for interim rates are shown on Schedules B-1(a), B-2(a) and B-3(a)

**Schedule of Requested Cost of Capital (Interim Rates)
Beginning and End of Year Average**

Florida Public Service Commission

**Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002
Schedule Year Ended: December 31, 2002
Historic [X] or Projected []**

**Schedule: D-1 Interim
Page 1 of 1
Preparer: Seldman, F.
Revision No. 1
Subsidiary [] or Consolidated [X]**

Explanation: Provide a schedule which calculates the requested Cost of Capital on a beginning and end of year average basis. If a year-end basis is used, submit an additional schedule reflecting year-end calculations.

Line No.		(1)	(2)	(3)	(4)
		Total Capital	Ratio	Cost Rate	Weighted Cost
1	Long-Term Debt	862,107	49.15 %	7.56 %	3.72 %
2	Short-Term Debt	108,266	6.17	3.93	0.24
3	Preferred Stock				
4	Customer Deposits	39,336	2.24	6.00	0.13
5	Common Equity	705,574	40.24	11.92	4.79
6	Tax Credits - Zero Cost				
7	Accumulated Deferred Income Tax	38,728	2.21		
8	Other (Explain)				
9	Total	\$ 1,754,011	100.01 %		8.88 %
10	Note: Cost of Equity based on Order Nos. PSC-03-0707-PAA-WS and PSC-03-0799-CO-WS.				

Reconciliation of Capital Structure to Requested Rate Base
Beginning and End of Year Average

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
Docket No.: 030445-WS
Test Year Ended: December 31, 2002
Schedule Year Ended: December 31, 2002
Historic [X] Projected []

Schedule: D-2 Interim
Page 1 of 1
Preparer: Seidman, F.
Revision No. 1

Explanation: Provide a reconciliation of the simple average capital structure to requested rate base. Explain all adjustments. Submit an additional schedule if a year-end basis is used.

Line No.	(1) Class of Capital	(2) Prior Year 12/31/00	(3) Test Year 12/31/01	(4) Average	(5) Reconciliation Adjustments			(8) Reconciled To Requested Rate Base
					(5) Specific	(6) Prorata %	(7) Prorata Amount	
1	Long-Term Debt	70,345,623	117,834,538	94,090,081		\$ 51.44 %	(93,227,974)	862,107
2	Short-Term Debt	23,649,000	-	11,824,500		6.46 %	(11,716,234)	108,266
3	Preferred Stock							
4	Common Equity	76,392,765	77,650,144	77,021,455		42.1 %	(76,315,881)	705,574
5	Customer Deposits	37,596	41,076	39,336				39,336
6	Tax Credits - Zero Cost							
7	Tax Credits - Wtd. Cost							
8	Accum. Deferred Income Tax	24,274	53,182	38,728				38,728
9	Other (Explain)							
10	Total	\$ 170,449,258	\$ 195,578,940	\$ 183,014,099	\$ -	100.00 %	\$ (181,260,088)	\$ 1,754,011

11 * List corresponding adjustments to rate base below:

Description	Amount
-------------	--------

12 Note: Customer Deposits and Accum. Deferred Taxes are actual for Utilities, Inc. of Eagle Ridge

Rate Schedule

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Test Year Ended: December 31, 2002
 Water [] or Sewer [X]

Schedule: E-1 Interim
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Explanation: Provide a schedule of present and proposed rates. State residential sewer cap, if one exists.

Line No	(1) Class/Meter Size	(2) Test Year Rates thru 8/31/02	(3) Test Year Rates eff. 9/01/02	(4) Interim Rates	(6) Proposed Rates
1	Residential				
2	All meter sizes	13.93	14.18	16.89	17.73
3	Gallorage Charge (per 1000 gallons)				
4	10,000 gallons maximum	3.43	3.49	4.16	4.36
	Cross Creek Flat Rate, per mo per unit	13.45	13.69	16.30	17.12
5	General Service				
6	5/8" x 3/4"	13.93	14.18	16.89	17.73
	3/4"	20.90	21.27	25.33	26.59
7	1"	34.82	35.44	42.20	44.31
8	1 1/2"	69.62	70.87	84.39	88.60
9	2"	111.40	113.39	135.03	141.76
10	3"	222.81	226.80	270.08	283.54
11	4"	348.16	354.39	422.02	443.05
12	6"	696.34	708.80	844.05	886.13
15	Gallorage Charge (per 1000 gallons)	3.43	3.49	4.16	4.36
16					

Revenue Schedule at Present and Proposed Rates

Florida Public Service Commission

Company: Utilities, Inc. of Eagle Ridge
 Docket No.: 030445-WS
 Schedule Year Ended: December 31, 2002
 Water [] or Sewer [X]

Schedule: E-2 Interim
 Page 1 of 1
 Preparer: Seidman, F.
 Revision No. 1

Line No.	(1) Class/Meter Size	(2) - [10] Same as Sch. E-2	(11) Annualized Test Year Revenue	(12) Interim Rates	(13) Revenue at Interim Rates
1	Residential				
2	All meter sizes		\$ 128,981	\$ 16.89	\$ 153,631
3	M Gallons (thru- 10 MG)		181,791	4.16	216,690
3a	Cross Creek (Flat Rate)		148,673	\$ 16.30	\$ 177,018
4	Total Residential		\$ 459,445		\$ 547,339
5	Average Bill		\$ 23.02		\$ 27.43
6	General Service				
7	5/8" X 3/4"		1,702	16.89	\$ 2,027
8	M Gallons		5,668	4.16	6,756
9	1"		6,804	42.20	\$ 8,102
10	M Gallons		13,733	4.16	16,370
11	1 1/2"		28,490	84.39	\$ 33,925
12	M Gallons		108,714	4.16	129,584
13	2"		31,296	135.03	\$ 37,268
14	M Gallons		25,641	4.16	30,564
15	3"		2,722	270.08	\$ 3,241
16	M Gallons		26,576	4.16	31,678
17	4"		-	422.02	\$ -
18	M Gallons		-	4.16	-
19	6"		-	844.05	\$ -
20	M Gallons		-	4.16	-
23	Total Gen. Serv.		\$ 251,346		\$ 299,515
24	Average Bill		\$ 250.84		\$ 298.92
25	Miscellaneous service revenues		(1,555)		1,545
26	Total Annualized Revenue		\$ 709,236		\$ 848,399
27	Total revenue required				\$ 847,970
28	Difference				\$ 428

ATTACHMENT "D"

Response to Deficiencies

Docket No. 030445WS

Utilities, Inc. of Eagle Ridge

TITLE PAGE

ABBREVIATED CAPACITY ANALYSIS REPORT

For

EAGLE RIDGE WWTP

LEE COUNTY, FLORIDA

Report Date: July, 2002

Previous Initial Capacity Analysis Report: July, 1997

DEP FILE NUMBER FLA014498

PERMIT REVISION NO. FLA014498-002-DW2

Permit Expiration Date: January 14, 2003

CERTIFICATIONS

PERMITEE: Donald Rasmussen 7/12/02
 Donald Rasmussen, Vice President
 Utilities, Inc. of Eagle Ridge
 200 Weathersfield Avenc
 Altamonte Springs, Florida 32714
 (407) 868-1919

Certification: I have reviewed this report and am fully aware of the recommendations included in the report.

PROFESSIONAL ENGINEER: David Weber 7/10/02
 David Weber, P.E.
 PBS&J
 2803 Fruitville Road, Suite 130
 Sarasota, Florida 34237
 (941) 954-4036

Certification: The information contained in this report is true and correct to the best of my knowledge, the report was prepared in accordance with sound engineering principles.

