

ORIGINAL

040534-50

SGI UTILITY, LLC  
3110 Capital Circle, NE  
Tallahassee, Florida 32308

RECEIVED-PSC

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COMMISSION  
CLERK

June 9, 2004

Director, Division of the Commission Clerk & Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: SGI Utility, LLC  
Application for Amendment of Certificate (Deletion)  
Wastewater Certificate No. 492-S

Dear Sir or Madam:

Enclosed are the following:

1. The original and five copies of the completed Application for Amendment of Certificate (Deletion) and exhibits;
2. Our check on the amount of \$100 for the filing fee; and
3. Original Certificate No. 492-S. *-FORWARDED TO ECR.*

Please contact me at 297-6086 if you have any questions or if you need any additional information.

Very truly yours,

SGI UTILITY, LLC

By: *David E. Wilder*  
David E. Wilder

Enclosures

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded check:

*SEM*

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FPSC-COMMISSION CLERK

ORIGINAL

**APPLICATION FOR AMENDMENT OF CERTIFICATE  
(DELETION)**

**(Pursuant to Section 367.045, Florida Statutes)**

040534-SU

To: **Director, Division of the Commission Clerk & Administrative Services  
Florida Public Service Commission  
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for amendment of Wastewater Certificate No. 492-S to delete its territory located in Franklin County, Florida, and cancel its Certificate and submits the following information:

**PART I      APPLICANT INFORMATION**

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

SGI Utility, LLC

Name of utility

( 850 ) 386-2332

Phone No.

( 850 ) 422-1875

Fax No.

3110 Capital Circle, NE

Office street address

Tallahassee

City

FL

State

32308

Zip Code

\_\_\_\_\_  
Mailing address if different from street address

\_\_\_\_\_  
Internet address if applicable

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

David E. Wilder

Name

(850) 297-6086

Phone No.

3110 Capital Circle, NE

Street address

Tallahassee

City

FL

State

32308

Zip Code

## **PART II NEED FOR SERVICE**

- A) Exhibit \_\_\_ - If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area. N/A
- B) Exhibit A - If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit B - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

## **PART III SYSTEM INFORMATION**

### **A) WATER**

- (1) Exhibit \_\_\_ - A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, non-potable or both). N/A
- (2) Exhibit \_\_\_ - A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension. N/A
- (3) Exhibit \_\_\_ - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded. N/A
- (4) Exhibit \_\_\_ - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc. N/A
- (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.  N/A

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

B) **WASTEWATER**

- (1) Exhibit \_\_\_ - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension. N/A
- (2) Exhibit \_\_\_ - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded. N/A
- (3) Exhibit \_\_\_ - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal. N/A
- (4) Exhibit \_\_\_ - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse. N/A
- (5) Exhibit \_\_\_ - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc. N/A
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. NONE
- (7) Exhibit \_\_\_ - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative. N/A



**PART IV FINANCIAL AND TECHNICAL INFORMATION**

- A) Exhibit \_\_\_ - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service. N/A
- B) Exhibit \_\_\_ - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure. N/A
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. \_\_\_\_\_ N/A
- D) Exhibit \_\_\_ - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges. N/A

**PART V TERRITORY DESCRIPTION AND MAPS**

A) **TERRITORY DESCRIPTION**

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

B) **TERRITORY MAPS**

Exhibit \_\_\_ - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps. N/A

C) **SYSTEM MAPS**

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

**PART VI      NOTICE OF ACTUAL APPLICATION**

- A) Exhibit D - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
  - (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
  - (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
  - (4) the regional planning council;
  - (5) the Office of Public Counsel;
  - (6) the Public Service Commission's Director of Records and Reporting;
  - (7) the appropriate regional office of the Department of Environmental Protection; and
  - (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit.  
THIS MAY BE A LATE-FILED EXHIBIT

- B) Exhibit \_\_\_\_ - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.  
N/A - This utility has no customers.
- C) Exhibit E - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

**PART VII FILING FEE**

Indicate the filing fee enclosed with the application:

\$ N/A (for water) and/or \$ 100 (for wastewater).

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


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

**PART VIII TARIFF AND ANNUAL REPORTS**

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

**PART IX     AFFIDAVIT**

I, David E. Wilder (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY:   
Applicant's Signature

David E. Wilder  
Applicant's Name (Typed)


Vice President  
Applicant's Title \*

Subscribed and sworn to before me this 9<sup>th</sup> day in the month of June

in the year of 2004 by David E. Wilder who is personally known to me

or produced identification \_\_\_\_\_  
Type of Identification Produced

  
Notary Public's Signature

 Kimberly S. Rogers  
Print, Type or Stamp Commission Expires  
Name of Notary Public

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

## EXHIBIT A

The applicant is proposing a deletion of all its territory and cancellation of its PSC Certificate.

This utility is not operational and has no customers.

This utility is part of a project on St. George Island commonly known as "Resort Village," which was originally intended to serve hundreds of hotel rooms, a convention center, a full service restaurant, and various recreational and supporting facilities. Since the time that the PSC Certificate was obtained, the developer has changed its plans for the Resort Village project and now the project will consist of only twelve condominium units and fifty seven single family residences, with no hotels or commercial facilities. As a result, the developer proposes to remove the wastewater treatment facility and allow the lot owners to install individual aerobic treatment systems consistent with surrounding property owners.

