

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 19, 2004
TO: Director, Division of the Commission Clerk and Administrative Services
FROM: Division of Economic Regulation (Clapp) *RJD*
RE: Docket No. 040276-WU: Application for transfer of majority organizational control of Brendenwood Water System, Inc., holder of Certificate No. 339-W in Lake County, from Paul E. Day to Deborah J. Miller.

Please add the attached letter from Kristee Mollerup to the docket file. Attached to the letter are copies of the official notices of the transfer.

Please note that the original and one copy of the letter are attached.

Thank you.

DOCUMENT NUMBER-DATE

04746 APR 21 8

FPSC-COMMISSION CLERK

April 10, 2004

Kristee Mollerup
Brendenwood Water System, Inc.
3153 Penwa Ct.
Longwood, FL 32779
(407) 333-0182 (407) 435-5773
nmollerup@msn.com

Stephanie Clapp
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket # 040276 - WU

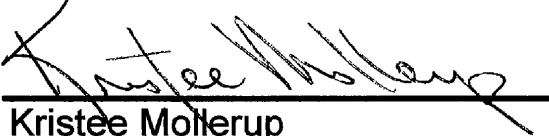
Dear Stephanie:

On March 27, 2004 we sent you the application for the Transfer of Majority Organizational Control of Brendenwood Water System, Inc. and received acknowledgement from you of your receipt of it on March 30, 2004.

We have enclosed the following Late-Filed Exhibits:

- Part III Notice of Actual Application (Exhibit IX)
- Part III A (Exhibit X)
 - ..Affidavit that the notice of actual application was given in accordance with Section 367.045 (1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to entities listed below.
 - ..Copy of Notice
 - ..List of entities noticed
- Part III B (Exhibit XI)
 - ..Affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail to each customer of the system being transferred.
 - ..Copy of Notice
- Part III C (Exhibit XII)
 - ..Affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code.
 - ..Copy of the proof of publication

I can be reached at the address, phone number or e-mail address shown above.
Thank you.



Kristee Mollerup
Bookkeeper, Brendenwood Water System

PART II FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit I & II - A statement by the buyer indicating how the transfer is in the public interest, including a summary of the buyer's experience in water and/or wastewater utility operations, a showing of the buyer's financial ability to provide service and a statement that the buyer will fulfill the commitments, obligations and representations of the seller with regard to utility matters.
- B) List the names and locations of other water and/or wastewater utilities owned by the buyer and PSC certificate numbers, if any.
- None
-
- C) Exhibit III - A copy of the purchase agreement.
- D) Exhibit N/A - A statement of how the buyer is financing the purchase.
- E) Exhibit None - A list of all entities, including affiliate which have provided or will provide funding to the buyer, and an explanation of the manner and amount of such funding, which shall include their financial statements and copies of any financial agreements with the utility. This requirement shall not apply to any person or entity holding less than 10 percent ownership interest in the utility.
- F) Exhibit IV - A statement from the buyer that after reasonable investigation, the system being acquired appears to be in satisfactory condition and in compliance with all applicable standards set by the DEP.

If the system is in need of repair or improvement, has any outstanding Notice of Violation(s) of any standard(s) set by the DEP or any outstanding consent orders with the DEP, the buyer shall provide a list of the improvements and repairs needed and the approximate cost to make them, a list of the action taken by the utility with regard to the violations, a copy of the Notice of Violation(s), a copy of the consent order and a list of the improvements and repairs consented to and the approximate cost.


PART III NOTICE OF ACTUAL APPLICATION

- A) Exhibit X - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;

- (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located;
- (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission;
- (4) the regional planning council;
- (5) the Office of Public Counsel;
- (6) the Public Service Commission's Director of the Division of the Commission Clerk and Administrative Services;
- (7) the appropriate regional office of the Department of Environmental Protection; and
- (8) the appropriate water management district. Copies of the Notice and a list of entities noticed shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

- B) Exhibit XI - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system being transferred. A copy of the Notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit XII - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART IV FILING FEE

Indicate the filing fee enclosed with the application:

\$ 750.00 (for water) \$ _____ (for wastewater).

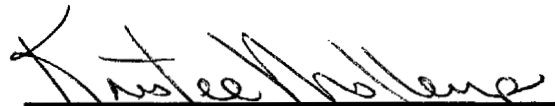
Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee as follows:

- (1) For applications in which the utility to be transferred has the capacity to serve up to 500 ERC's, the filing fee shall be **\$750.**

AFFIDAVIT

DOCKET # 040276 - WU

I, Kristee Mollerup, do solemnly swear or affirm as bookkeeper of Brendenwood Water System, Inc., that on March 29th, 2004 I sent by regular U.S. mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto. This was completed in accordance with Section 367.045 (1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code.



