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MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

May 3, 2004
VIA HAND DELIVERY

Ms. Patti Daniel
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: FIMC Hideaway, Inc.; PSC Docket No. 040152-WS
Our File No. 29003.02

Dear Ms. Daniel:

I am in receipt of your letter of March 22, 2004 and offer the following responses to each of your areas of inquiry:

1. Transfer without Commission approval. The stock was transferred to Robert and Janet McBride from Florida Investors Mortgage Corporation and admittedly did not include a separate unwind provision. However, the former owner had no further interest in the Utility and had very few assets, other than the Utility, and as such the remaining assets have now been sold off and the corporation is in the process of being liquidated. As such, an unwind provision is not only unnecessary, in order to achieve the transfer in the public interest, it is difficult to obtain from an entity in the process of total liquidation and this will soon cease to exist. We will be glad to work with the staff in any way we can on this issue, as we understand there technically may be an issue here with the way that the statutes are currently phrased. However, this is a situation where the prior owner, Florida Investors Mortgage Corporation, acquired the system through foreclosure and was not interested in continuing to operate the system and had been seeking an interested buyer for several years.
2. Affidavit of Customer Notice. Attached hereto is a revised Exhibit "H" which includes the Notice which was mailed to the customers.

CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
RCA _____
SCR _____
SEC 1 _____
OTH _____

RECEIVED: 11:50
MAY -3 PM 4:23
COMMISSION
CLERK

DOCUMENT NUMBER 0474

05080 MAY-3 04

FPSC-COMMISSION CLERK

3. **Proof of ownership of land.** I am attaching hereto a Quit-Claim Deed from Florida Investors Mortgage Corporation to FIMC Hideaway, Inc. showing that the property which was in the hands of Florida Investors Mortgage Corporation was transferred to FIMC Hideaway, Inc. The staff has been provided with the Title Insurance Policy as backup to this Quit-Claim Deed by my letter of April 22, 2004.
4. **Technical ability.** As noted in the original application, the Utility has utilized the same water and wastewater contract operator for many years and that person will continue to be the contract operator for the Utility into the future. The operator is Doyle Frierson of Gulf Coast Utility Service, who provides contract water and sewer operation services to approximately 4 or 6 sewage treatment systems and 10 to 12 potable water systems. Mr. Frierson has been in business for approximately 18 years and is a Class C Operator for both water and wastewater (Water Certificate No. 3731 and Sewer Certificate No. 4882). His business involves maintenance, installation and operation of water and wastewater systems in the area. Mr. Frierson performs the great majority of the maintenance on the system, as needed. He has the assistance of a local man who has also been utilized by the Utility for several years, to mow the grass around the plant sites and to check the pH and chlorine readings on the 3 days a week when Mr. Frierson does not visit the plant.
5. **Tariffs.** Attached is a revised Tariff Sheet No. 1 to reflect the current address and telephone number of the Buyer.
6. **Interconnection with Springside at Manatee, Ltd. (Springside).** An interconnection between Springside at Manatee, Ltd. and FIMC Hideaway, Inc. has existed for many years. The purpose of this interconnection has been to provide water from one system to the other as needed and in order to meet the DEP redundancy requirements. Because FIMC Hideaway, Inc. only has one well, this interconnect is necessary as an emergency backup for that system in order to comply with DEP regulations.

Over the last several years, the interconnect has really been used only twice. The most recent such usage was during 2003 for transfer of water from Springside at Manatee, Ltd. to FIMC Hideaway, Inc. when FIMC Hideaway, Inc. was experiencing problems with their one well. In

Ms. Patti Daniel
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approximately 1999, FIMC Hideaway, Inc. provided water for a period of time to Springside at Manatee, Ltd. because both of the wells operated by Springside were not functioning when the system was near abandonment and in disrepair before being acquired by Mr. Lonnie Parnell. At the present time, neither party anticipates any significant transfer of water between the two and this interconnection requires the physical turning of a valve before water flows between the two systems. As such, both of the parties agree that any formal interconnection agreement or metering of these transfers is unnecessary and overly costly, both in operation and maintenance and installation of facilities, as well as legal costs to formalize the arrangement. Both parties benefit from this interconnect in that the emergency backup service is available. However, it's use is not anticipated to be regular in the future and as such, an agreement is unnecessary.

Mr. Frierson also estimated that in order to properly meter water going each way would require dual check valves and dual meters and would cost approximately \$10,000 to add to this 2" water interconnect line. As such, changes along these lines are not economically feasible.

Just prior to my sending you this letter, the Utility had experienced some problems with its well and had to have the well redrilled and a new pump installed. During these few days, the Utility did interconnect with Mr. Parnell's system next door. However, it was very much a temporary situation that lasted less than one week.

Should you have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDBSTROM & BENTLEY



F. Marshall Deterding
For The Firm

FMD/tms
cc: Blanca Bayo

Transfer Notice

AFFIDAVIT

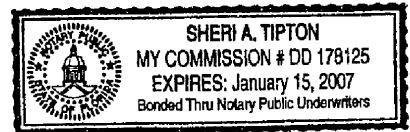
I, ROBERT MCBRIDE, PRESIDENT of FIMC Hideaway, Inc. do hereby certify and swear that I have provided the attached Notice to all the customers of the Utility FIMC Hideaway, Inc. by U.S. mail on this 3rd day of MARCH, 2004, in accordance with the requirements of PSC Rule 25-30.030, Florida Administrative Code.