TABLE OF CONTENTS

TITLE PAGE	Page 1
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CHAPTER 1.0 – INTRODUCTION	Page 4
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CHAPTER 3.0 – FUTURE CONDITIONS	Page 5
CHAPTER 4.0 – SUMMARY AND CONCLUSIONS	Page 5
ATTACHMENTS (at end of report)	
Process Flow Diagram	
Plant Data	

CHAPTER 1.0 INTRODUCTION

The Eagle Ridge WWTP is a 318,000 gpd extended aeration facility or a 443,000 gpd contact stabilization facility serving a residential subdivision in Lee County located off of Aeries Way. The collection system receives only domestic wastewater. Residential units (population and flow) are approaching buildout, estimated at 90%. The 3-month average daily flow using March, April and May of 2002 is 240,000 gpd.

Eagle Ridge WWTP is owned and operated by Utilities, Inc. of Eagle Ridge, a subsidiary of Utilities, Inc. of Florida which is located at 200 Weathersfield Avenue, Altamonte Springs, Florida 32714.

CHAPTER 2.0 EXISTING CONDITIONS

The treatment facility consists of flow equalization tanks, two activated sludge ring steel plant with aeration, sludge holding and clarifiers, sand filters and chlorine contact. Effluent is disinfected by chlorine. Effluent is discharge to a storage pond and pumped to a golf course for reuse.

Process units:

Surge tanks 92,700 gallons total

Influent screening

Aeration tanks 255,180 gallons total

Final settling tank, two at total 84,540 gallons

Gravity sand filters, two units one at 180 sf , one at 120 sf

Chlorine contact tanks 20,760 gallons

Storage pond with effluent pump station , 1,329,500 gallons

Aerobic sludge holding tank 112,200 gallons

Effluent is sampled for turbidity and chlorine residual before transfer by pumping to the golf course irrigation system.

Waste sludge is aerated and transported by contract hauler to a residual management permitted site.

The plant operating efficiency is based on CBOD and TSS analysis that show influent values of CBOD of 150 to 200 mg/L with effluent values of 1 to 2 mg/L. and influent values of TSS of 200 mg/L with effluent values of 0.7 to 1 mg/L. Data confirms plant operates within design and permit standards.

Monthly raw wastewater and final effluent flows and sample data for the past 1 years are presented at the end of the report.

Treatment levels by permit for reuse allow 20 mg/L CBOD on an annual average and 5 mg/L total suspended solids for a single sample. Plant effluent values are well below permit standards.

The appendix contains historical flow data for the facility from 1997 to 2002 with summary as follows:

<u>Year</u>	<u>Average</u>	<u>Minimum Month</u>	<u>Maximum Month</u>
1997	0.216 mgd		
1998	0.364 mgd	0.190 mgd	0.235 mgd
1999	0.218 mgd	0.204 mgd	0.239 mgd
2000	0.228 mgd	0.203 mgd	0.265 mgd
2001	0.232 mgd	0.212 mgd	0.254 mgd
2002	0.224 mgd	0.206 mgd	0.242 mgd

CHAPTER 3.0 FUTURE CONDITIONS

Service area is approaching buildout at 90%. There are no plans to expand the service area.

CHAPTER 4.0 SUMMARY AND CONCLUSIONS

Because the treatment facilities have been constructed to facilitate build-out conditions, no expansion schedules are necessary.

673-UTILITIES, INC. OF EAGLE RIDGE
Wastewater Treatment Plant M.O.R.

	Total	Average			Minimum	Maximum			Ammonia		Total	Minimum			
1997	Flow	Daily	CBOD5	TSS	pH	pH	Total N	TKN	(NH3-N)	Nitrate	Phosphorus	Chlorine	D.O.	KN	U.O.D.
Month	mgd	Flow	Effluent	Effluent	6.0	8.5	mg/L	mg/L	mg/L	mg/L	mg/L	Residual	mg/L	mg/L	mg/L
		mgd	mg/L	mg/L								mg/L			
January															
February															
March															
April															
May															
June															
July															
August															
September															
October															
November															
December	6.696	.216	0.7	.50	6.8	6.9						2.0			
Total	6.696	.031													

673-UTILITIES, INC. OF EAGLE RIDGE
Wastewater Treatment Plant M.O.R.

1998 Month	Total	Average	CBOD5 Effluent mg/L	TSS Effluent mg/L	Minimum pH 6.0	Maximum pH 8.5	Total N mg/L	TKN mg/L	Ammonia {NH3-N} mg/L	Nitrate mg/L	Total Phosphorus mg/L	Minimum Chlorine Residual mg/L	D.O. mg/L	KN mg/L	U.O.D. mg/L
	Flow mgd	Daily Flow mgd													
January	7.130	.230	2.98	.50	6.9	6.9						5.0			
February	6.496	.232	2.60	1.30	6.9	6.9						3.0			
March	7.285	.235	1.60	1.90	6.9	6.9						4.0			
April	6.420	.214	2.00	<1	6.9	6.9						4.0			
May	5.890	.190	1.40	.70	6.9	6.9						5.0			
June	5.850	.195	1.67	.80	6.7	6.9						6.0			
July	6.014	.194	1.40	.80	6.7	7.2						6.8			
August	6.386	.206	1.75	.07	6.9	7.0						6.0			
September	6.000	.200	1.30	1.50	6.9	7.0						6.0			
October	6.293	.203	2.20	1.10	6.9	7.0						3.5			
November	6.810	.227	3.50	1.40	6.4	6.9						4.5			
December	6.944	.224	2.60	1.00	6.6	6.8						3.0			
Total	77.518	.384													

673-UTILITIES, INC. OF EAGLE RIDGE
Wastewater Treatment Plant M.O.R.

1999 Month	Total Flow mgd	Average Daily Flow mgd	CBOD5 Effluent mg/L	TSS Effluent mg/L	Minimum pH 6.0	Maximum pH 8.5	Total N mg/L	TKN mg/L	Ammonia (NH3-N) mg/L	Nitrate mg/L	Total Phosphorus mg/L	Minimum Chlorine Residual mg/L	D.O. mg/L	KN mg/L	U.O.D. mg/L
January	7.409	.239	1.3	1.1	6.6	6.8						3.5			
February	6.580	.235	1.2	1.1	6.7	7.1						3.0			
March	7.037	.227	1.5	1.2	6.9	7.1						1.8			
April	6.450	.215	2.4	1.5	6.9	7.0						1.8			
May	6.417	.207	1.5	0.8	6.9	7.1						1.7			
June	6.240	.208	0.5	0.7	6.9	7.1						1.8			
July	6.262	.202	0.6	0.8	6.6	7.0						3.1			
August	6.324	.204	0.5	0.7	6.7	7.0						3.5			
September	6.150	.205	1.1	0.71	6.7	6.9						4.0			
October	6.572	.212	1.2	0.7	6.6	6.9						3.0			
November	7.050	.235	<1	<.7	6.6	6.8						3.0			
December	7.130	.230	1.2	0.7	6.6	6.8						3.2			
Total	79.621	.218													