Kristee Mollerup, Bookkeeper
Brendenwood Water System, Inc.

NOTICE OF APPLICATION FOR A TRANSFER OF MAJORITY ORGANIZATIONAL CONTROL

Notice is hereby given on March 29, 2004, pursuant to Section 367.071, Florida Statutes, of the application for transfer of majority organizational control of Brendenwood Water System, Inc., which is the holder of Certificate No. 339 - W in Lake County. The majority organizational control of Brendenwood Water System, Inc. is being transferred from Paul E. Day to Deborah J. Miller. The application does not request a change in rates or charges. The following described territories are affected by the application:

Order No. 10184

In Section 32, Township 18 South, Range 26 East

The North 660 feet of the East 924 feet of
the Northwest 1/4 of the Southeast 1/4.

Order No. 22398

(Jeremy Estates and the Grand Island Post Office)

In Section 32, Township 18 South, Range 26 East

Jeremy Estates

From the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 32, Township 18 South, Range 26 East, Lake County, Florida. Run N 00 35' 29" W along the East Line of said Northwest 1/4 of the Southeast 1/4 a distance of 369.20 feet; thence S 89 58' 23" W, 25.00 feet to a point on the Westerly right-of-way line of Fish Camp Road and the POINT OF BEGINNING of this description: from said POINT OF BEGINNING run S 89 58' 23" W 508.92 feet; thence N 00 37' 31" W, 297.73 feet; thence N 89 53' 07" E 509.09 feet to a point on the Westerly right-of-way line of Fish Camp Road; thence S 00 35' 29" E along said Westerly right -of-way line, 298.51 feet to the POINT OF BEGINNING.

Grand Island Post Office

The East 275 feet of the Southwest 1/4 of the Northeast 1/4 all lying South of Highway No. 44 and West of Fish Camp Road.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later. At the same time, a copy of said objection should be mailed to Kristee Mollerup, 3153 Penwa Ct., Longwood, FL 32779, bookkeeper for Brendenwood Water System, Inc. The objection must state the grounds for the objection with particularity.

Aquasource Utility, Inc.
6960 Professional Pky E.#400
Sarasota, FL
34240-8432

CWS Communities LP
14 Coral St.
Eustis, FL
32726-6710

Lake Utility Co.
25201 US Hwy 27
Leesburg, FL
34748-9099

Lake Yale Treatment Assoc.
38141 Maywood Bay Dr.
Leesburg, FL
34788-8134

Shangri-la by the Lake Utilities
1214 West Route 72
Leaf River, IL
61047

Utilities Inc. of Pennbrooke
200 Weathersfield Ave.
Altamonte Springs, FL
32714-4027

Clerk, Board of Lake Cty Comm
PO Box 7800
Tavares, FL
32778-7800

East Central FL Planning Council
631 N. Wymore Rd. Ste 100
Maitland, FL
32751

Mayor, City of Fruitland Park
506 West Berckman St.
Fruitland Park, FL
34731-3200

Mayor, City of Mascotte
PO Box 56
Mascotte, FL
34753-0056

Century Estates Utilities, Inc.
PO Box 1234
Apopka, FL
32704-1234

Florida Water Services Corp.
PO Box 609520
Orlando, FL
32860-9520

Lake Utility Services, Inc. WU553
200 Weathersfield Ave.
Altamonte Springs, FL
32714-4027

Pine Harbour Water Utilities
PO Box 447
Fruitland Park, FL
34731-0477

Southlake Utilities, Inc.
2215 River Blvd.
Jacksonville, FL
32204-4662

W.B.B. Utilities, Inc.
4116 Bair Ave.
Fruitland Park, FL
34731-5616

DEP Central District
3319 Maguire Blvd. Suite 232
Orlando, FL
32803-3767

Mayor, City of Clermont
PO Box 120219
Clermont, FL
32712-0219

Mayor, City of Groveland
156 South Lake Ave.
Groveland, FL
34736-2597

Mayor, City of Minneola
PO Box 678
Minneola, FL
34755-0678

Crystal River Utilities, Inc.
6960 Professional Pky E#400
Sarasota, FL
34240-8432

Harbor Hills Utilities, LP
6538 Lake Griffin Rd.
Lady Lake, FL
32159-2900

Lake Utility Services, Inc WS641
200 Weathersfield Ave.
Altamonte Springs, FL
32714-4027

Raintree Utilities, Incl
2100 Lake Eustis Dr.
Tavares, FL
32778-2064

Sun Comm Fin (Water Oak Util)
The American Center
27777 Franklin Rd. Ste 200
Southfield, MI 48034-8205