[Signature]

STATE OF FLORIDA)
COUNTY OF Alachua)

The foregoing instrument was acknowledged before me this 4th day of March, 2004, by Robert McBride, who is personally known to me or who has produced _____ as identification.

[Signature]
Print Name Sheri Tipton
Notary Public
State of Florida at Large
My Commission Expires: 1/15/07



**NOTICE OF APPLICATION FOR TRANSFER
OF MAJORITY ORGANIZATIONAL CONTROL**

Notice is hereby given on February 11, 2004, pursuant to Section 367.071 and Rule 25-30.037(3), F.A.C., Florida Statutes, of the application for a transfer of majority organizational control of FIMC Hideaway, Inc. to Robert and Janet McBride, providing service to the following described territory in Levy County, Florida.

The following described lands located in portions of Section 25, Township 11 South, Range 13 East, Levy County, Florida:

Section 25

The Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of said Section 25.

Any objection 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 Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the attorney for the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

F. Marshall Deterding, Esquire
Rose, Sundstrom & Bentley
2548 Blairstone Pines Drive
Tallahassee, FL 32301

This Instrument Prepared By:
Debra A. Parks
Florida Investors Mortgage Corp.
P.O. Box 639
Gainesville, FL 32602

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, Executed this 11 day of March, A.D. 2002, by **FLORIDA INVESTORS MORTGAGE CORPORATION**, a Florida corporation, whose mailing address is Post Office Box 639, Gainesville, Florida 32602, First Party, to **FIMC HIDEAWAY, INC.**, a Florida corporation, whose mailing address is 5415 Southwest 13th Street, Gainesville, Florida 32608, Second Party.

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, re-lease and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Levy, State of Florida, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND BY REFERENCE MADE A PART THEREOF.

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name as of the 11 day of MARCH, A.D. 2002.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Wanda J Davis

BY Mary Louise Weber
MARY LOU WEBER, PRESIDENT
FLORIDA INVESTORS MORTGAGE CORPORATION

Wanda J Davis
Debra Anne Parks
STATE OF FLORIDA DEBRA ANNE PARKS
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 11 day of MARCH, 2002 appeared MARY LOU WEBER, PRESIDENT AND TRUSTEE for FLORIDA INVESTORS MORTGAGE CORPORATION, a Florida corporation to me well known to be the person described in and who executed the foregoing document and who take an oath.



Debra Anne Parks
Debra Anne Parks
Notary Public,
State of Florida at large
My Commission Expires: JUNE 26, 2004

PARCEL 1: (well site)

Tract A as shown on the plat of HIDEAWAY UNIT 2, as per plat thereof recorded in Plat Book 5, page 47, of the public records of Levy County, Florida.

PARCEL 2: (sewer plant)

Begin at the Northwest corner of Lot 76 of HIDEAWAY UNIT 3, as per plat thereof recorded in Plat Book 6, page 12, of the public records of Levy County, Florida; thence South 00°14'13" East, along the West line of said Lot 76, a distance of 105.67 feet to the Northern of way line of Mimosa Street; thence North 89°59'47" West along said Northerly right of way line 202.12 feet to the point of curvature of a curve concave Northeasterly and having a radius of 25.00 feet; thence Westerly and Northerly along the arc of said curve 39.14 feet through a central angle of 89°42'19" to the point of tangency and the Easterly right of way line of Manatee Avenue; thence North 00°17'28" West along said Easterly right of way line 79.35 feet; thence North 89°38'13" East 227.09 feet to the point of beginning.

PARCEL 3: (recreation building)

Commence at the Southwest corner of Lot 68, HIDEAWAY UNIT 2, according to plat thereof recorded in Plat Book 5, page 47, public records of Levy County, Florida, run thence South 89°38'13" West and parallel to the South line of Magnolia Street, a distance of 150 feet to a point in the East line of Manatee Avenue if it were extended Southerly; thence North 00°14'28" West along said right of way line, a distance of 105.00 feet to a point in the South line of Magnolia Street; thence South 89°38'13" East along the South line of Magnolia Street, a distance of 150 feet to the Northwest corner of said Lot 68, thence South 00°14'28" East, along the West line of said Lot 68, to the Southwest corner thereof and the point of beginning. Said parcel being a part and portion of the SE ¼ of NE ¼ of SE ¼ of Section 25, Township 11 South, Range 13 East, Levy County, Florida.

WASTEWATER TARIFF

FIMC HIDEAWAY, INC.

NAME OF COMPANY

P.O. Box 3300 NW 28 Pl.

Gainesville, Florida 32605

(ADDRESS OF COMPANY)

352-377-6517

(Business & Emergency Telephone Numbers)

FILED WITH

FLORIDA PUBLIC SERVICE COMMISSION

ROBERT AND JANET MCBRIDE
ISSUING OFFICER

MANGING MEMBER
TITLE

WATER TARIFF

FIMC HIDEAWAY, INC.

NAME OF COMPANY

P.O. Box 3300 NW 28 Pl.

Gainesville, Florida 32605

(ADDRESS OF COMPANY)

352-377-6517

(Business & Emergency Telephone Numbers)

FILED WITH

FLORIDA PUBLIC SERVICE COMMISSION

ROBERT AND JANET MCBRIDE
ISSUING OFFICER

MANGING MEMBER
TITLE