673-UTILITIES, INC. OF EAGLE RIDGE
Wastewater Treatment Plant DMR

2000 Month	Total	Average	CBOD5 Effluent mg/L	TSS Effluent mg/L	Minimum pH 6.0	Maximum pH 8.5	Total N mg/L	TKN mg/L	Ammonia (NH3-N) mg/L	Nitrate mg/L	Total Phosphorus mg/L	Minimum Chlorine Residual mg/L	D.O. mg/L	KN mg/L	U.O.D. mg/L
	Flow mgd	Daily Flow mgd													
January	6.851	.221	0.8	0.70	6.6	6.8						2.9			
February	6.467	.223	1.2	0.85	6.6	6.8						3.0			
March	8.215	.265	1.5	0.82	6.6	6.8						3.2			
April	7.590	.253	1.6	0.90	6.6	6.8						3.4			
May	6.293	.203	2.0	0.80	6.7	7.4						2.2			
June	6.090	.203	1.5	<0.70	6.9	7.2						2.2			
July	6.324	.204	0.9	0.30	7.0	7.2						1.7			
August	6.541	.211	1.3	0.72	7.0	7.4						0.0			
September	7.260	.242	<1.0	0.70	6.9	7.2						1.5			
October	7.350	.237	1.0	0.70	7	7.5						1.7			
November	7.440	.248	0.5	0.90	6.2	6.8						1.6			
December	7.160	.231	<1	1.10	6.1	6.8						1.7			
Total	83.581	.228													

673-Utilities, Inc. of Eagle Ridge
Wastewater Treatment Plant D.M.R.

Eagle Ridge (073)
 FLA014498 Exp. 1/14/03
 Plant Permitted Capacity 0.443 mgd TMADF
 Perc Ponds/Surf Discharge -
 Reuse/Public Access 0.443 mgd

	Total	Average	Peak					Minimum
2001	Flow	Daily	Daily	CBOD5	TSS	Minimum	Maximum	Chlorine
Month	mgd	Flow	Flow	Effluent	Effluent	pH	pH	Residual
		mgd	mgd	mg/L	mg/L	6.0	8.5	mg/L
January	7.781	0.251	0.293	<1	0.90	6.40	6.80	1.80
February	6.664	0.238	0.279	0.10	0.60	6.60	7.20	1.80
March	7.161	0.231	0.314	1.50	1.00	6.90	7.20	1.20
April	7.530	0.251	0.303	3.00	<0.6	6.70	7.30	2.00
May	6.572	0.212	0.306	0.50	0.80	6.59	7.09	1.00
June	6.450	0.215	0.281	1.50	0.80	6.32	7.15	0.60
July	6.448	0.208	0.270	1.70	0.60	6.65	7.07	1.10
August	6.940	0.224	0.278	1.50	0.70	6.48	7.04	1.10
September	7.620	0.254	0.454	1.00	0.70	6.39	6.90	1.10
October	7.192	0.232	0.258	1.00	0.70	6.46	6.94	1.30
November	7.020	0.234	0.265	1.50	0.80	6.43	6.79	1.70
December	7.409	0.239	0.300	<1	0.90	6.36	6.71	1.20
Total	84.787	0.232	0.454					

October, '00	7.350	0.237
November	7.440	0.248
December	7.160	0.231
January, '01	7.781	0.251
February	6.664	0.238
March	7.161	0.231
April	7.530	0.251
May	6.572	0.212
June	6.450	0.215
July	6.448	0.208
August	6.940	0.224
September	7.620	0.254
	85.116	0.233

FLA014498 Exp. 1/14/03
 Plant Permitted Capacity 0.443 mgd TMADF
 Perc Ponds/Surf Discharge -
 Reuse/Public Access 0.443 mgd

2002 Month LIMIT	TOTAL FLOW			CBOD5 Influent		TSS Influent		CBOD5 Effluent		TSS Effluent		Fecal Coliform			pH		TRC	Turbidity
	Mo Flow mgd TOTAL	Mo Avg mgd Report	Peak mgd 0.443	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Weekly #/100ml	Mo Avg #/100ml	Max #/100ml	Min mg/L 6.0	Max mg/L 8.5	Min mg/L	Max NTU
January	6.386	0.206	0.270	172.0	204.0	238.0	363.0	<2	<2	0.7	1.1	<1	<1	<1	6.21	6.80	1.0	1.00
February	6.776	0.242	0.280	208.0	236.0	211.0	215.0	2.0	<2	1.0	2.1	<1	<1	<1	6.30	6.72	1.0	1.96
March	0.000																	
April	0.000																	
May	0.000																	
June	0.000																	
July	0.000																	
August	0.000																	
September	0.000																	
October	0.000																	
November	0.000																	
December	0.000																	
Total	13.162																	
Average		0.224	0.275	190.000	220.000	224.500	289.000	2.000	#DIV/0!	0.850	1.600	#DIV/0!	#DIV/0!	#DIV/0!	6.26	6.76	1.0	1.48
Minimum		0.206		172.000		211.000		2.000		0.700		0.0	0		6.21		1.0	
Maximum		0.242	0.280	208.000	236.000	238.000	363.000	2.000	0.000	1.000	2.100	0.0	0.000	0.000	6.80		1.0	1.96

01/12/2004 12:04 4078696961 UTILITIES INC OF FL PAGE 12

AA DF	TOTAL VOLUME	REUSE MOAVG.
	63 185	0.229
January, 01	7.781	0.251
February	6.664	0.238
March	7.161	0.231
April	7.530	0.251
May	6.572	0.212
June	6.450	0.215
July	6.448	0.208
August	6.944	0.224
September	7.620	0.254
October	7.192	0.232
November	7.020	0.234
December	7.409	0.239
January, '02	6.386	0.206
February	6.776	0.242
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		

FLA014498 Exp. 1/14/03
 Plant Permitted Capacity 0.443 mgd TMADF
 Perc Ponds/Surf Discharge -
 Reuse/Public Access 0.443 mgd

2002 Month LIMIT	TOTAL FLOW			CBOD5 Influent		TSS Influent		CBOD5 Effluent		TSS Effluent		Fecal Coliform			pH		TRC	Turbidity
	Mo Flow mgd	Mo Avg mgd	Peak mgd	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Weekly #/100ml	Mo Avg #/100ml	Max #/100ml	Min mg/L	Max mg/L	Min mg/L	Max NTU
January	6.386	0.206	0.270	172.0	204.0	238.0	363.0	<2	<2	0.7	1.1	<1	<1	<1	6.21	6.80	1.0	1.0
February	6.776	0.242	0.280	208.0	236.0	211.0	215.0	2.0	<2	1.0	2.1	<1	<1	<1	6.30	6.72	1.0	1.9
March	0.000																	
April	0.000																	
May	0.000																	
June	0.000																	
July	0.000																	
August	0.000																	
September	0.000																	
October	0.000																	
November	0.000																	
December	0.000																	
Total	13.162																	
Average		0.224	0.275	190.000	220.000	224.500	289.000	2.000	#DIV/0!	0.850	1.600	#DIV/0!	#DIV/0!	#DIV/0!	6.26	6.76	1.0	1.48
Minimum		0.206		172.000		211.000		2.000		0.700		0.0	0		6.21		1.0	
Maximum		0.242	0.280	208.000	236.000	238.000	363.000	2.000	0.000	1.000	2.100	0.0	0.000	0.000		6.80		1.98

01/12/2004 12:04 4078696961 UTILITIES INC OF FL PAGE 14

TITLE PAGE

ABBREVIATED CAPACITY ANALYSIS REPORT

For

CROSS CREEK WWTP

LEE COUNTY, FLORIDA

Report Date: July, 2002

Previous Abbreviated Capacity Analysis Report: August, 1997

DEP FILE NUMBER FLA014505

PERMIT REVISION NO. FLA014498-001-DW2P

Permit Expiration Date: May 12, 2003

CERTIFICATIONS

PERMITEE: *Donald Rasmussen* *7/12/02*
 Donald Rasmussen, Vice President
 Utilities, Inc. of Eagle Ridge
 200 Weathersfield Avenue
 Altamonte Springs, Florida 32714
 (407) 868-1919

Certification: I have reviewed this report and am fully aware of the recommendations included in the report.