Administrator, City of Umatilla
PO Box 2286
Umatilla, FL
32784-2286

DEP Southwest District
3804 Coconut Palm Dr.
Tampa, FL
33618-8318

Mayor, City of Eustis
PO Drawer 68
Eustis, FL
32727-0068

Mayor, City of Leesburg
PO Box 490630
Leesburg, FL
32749-0630

Mayor, City of Mount Dora
PO Box 176
Mount Dora, FL
32756-0176

Mayor, City of Tavares
PO Box 1068
Tavares, FL
32778-1068

Mayor, Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL
32159-3159

State of Florida Public Counsel
c/o The House of Representatives
The Capitol
Tallahassee, FL 32399-1300

Mayor, Town of Astatula
PO Box 609
Astatula, FL
34705-0609

Mayor, Town of Monteverde
PO Box 560008
Monteverde, FL
34729-0008

Div Comm Clerk & Admin Svc
Florida Public Service Comm.
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

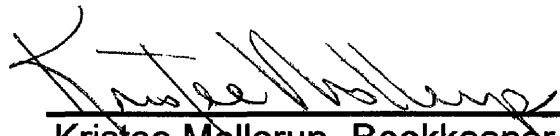
Mayor, Town of Howey-in-the-Hills
PO Box 67
Howey-in-the-Hills, FL
34737-0067

St. Johns River Water Mgmt Distr
PO Box 1429
Palatka, FL
32178-1429

AFFIDAVIT

DOCKET # 040276 - WU

I, Kristee Mollerup, do solemnly swear or affirm as bookkeeper of Brendenwood Water System, Inc., that on March 29th, 2004 I sent by regular U.S. mail, a copy of the notice attached hereto to each customer of the system. This was completed in accordance with Rule 25-30.030, Florida Administrative Code.

A handwritten signature in cursive script, appearing to read "Kristee Mollerup", written over a horizontal line.

Kristee Mollerup, Bookkeeper
Brendenwood Water System, Inc.

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Affidavit of Publication

The Daily Commercial

EXHIBIT XII

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Jim Perry who on oath says that he is Publisher of The Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

No. 01509828

in the matter of Legal Notice

in the _____ Court,

was inserted in said newspaper in the issues of _____

Mar 31, 2004

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signed _____

Jim Perry
Jim Perry, Publisher

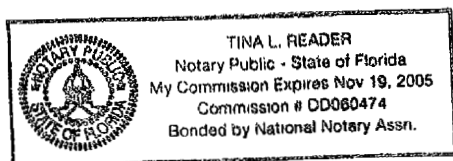
Sworn to and subscribed before me this 6 day of

April, 2004, by Jim Perry,

Publisher, who is personally known to me.

(Seal)

Tina L. Reader
Tina L. Reader, Notary Public



Attach Notice Here

LEGAL NOTICE

Notice is hereby given on March 31, 2004, pursuant to Section 367.071, Florida Statutes, of the application for transfer of majority organizational control of Brendenwood Water System, Inc., which is the holder of Certificate No. 339-W in Lake County. The majority organizational control of Brendenwood Water System, Inc is being transferred from Paul E. Day to Deborah J. Miller. The application does not request a change in rates of charges. The following described territories are affected.

Brendenwood Subdivision: In Section 32, Township 18 South, Range 26 East. The North 660 feet of the East 924 feet of the Northwest 1/4 of the Southeast 1/4.

Jeremy Estates: In Section 32, Township 18 South, Range 26 East The South 660 feet of the East 924 feet of the Northwest 1/4 of the Southeast 1/4 of Section 32, Township 18 South, Range 26 East in Lake County, Florida LESS

the West 396 feet and LESS the South 369 2 feet thereof.

Grand Island Post Office: In Section 32, Township 18 South, Range 26 East. The East 275 feet of the Southwest 1/4 of the Northeast 1/4 all lying South of Hwy #44 and West of Fish Camp Rd.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than thirty (30) days from this date. At the same time, a copy of said objection should be mailed to Kristee Mollerup, 3153 Penwa Ct., Longwood, FL 32779. The objection must state the grounds for the objection with particularity.

No: 01509828
March 31, 2004

Advertising Receipt

The Daily Commercial
P O Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

KRISTEE MOLLERUP
3153 PENWA CT.
LONGWOOD, FL 32779

Cust#: 01101468 000
Ad#: 01509828
Phone: (407)435-5773
Date: 03/30/04

Ad taker: 006 Salesperson: Classification: 0003

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
01 Daily Commercial Affidavit	03/31/04	03/31/04	1	55.50		55.50
						2.00

Payment Reference:

Total: 57.50
Tax: 0.00
Net: 57.50
Prepaid: 0.00

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Jeremy Estates: In Section 32, Township 18 South, Range 26 East The South 660 feet of the East 924 feet of the Northwest 1/4 of the Southeast 1/4 of Section 32, Township 18 South, Range 26 East in Lake County, Florida LESS the West 396 feet and LESS the South 369.2 feet thereof.

Total Due	57.50
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