PROFESSIONAL ENGINEER: *David Weber* *7/10/02*
 David Weber, P.E.
 PBS&J
 2803 Fruitville Road, Suite 130
 Sarasota, Florida 34237
 (941) 954-4036

Certification: The information contained in this report is true and correct to the best of my knowledge, the report was prepared in accordance with sound engineering principles.

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Process Flow Diagram	
Plant Data	

CHAPTER 1.0 INTRODUCTION

The Cross Creek WWTP is a 249,000 gpd MMADF extended aeration facility serving a residential subdivision in Lee County located off of Cross Creek Boulevard. The collection system receives only domestic wastewater. Residential units (population and flow) are at buildout.

Cross Creek WWTP is owned and operated by Eagle Ridge, a subsidiary of Utilities, Inc. The Florida regional office is located at 200 Weathersfield Avenue, Altamonte Springs, Florida 32714.

CHAPTER 2.0 EXISTING CONDITIONS

The treatment facility consists of a concrete plant with a flow equalization tanks, four activated sludge chambers, single clarifier tank, dual chlorine contact chambers, two digester tanks and dual tertiary filters with reclaimed water to existing reuse holding tank, golf course irrigation system or reject storage tank. The 3-month average daily flow is 126,000 gpd for January, February and March in 2002, typical winter months when flows are highest.

Process units:

Surge tanks

Influent screening

Aeration tanks

Final settling tank

Gravity sand filters

Chlorine contact tanks

Storage pond with effluent pump station

Aerobic sludge digester tank

Effluent is sampled for turbidity and chlorine residual before transfer by pumping to the golf course irrigation system.

Waste sludge is aerated and transported by contract hauler to a residual management permitted site.

The plant operating efficiency is based on CBOD and TSS analysis that show influent values of CBOD of 132 to 145 mg/L with effluent values of 1 to 2 mg/L, and influent values of TSS of 84 TO 113 mg/L with effluent values of 0.7 to 2 mg/L. Data confirms plant operates within design and permit standards.

Monthly raw wastewater and final effluent flows and sample data for the past years are presented at the end of this report.

Treatment levels by permit for reuse allow 20 mg/L CBOD on an annual average and 5 mg/L total suspended solids for a single sample. Plant effluent values are well below permit standards.

Historical flow data from the facility from 2000 to 2002 with summary is as follows:

<u>Year</u>	<u>Average</u>	<u>Minimum Month</u>	<u>Maximum Month</u>
2000	0.101 mgd	0.060 mgd	0.173 mgd
2001	0.088 mgd	0.039 mgd	0.151 mgd
2002	0.225 mgd 0.183	0.135 mgd	0.230 mgd

CHAPTER 3.0 FUTURE CONDITIONS

Service area is at buildout. There are no plans to expand the service area.

CHAPTER 4.0 SUMMARY AND CONCLUSIONS

Because the treatment facilities have been constructed to facilitate build-out conditions, no expansion schedules are necessary.

674-UTILITIES, INC. OF EAGLE RIDGE-CROSS CREEK
Wastewater Treatment Plant DMR

2000 Month	Total Flow mgd	Average Daily Flow mgd	CBOD5 Effluent mg/L	TSS Effluent mg/L	Minimum	Maximum	Total N mg/L	TKN mg/L	Ammonia (NH3-N) mg/L	Nitrate mg/L	Fecal Coliform mL	Minimum	D.O. mg/L	KN mg/L	U.O.D. mg/L
					pH 6.0	pH 8.5						Chlorine Residual mg/L			
January	4.526	.146	1.7	<1	6.3	6.8					<1	2.0			
February	5.017	.173	<2	2.10	6.5	6.7					<1	2.0			
March	5.053	.163	<2	2.00	6.3	6.5					<1	1.0			
April	3.690	.123	1.9	1.30	5.4	6.5					<1	0.5			
May	2.139	.069	1.6	2.00	6	6.7					<1	2.0			
June	1.890	.063	1.5	1.80	6	6.2					<1	4.2			
July	2.015	.065	1.5	<7	5.7	6.6					<1	3.8			
August	1.860	.060	1.5	0.70	6.0	6.7					<1	5.0			
September	2.010	.067	<1	<1	6.5	6.9					<1	5.0			
October	2.511	.081	<1	<1	3.6	6.8					<1	5.0			
November	2.850	.095	1.0	<1	5.1	6.8					<1	4.8			
December	3.160	.102	2.0	0.60	6.6	7.0					<1	1.0			
Total	36.721	.101													

674-Utilities, Inc. of Eagle Ridge-Cross Creek
Wastewater Treatment Plant D.M.R.

FLA014505 Exp. 5/12/03
 Plant Permitted Capacity 0.249 mgd MMADF
 Perc Ponds/Surf Discharge -
 Reuse/Public Access 0.249 mgd

2001 Month	Total	Average	Peak	CBOD5 Effluent mg/L	TSS Effluent mg/L	Minimum pH 6.0	Maximum pH 8.5	Fecal Coliform mL	Minimum
	Flow mgd	Daily Flow mgd	Daily Flow mgd						Chlorine Residual mg/L
January	4.495	0.145	0.177	1.50	0.80	6.10	7.20	<1	1.00
February	4.228	0.151	0.167	<1	0.70	6.70	7.10	<1	1.00
March	4.619	0.149	0.162	<1	0.80	6.80	7.20	<1	1.00
April	3.420	0.114	0.140	1.50	0.80	6.40	7.10	<1	1.00
May	1.302	0.042	0.074	<1	0.90	6.00	7.00	<1	1.00
June	1.170	0.039	0.082	1.00	0.70	6.00	7.00	<1	1.00
July	1.829	0.059	0.150	1.30	0.60	6.20	6.80	<1	1.00
August	2.046	0.066	0.110	<1	0.70	6.10	7.10	<1	1.00
September	2.100	0.070	0.132	1.00	0.80	6.30	6.80	<1	1.00
October	1.953	0.063	0.122						
November	2.490	0.083	0.127						
December	2.356	0.076	0.140	1.00	0.70	6.20	6.80	<1	1.00
Total	32.008	0.088	0.177						

674-Cross Creek WWTTP
 FLA014505 Exp. 5/12/03
 Plant Permitted Capacity 0.249 mgd MMADF
 Perc Ponds/Surf Discharge -
 Reuser/Public Access 0.249 mgd

2002 Month LIMIT	TOTAL FLOW			CBOD5 Influent		TSS Influent		CBOD5 Effluent		TSS Effluent		Fecal Coliform		pH		TRC Min mg/L
	Mo Flow mgd	Mo Avg mgd	Peak mgd	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg mg/L	Max mg/L	Mo Avg #/100ml	Max #/100ml	Min mg/L	Max mg/L	
January	4.185	0.135	0.225	139.0	145.0	106.0	113.0	1.0	1.0	0.9	2.1	<1	<1	6.1	6.7	1.0
February	6.440	0.230	0.225	132.0	135.0	69.0	84.0	4.0	6.0	0.9	2.4	<1	<1	6.0	6.5	1.0
March	0.000															
April	0.000															
May	0.000															
June	0.000															
July	0.000															
August	0.000															
September	0.000															
October	0.000															
November	0.000															
December	0.000															
Total	10.625															
Average		0.183	0.225	135.500	140.000	87.500	98.500	2.500	3.500	0.900	2.250	#DIV/0!	#DIV/0!	6.05	6.60	1.0
Minimum		0.135		132.000		69.000		1.000		0.900		0.0		6.00		1.0
Maximum		0.230	0.225	139.000	145.000	106.000	113.000	4.000	6.000	0.900	2.400	0.0	0.000		6.70	

	TOTAL VOLUME	RELISE MOAVG
AAOF	18.688	0.094
January, 01	4.495	0.145
February	4.228	0.151
March	4.619	0.149
April	3.420	0.114
May	1.302	0.042
June	1.170	0.039
July	1.829	0.059
August	2.046	0.066
September	2.100	0.070
October	1.953	0.063
November	2.490	0.083
December	2.356	0.076
January, '02	4.185	0.135
February	6.440	0.230
March		
April		
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September		
October		
November		
December		

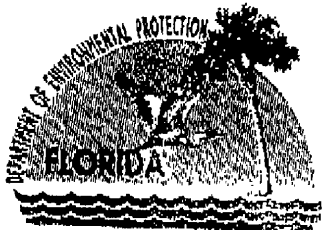
Operations 10 2 2002 DMRs 574 Cross Creek

ATTACHMENT "E"

Response to Deficiencies

Docket No. 030445WS

Utilities, Inc. of Eagle Ridge



Jeb Bush
Governor

Department of Environmental Protection

RECEIVED
MAY - 3 1999
BY: *JW*

- 002

David B. Struhs
Secretary

FILE
Permit Binder
BOOK

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549
STATE OF FLORIDA
NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL NO.P 313 542 634
RETURN RECEIPT REQUESTED

In the Matter of an Application
for Permit By:

Utilities Inc. of Eagle Ridge
c/o Mr. Donald Rasmussen
Vice President
200 Weathersfield Avenue
Altamonte Springs, Florida 32714

Lee County - DW
Eagle Ridge WWTP
Permit No.: FLA014498-001-DW2P
Permit Revision No.: FLA014498-002-DW2

Dear Mr. Rasmussen:

This letter is a notification of the Department's revision of the wastewater Permit No. FLA014498-001-DW2P to incorporate the following:

1. The treatment facility shall be operated in extended aeration mode up to 0.318 mgd, weekly average daily flow (WADF). At any time the WADF to the facility exceeds 0.318 mgd, the mode of operation shall be changed to contact stabilization process. The maximum permitted capacity of this facility is 0.443 mgd, three month average daily flow (TMADF) in contact stabilization mode.
2. The sampling frequency for fecal coliform and total suspended solids specified in condition I.A.1., Reclaimed water limitations and monitoring requirements, of this permit has been revised to the following:
 - a. When the facility is operated in extended aeration mode,
 - (i) The facility shall monitor the above parameters 3 days per week as long as the three month average daily flow to the facility is less than or equal to 0.255 mgd. This limitation is due to the available aeration volume at the facility, which is 255,180 gallons.
 - (ii) At any time the three month average daily flow to the facility exceeds 0.255 mgd the sampling frequency shall be 7 days per week.
 - b. When the facility is operated in contact stabilization mode the sampling frequency for the above mentioned parameters shall be 3 days per week.
3. In the event that the influent flow to the facility is less than 0.318 mgd, WADF and the facility begins to have problems meeting any of the reclaimed water limitations in this permit, the

permittee shall change the mode of operation of the treatment facility from extended aeration to contact stabilization process.

4. The permittee shall submit a written notification to the Department before changing the mode of operation.
5. The maximum turbidity of the effluent shall be limited to 2.5 NTU as described in the approved operating protocol (April, 1999).
6. The facility is permitted to use the reclaimed water from the reuse storage pond to irrigate landscape areas within the fenced treatment plant site.

All the other General and Specific Conditions of the existing wastewater permit (Permit No. FLA014498-001-DW2P) remain the same. Any part in this revision which may be inconsistent with the previously issued permit, shall supersede the requirements of the previously issued permit. **This letter must be attached to the existing wastewater permit and becomes a permanent part thereof.**

A person whose substantial interests are affected by this action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Permit Revision. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under DEP Section 120.57, Florida Statutes.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

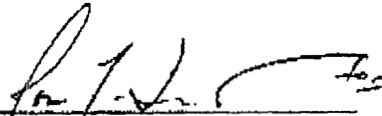
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION


Margaret F. Highsmith,
Director of
District Management

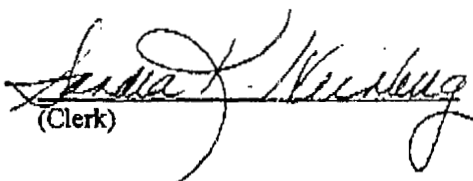
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF AGENCY ACTION and all copies were mailed before the close of business on April 30, 1999 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to s. 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 (Clerk) 4/30/99 (Date)

MFH/SK/jmo

Copies furnished to:
Michael Dunn, P.E.
Andy Barentbrock - FDEP



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Weheroll
Secretary

STATE OF FLORIDA NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL NO. P 063 118 000
RETURN RECEIPT REQUESTED

In the Matter of an Application
for Permit by:

Lee County - DW
Eagle Ridge WWTP
DEP File No. FLA014498-001-DW2P

Mr. Frederick V. Quinn, President
Eagle Ridge Utilities
14589 Eagle Drive, S.E.
Fort Myers, Florida 33912

Enclosed is Permit Number **FLA014498-001-DW2P** to construct and operate the subject wastewater treatment facility, issued pursuant to Section(s) 403.087, Florida Statutes.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes, or all parties may reach a written agreement on mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this permit. Petitions filed by any other person must be filed within fourteen days of receipt of this notice of permit. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department's permit identification number and the county in which the subject matter or activity is located;
- (b) a statement of how and when each petitioner received notice of the Department's action;

- (c) a statement of how each petitioner's substantial interests are affected by the department's action;
- (d) a statement of the material facts disputed by the petitioner, if any;
- (e) a statement of facts that the petitioner contends warrant reversal or modification of the Department's action;
- (f) a statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action; and
- (g) and a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which includes the Department and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) the names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) the name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) the agreed allocation of the costs and fees associated with the mediation;
- (d) the agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) the date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) the name of each party's representative who shall have authority to settle or recommend settlement;
- (g) either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this action or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and
- (h) the signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by section 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within fourteen days of receipt of the final order. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under section 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes. This action is final and effective on the date filed with the Clerk of the

Department unless a petition (or request for mediation) is filed in accordance with the above. Upon the timely filing of a petition (or request for mediation) this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on January 16, 1998 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

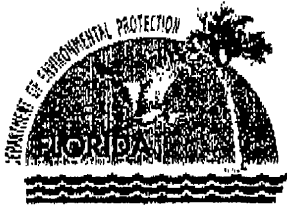
FILED, on this date, pursuant to s. 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Maly 1-16-98
(Clerk) (Date)

ABA/SK/klm

Copies furnished to:

- James P. Elliott, P.E.
- Andrew Barienbrock - FDEP
- Jack Myers, P.G. - FDEP



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

Eagle Ridge Utilities
Mr. Frederick V. Quinn, President
14589 Eagle Drive, S.E.
Fort Myers, Florida 33912

PERMIT NUMBER:
ISSUANCE DATE:
EXPIRATION DATE:
FACILITY I.D. NO:

FLA014498-001-DW2P
January 15, 1998
January 14, 2003
FLA014498

FACILITY:

Eagle Ridge WWTP
Aeries Way
Fort Myers, Florida 33912
Lee County
Latitude: 26° 29' 34" N Longitude: 81° 50' 45" W

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

TREATMENT FACILITIES:

To operate an existing 0.443 MGD, three month average daily flow (TMADF), contact stabilization process domestic wastewater treatment plant consisting of two manual bar screens, flow equalization tanks with a total volume of 92,700 gallons, a grit removal chamber with a volume of 21 cubic feet, aeration tanks with a total volume of 255,180 gallons, two clarifiers with a total volume of 84,540 gallons, automatic backwash filter with a filter bed area of 180 square feet (SF) and a loading rate of 2 GPM/SF, a manual filter with a filter bed area of 120 SF and a loading rate of 2.6 GPM/SF, one rectangular and two circular chlorine contact chambers with a total volume of 20,760 gallons, and two aerobic digesters with a total volume of 112,200 gallons with:

REUSE:

Land Application: An existing 0.443 MGD, TMADF, permitted capacity slow-rate public access spray irrigation system (R001) consisting of 90 acres of golf course, an unlined effluent storage pond with a volume of 1,329,500 gallons and a reject storage pond with a volume of 600,000 gallons. The public access spray irrigation system R001 is located at Eagle Ridge Golf and Country Club, Fort Myers, Lee County, Florida, latitude 26° 29' 34" N and longitude 81° 50' 45" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in pages 1 through 18 of this permit.

PERMITTEE: Eagle Ridge Utilities
 14589 Eagle Drive, S.E.
 Fort Myers, Florida 33912

PERMIT NUMBER: FLA014498-001-DW2P
 EXPIRATION DATE: January 14, 2003
 FACILITY I.D. NO.: FLA014060

I RECLAIMED WATER LIMITATIONS AND MONITORING REQUIREMENTS

A. Reuse and Land Application Systems

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to direct reclaimed water to Reuse System, WAFR system I.D. No. R001. Such reclaimed water shall be limited and monitored by the permittee as specified below:

Parameter	Units	Max/Min	Reclaimed Water Limitations				Monitoring Requirements			
			Annual Average	Three Month Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	-	0.443	-	-	7 Days/Week	Recording flow meters and totalizers	FLW-1	See Cond.I.A.3
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Maximum	20.0	30.0	45.0	60.0	Every Two Weeks	8-hour flow proportioned composite	EFA-1	
Total Suspended Solids	mg/L	Maximum	-	-	-	5.0	7 Days/Week	Grab	EFA-1	
pH	std. units	Range	-	-	-	6.0 to 8.5	7 Days/Week	Grab	EFA-1	
Fecal Coliform Bacteria	See Permit Condition I.A.4.						7 Days/Week	Grab	EFA-1	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	1.0	Continuous	On-line monitor & chart recorder	EFA-1	See Cond.I.A.5
Turbidity	NTU	Maximum	See Permit Condition I.A.6.				Continuous	On-line monitor & chart recorder	EFA-1	

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

Monitoring Location Site Number	Description of Monitoring Location
EFA-1	After chlorination and before discharge to public access spray irrigation system/percolation ponds
FLW-1	Flow meter with a totalizer and a chart recorder in the chlorine contact chamber for 150 days from the date of issuance of this permit The new influent flowmeter with a totalizer and a chart recorder located after the master lift station and before the equalization basins after 150 days from the date of issuance of this permit
EFB-1	After tertiary filtration and prior to chlorination

3. Recording flow meters and totalizers utilized to measure the total flow and the flow to the public access spray irrigation system (R001) shall be calibrated at least annually. [62-601.200(17) and 500(6), 5-31-93]
4. Over a 30 day period, 75 percent of the fecal coliform values (the 75th percentile value) shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 5.0 milligrams per liter of total suspended solids (TSS) at a point before application of the disinfectant. Note: To report the 75th percentile value, list the fecal coliform values obtained during that month in ascending order. Report the value of the sample that corresponds to the 75th percentile (multiply the number of samples by 0.75). For example, for 30 samples, report the corresponding fecal coliform value for the 23rd value of ascending order. [62-600.440(5)(f), 6-8-93]
5. The minimum total chlorine residual shall be limited as described in the approved operating protocol, such that the permit limitation for fecal coliform bacteria will be achieved. In no case shall the total chlorine residual be less than 1.0 mg/L. [62-600.440(5)(b) and (6)(b), 6-8-93]
6. The maximum turbidity shall be limited as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms will be achieved. [62-610.463, 1-9-96]

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B. Other Limitations and Monitoring and Reporting Requirements

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below:

Parameter	Units	Max/Min	Influent Limitations				Monitoring Requirements			
			Annual Average	Three Month Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	-	0.443	-	-	7 Days/Week	Recording flow meters and totalizers	FLW-1	See Cond.I.A.4
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Report	-	-	-	-	Every Two Weeks	8-hour flow proportioned composite	INF-1	See Cond.I.B.3
Total Suspended Solids	mg/L	Report	-	-	-	-	Every Two Weeks	8-hour flow proportioned composite	INF-1	See Cond.I.B.3

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 PAGE 08

PERMITTEE: Eagle Ridge Utilities
14589 Eagle Drive, S.E.
Fort Myers, Florida 33912

PERMIT NUMBER: FLA014498-001-DW2P
EXPIRATION DATE: January 14, 2003
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2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1 and as described below:

Monitoring Location Site Number	Description of Monitoring Location
JNF-1	After the influent lift station and before delivery to the first equalization basin

3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4), 5-31-93]
4. Recording influent flow meters and totalizers shall be calibrated at least annually. [62-601.200(17) and .500(6), 5-31-93]
5. Parameters which must be monitored as a result of a ground water discharge (i.e., underground injection or land application system) shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18), 11-29-94]
6. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5), 5-31-93]
7. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department on a monthly basis Discharge Monitoring Report(s) (DMR), Form 62-620.910(10), as attached to this permit. The permittee shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the South District Office at the address specified in Permit Condition I.B.9. by the twenty-eighth (28th) of the month following the month of operation.
[62-620.610(18), 11-29-94][62-601.300(1), (2), and (3), 5-31-93]
8. During the period of operation authorized by this permit, reclaimed water or effluent shall be monitored annually for the primary and secondary drinking water standards contained in Chapter 62-550, F.A.C., (except for turbidity, total coliforms, color, and corrosivity). Twenty-four hour composite samples shall be used to analyze reclaimed water or effluent for the primary and secondary drinking water standards. These monitoring results shall be reported to the Department annually on the Reclaimed Water or Effluent Analysis Report, Form 62-601.900(4), or in another format if requested by the permittee and if approved by the Department as being compatible with data entry into the Department's computer system. During years when a permit is not renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system since the last reclaimed water or effluent analysis was conducted may be submitted in lieu of the report. The annual reclaimed water or effluent analysis report or the certification shall be completed and submitted in a timely manner so as to be received by the Department's South District Office by January 28th of each year. [62-601.300(4), 5-31-93][62-601.500(3), 5-31-93]
9. The permittee shall submit an annual report of reclaimed water utilization using Form 62-610.300(4)(a)2. by January 28th of each year. [62-610.870(3), 1-9-96]
10. Unless specified otherwise in this permit, all reports and notifications required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's South District Office at the address specified below:

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Fort Myers, Florida 33912

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Florida Department of Environmental Protection
South District Office
2295 Victoria Avenue Suite 364
Ft. Myers, Florida 33901-3884

Phone Number - (941) 332-6975

FAX Number - (941) 332-6969 All FAX copies shall be followed by original copies.

II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is land application.
2. Land application of residuals shall be in accordance with the conditions of this permit and the requirements of Chapter 62-640, F.A.C. [62-640, 3-1-91]
3. The domestic wastewater residuals for this facility are classified as Class B. The residuals shall be stabilized by lime stabilization or aerobic digestion process. For lime stabilization process, the pH be maintained 12 or greater for 2 hours and be maintained at pH 11.5 or higher for an additional 22 hours prior to hauling from the plant site. 40 CFR 503 provides pathogen and vector attraction requirements. Both the criteria have to be satisfied before residuals can be land applied for disposal.
4. The wastewater treatment facility permittee shall be responsible for proper handling, use, and disposal of its residuals and will be held responsible for any disposal violations that occur unless the permittee can demonstrate that it has delivered residuals that meet the chemical criteria and appropriate stabilization requirements of this permit and that the disposer (e.g. hauler, contractor, or disposal/land application site owner) has legally agreed in writing to accept responsibility for proper disposal. [62-640.300(3), 3-1-91]
5. The permittee shall sample and analyze the residuals at least once every 6 months. All samples shall be representative and shall be taken after final treatment of the residuals but before use or disposal. Sampling and analysis shall be in accordance with the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. The following parameters shall be sampled and analyzed:

Parameter	Maximum Concentration	Maximum Cumulative Loading
Total Nitrogen	(Report only) % dry weight	Not applicable
Total Phosphorus	(Report only) % dry weight	Not applicable
Total Potassium	(Report only) % dry weight	Not applicable
Cadmium	100 mg/kg dry weight	4.4 pounds /acre *
Copper	3000 mg/kg dry weight	125 pounds/acre
Lead	1500 mg/kg dry weight	500 pounds/acre
Nickel	500 mg/kg dry weight	125 pounds/acre
Zinc	10,000 mg/kg dry weight	250 pounds/acre
pH	(Report only) standard units	Not applicable
Total Solids	(Report only) %	Not applicable

* The annual application rate for cadmium shall not exceed 0.5 pounds/acre/year.

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6. Class B residuals shall not be used on unrestricted access areas. [62-640.600(6)(b), 3-1-91]
7. Class B residuals application shall be in accordance with the Agricultural Use Plan(s) approved by the Department for this facility. [62-640.300(1), 3-1-91]
8. Root crops, and fruits and vegetables which touch the soil and which are to be consumed raw shall not be grown on the application site for 18 months after the last application of Class B residuals. [62-640.600(6)(c), 3-1-91]
9. Fruits and vegetables which do not touch the soil and which are to be consumed raw shall not be harvested from the application site for 30 days following the last application of Class B residuals. Orchard tree crops, which do not come in contact with the residuals due to the application method, are exempted. This exemption does not apply to orchard tree crops which have fallen to the ground before harvesting. [62-640.600(6)(d), 3-1-91]
10. Pasture vegetation on the application site shall not be cut or used for grazing by livestock for 30 days following the last application of Class B residuals. [62-640.600(6)(e), 3-1-91]
11. The public shall be restricted from the application area for 12 months after the last application of Class B residuals. [62-640.600(6)(f), 3-1-91]
12. The wastewater treatment facility permittee shall apply for a minor permit revision on DEP Form 62-620.910(9) for new, modified, or expanded residuals land application sites. The facilities permit shall be revised to include the new or revised Agricultural Use Plan(s) prior to application of residuals to the new, modified, or expanded sites. Current Agricultural Use Plan(s) identify residuals landspreading on the following sites: [62-620.330, 11-29-94]

Site Name	Application Area (Acres)	Site Location	
		City	County
South Curch Street Site	355		Hendry
Nat Hunter Ranch	500	Fort Myers	Lec

13. Annual residuals application rates shall not exceed the agronomic rates based on the nitrogen requirements of the site vegetation in accordance with the approved Agricultural Use Plan(s). [62-640.700(3)(d), 3-1-91]
14. Residuals shall be applied with techniques and equipment to assure uniform application over the site. [62-640.700(3)(n), 3-1-91]
15. The pH of the domestic wastewater residuals soil mixture shall be 6.5 or greater at the time domestic wastewater residuals are applied. At a minimum, testing shall be done annually. [62-640.700(3)(h), 3-1-91]
16. The permittee shall maintain records of application areas and application rates on DEP Form 62-640.900(3) and shall have these records available for inspection upon request by the Department or the appropriate Local Environmental Program. These records shall include:
 - a. Date of application of the residuals,
 - b. Location of the residuals application site,
 - c. Amount of residuals applied or delivered,
 - d. Identification of specific areas of the site where residuals were applied and acreage of that area,
 - e. Method of incorporation of residuals (if any),
 - f. Water table level at time of application, and

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- g. Concentration of nitrogen and heavy metals in the residuals, percent solids, and date of last analysis.

The permittee shall provide: annual updates to the Agricultural Use Plan(s) to reflect any changes in domestic wastewater residuals characteristics or agricultural practices; summaries of the total residuals, nitrogen, and heavy metals applied on an annual basis; and annual summaries of the cumulative metals applied. Updates to the Agricultural Use Plan(s) and annual summaries, including copies of applicable analytical laboratory reports for the wastewater residuals analysis for that period, shall be submitted to the Department's South District Office by January 28th of each year. [62-640.700(3)(e) and (p), 3-1-91]

III. GROUNDWATER MONITORING REQUIREMENTS

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

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

Well Name	Monitoring Location Site Number	Aquifer Monitored	Well Type	New or Existing
ER-1	21349	Surficial	Background	Existing
ER-2	21348	"	Intermediate	"
ER-3	21347	"	Compliance	"

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

<u>Sampling Period</u>	<u>Well</u>	<u>Report Due Date</u>
January-March	1, 2, 3	April 15
April-June	2	July 15
July-September	2	October 15
October-December	2	January 15

6. The following parameters shall be analyzed for each of the wells scheduled above in Item III.5.:
- a. Water level (field measurement)
 - b. Nitrate (as N)

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- c. Total dissolved solids
- d. Chloride
- e. pH
7. The sampling and analyses of the monitoring wells and reclaimed water shall be in accordance with Chapter 62-601 and 62-610, F.A.C.
8. Ground water sampling results shall be reported on the **Ground Water Monitoring Report - Part D of Form 62-620.910(10)** and submitted with the April, July, October and January DMR.
9. During the January-March sampling period, the reclaimed water shall be sampled and the analyses reported on the **Reclaimed Water or Effluent Analysis Report, Form 62-601.900(4)**. During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater dischargers have been added to collection system may be submitted in lieu of the report.
10. A **Zone of Discharge** is hereby established and shall not areally extend further than one hundred (100) feet beyond the perimeters of the areas of wetted surface of reclaimed water spray irrigation, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer. All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge and the minimum criteria for ground water as defined in Chapter 62-520, F.A.C. shall be met within the zone of discharge.
11. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 62-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.
12. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter. The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.
13. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured and kept free of vegetation at all times.

IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

Part III Public Access System(s)

1. All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. For major users of reclaimed water (i.e., using 0.1 mgd or more), the zone of discharge shall extend horizontally 100 feet from the application site or to the user's property line, whichever is less, and vertically to the base of the surficial aquifer. For other users, the zone of discharge shall extend horizontally to the boundary of the general service area identified in the attached map and vertically to the base of the surficial aquifer. [62-520.200(23), 4-14-94] [62-522.400 and 62-522.410, 4-14-94]
2. The treatment facilities shall be operated in accordance with the approved operating protocol revised on January 12, 1998. Only reclaimed water that meets the criteria established in the approved operating protocol may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol shall be directed to the following

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- permitted alternate discharge system: Lined reject pond with a disposal capacity of 600,000 gallons located on site. The operating protocol shall be reviewed and updated periodically (at least once each year) to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols shall be submitted to the Department's South District Office for review and approval. [62-610.320(6) and 62-610.463(2), 1-9-96]
3. Cross-connections to the potable water system are prohibited. [62-610.469(7), 1-9-96]
 4. A cross-connection control program shall be implemented and/or remain in effect within the areas where reclaimed water will be provided for use. [62-610.469(7), 1-9-96]
 5. Maximum obtainable separation of reclaimed water lines and potable water lines shall be provided and the minimum separation distances specified in Rule 62-610.469(7), F.A.C., shall be provided. Reuse facilities shall be color coded or marked. Underground piping which is not manufactured of metal or concrete shall be color coded using Pantone Purple 522C using light stable colorants. Underground metal and concrete pipe shall be color coded or marked using purple as the predominant color. [62-610.469(7), 1-9-96]
 6. In constructing reclaimed water distribution piping, the permittee shall maintain a 75-foot setback distance from a reclaimed water transmission facility to public water supply wells. No setback distances are required to other potable water supply wells or to any nonpotable water supply wells. [62-610.471(3), 1-9-96]
 7. A setback distance of 75 feet shall be maintained between the edge of the wetted area and potable water supply wells, unless the utility adopts and enforces an ordinance prohibiting potable water supply wells within the reuse service area. No setback distances are required to any nonpotable water supply well, to any surface water, to any developed areas, or to any private swimming pools, hot tubs, spas, saunas, picnic tables, barbecue pits, or barbecue grills. [62-610.471(1), (2), (5), and (7), 1-9-96]
 8. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools. [62-610.469(4), 1-9-96]
 9. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet from outdoor public eating, drinking, or bathing facilities. [62-610.471(6), 1-9-96]
 10. Distance of 100 feet shall be maintained from indoor aesthetic features using reclaimed water to adjacent indoor public eating and drinking facilities. [62-610.471(8), 1-9-96]
 11. The public shall be notified of the use of reclaimed water. This shall be accomplished by posting of advisory signs in areas where reuse is practiced, notes on scorecards, or other methods. [62-610.468(2), 1-9-96]
 12. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.414 and 62-610.464, 1-9-96]
 13. Overflows from emergency discharge facilities on storage ponds shall be reported as an abnormal event to the Department's South District Office within 24 hours of an occurrence as an abnormal event. The provisions of Rule 62-610.880(9), F.A.C., shall be met. [62-610.800(9), 1-9-96]
 14. Reclaimed water shall only be released to the system storage or reuse system during periods of operator attendance in compliance with the approved operating protocol.

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V. OPERATION AND MAINTENANCE REQUIREMENTS

Staffing Requirements

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

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

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

2. A certified operator shall be on call during periods the plant is unattended. *[62-699.311(1), 5-20-92]*

Capacity Analysis Report and Operation and Maintenance Performance Report Requirements

3. An updated capacity analysis report shall be submitted to the Department with the application for renewal of this permit. The updated capacity analysis report shall be prepared in accordance with Rule 62-600.405, F.A.C. *[62-600.405(5), 6-8-93]*
4. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. *[62-600.735(1), 6-8-93]*

Recordkeeping Requirements

5. The permittee shall maintain the following records on the site of the permitted facility and make them available for inspection:
 - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
 - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
 - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
 - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
 - e. A copy of the current permit;
 - f. Copies of the licenses of the current certified operators; and
 - g. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The log shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be

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maintained on-site in a location accessible to 24-hour inspection protected from weather damage, and current to the last operation and maintenance performed.

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

VI. COMPLIANCE SCHEDULES AND SELF-IMPOSED IMPROVEMENT SCHEDULES

All corrective actions to rectify the deficiencies listed in Section X, Deficiencies, of the operation and maintenance performance report shall be completed 150 days from the date of issuance of this permit.

VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

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

VIII. OTHER SPECIFIC CONDITIONS

1. Prior to placing the new facilities (referenced in paragraph VI above) into operation or any individual unit processes into operation, for any purpose other than testing for leaks and equipment operation, the permittee shall complete and submit to the Department DEP Form 62-620.910(12), Notification of Completion of Construction for Domestic Wastewater Facilities. *[62-620.630(2), 11-29-94]*
2. Within six months after a facility is placed in operation, the permittee shall provide written certification to the Department on Form 62-620.910(13) that record drawings pursuant to Chapter 62-600, F.A.C., and that an operation and maintenance manual pursuant to Chapters 62-600 and 62-610, F.A.C., as applicable, are available at the location specified on the form. *[62-620.630(7), 11-29-94]*
3. If the permittee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permittee shall submit an application for renewal, using Department Forms 62-620.910(1) and (2), no later than one-hundred and eighty days (180) prior to the expiration date of this permit. *[62-620.410(5), 11-26-94]*
4. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. *[62-610.850(1)(a) and (2)(a), 1-9-96][62-640.700(3)(c), 3-1-91]*
5. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. *[62-600.410(8), 6-8-93]*
6. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited. *[62-604.130(3), 5-31-93]*
7. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. *[62-604.550, 5-31-93] [62-620.610(20), 11-29-94]*
8. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary

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pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):

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

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

9. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. *[62-610.464(4), 1-9-96] [62-610.514(20), 1-9-96] [and 62-600.410, 6-8-93]*
10. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. *[62-7.540, 12-10-85]*
11. The permittee shall provide adequate notice to the Department of the following:
 - a. Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C. if it were directly discharging those pollutants; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

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

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

IX. GENERAL CONDITIONS

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

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authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), 11-29-94]

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

[62-620.610(9), 11-29-94]

10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, Florida Administrative

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Code. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10), 11-29-94]

11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11), 11-29-94]
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12), 11-29-94]
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13), 11-29-94]
14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), 11-29-94]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), 11-29-94]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, 62-620.420 or 62-620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), 11-29-94]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
 - a. A description of the anticipated noncompliance;
 - b. The period of the anticipated noncompliance, including dates and times; and
 - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), 11-29-94]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).

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

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

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

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

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21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX. 20 of this permit. [62-620.610(21), 11-29-94]
22. Bypass Provisions.
- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The permittee submitted notices as required under Permit Condition IX. 22. b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1. through 3. of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

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

23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
1. An upset occurred and that the permittee can identify the cause(s) of the upset;
 2. The permitted facility was at the time being properly operated;
 3. The permittee submitted notice of the upset as required in Permit Condition IX. 20. of this permit; and
 4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

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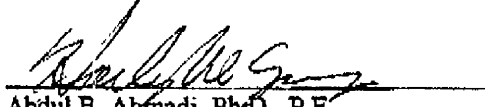
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- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

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

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION


Abdul E. Akhadi, Ph.D., P.E.
Water Facilities Administrator

DATE: 1-16-98

ABA/SK/klm