## EXHIBIT B

The applicant has filed with the Florida Department of Community Affairs a Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) that would delete references to the wastewater treatment plant and substitute individual aerobic treatment systems. A copy of such Notification is enclosed and is marked Exhibit B-1.

The applicant requests that the approval by the Public Service Commission of this Application for Amendment of Certificate be contingent upon the amendment of the DRI as requested in the attached Notification.


STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF COMMUNITY PLANNING  
BUREAU OF LOCAL PLANNING  
2555 SHUMARD OAK BLVD.  
TALLAHASSEE, FLORIDA 32399  
850-488-4925

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED  
DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 38.06 (19), FLORIDA STATUTES

Subsection 380.06 (19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, David E. Wilder, the undersigned authorized representative of SGI Limited Partnership, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the St. George Island Resort Village development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to Franklin County, to the Apalachee Regional Planning Council, and the to Bureau of Local Planning, Department of Community Affairs.

May 27, 2004  
Date

By:   
Signature  
David E. Wilder, General Counsel  
Phipps Ventures, Inc., General Partner

**2. Applicant (name, address, phone)**

SGI Limited Partnership  
3110 Capital Circle, Northeast  
Tallahassee, Florida 32308  
850-297-6086

**3. Authorized Agent (name, address, phone)**

David E. Wilder, Vice President and General Counsel  
Phipps Ventures, Inc., General Partner  
3110 Capital Circle, Northeast  
Tallahassee, Florida, 32308  
850-297-6086

**4. Location (City, County, Township/Range/Section) of approved DRI and proposed change)**

St. George Island  
Franklin County, Florida  
Township 10 South  
Range 7 West  
Sections 8 and 17

**5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build out date, development order conditions and requirements, or to the representation contained in either the development order or the Application for Development Approval.**

The original St. George's Plantation Development of Regional Impact Development Order, dated September 20, 1977, authorized the development of 831 residential units, a 27 acre airport, a 30 - 40 slip marina, and 200 acres of commercial on approximately 1200 acres. Alternatively, the owner was given the option to convert each unused commercial acre into an additional single family lot.

Subsequent changes and modifications to the original development plan, described below, have resulted in the following authorized development: 1,374 residential units, a 27 acre airport, and approximately 58 acres of remaining, undeveloped commercial property. The other approximately 142 acres originally designated commercial have been developed as single family and multi-family residential.

The change proposed in this notice applies to the undeveloped 58 acre commercial parcel now known as the St. George Island Resort Village. In the original Development Order,



dated September 20, 1977, this property was designated as part of the Plantation Commercial Area. The original development order, Paragraph 3.15(v), stated that the "two commercial areas shown on Exhibit 'A' shall include one or more high quality resort hotels or motels, together with such affiliated uses as may be appropriate or desirable, such as tourist shops, restaurants, recreational amenities and similar activities." The original Development Order further states:

Because the specific plans for these two areas are indefinite, these areas shall not be rezoned at this time. Rezoning of these areas shall be granted upon final approval of the plans by the Board, which approval shall not be unreasonably withheld. Condominiums and multifamily residential structures shall not be allowed in any of the areas shown by Exhibit "A" without the prior consent of the Board. Before development is commenced in the commercial areas, plans and specifications for the site clearing and construction shall be submitted to the Board for review and approval. Upon such approval, the specific area in question shall be rezoned to allow the requested land use.

The original Development Order further states:

No more than 200 acres shall be development commercially within the areas shown by Exhibits "A" and "B". For each acre that is not so developed, Leisure [the original owner/developer] shall have the option of platting one single family residential lot....

On October 3, 1996, the Franklin County Board of County Commissioners approved a specific plan for development of Phase I of the St. George Island Resort Village Property (Tenth amendment to the St. George's Plantation Development of Regional Impact Development Order). Phase I consists of approximately 9.6 acres of the approximately 58 acres. Its general location is indicated in Exhibit 1. Phase I of the Resort Village authorizes a one-story Beach Club and Conference center with a total of 14,750 heated and cooled square feet (including 300 square feet of retail space, 6,000 square feet of exercise/club space and 325 conference seats); a three story building for food and beverage service with a total of 4,000 heated and cooled square feet; four hotel/inn buildings with a total of 66,000 heated and cooled square feet (including 114 hotel/inn units); the advanced wastewater treatment facility authorized by DEP permit number FLA010069-001, including not more than 5 acres of subsurface absorption beds to be constructed adjacent to the Subject Property but within the Resort Village Property; and various recreational and support activities. The approved specific plan for development is shown as Exhibit 2.

On March 4, 1997, the tenth amendment was revised by the Board to include conditions related to future development of the property and to clarify certain conditions related to ground water monitoring and wetland mitigation.

To date, the following development has occurred within Phase I of Resort Village, consistent with the amended Development Order

- \_ Building D: 24 unit hotel
- \_ Building G: Waste water treatment facility (current capacity is 30,000 gallons per day)
- \_ Absorption beds for a 90,000 gallons per day waste water treatment plant.
- \_ Swimming pool and pool house

A map showing existing development is included as Exhibit 3.

The applicant proposes the following changes to the Development Order:

Mixed-Use Commercial/Restaurant/Conference Center: Delete the 18,750 square feet of commercial and conference center development. The applicant proposes to delete the Beach Club and Conference Center facility and the three story building for food and beverage service. The applicant does not propose to develop any Commercial, restaurant or conference center uses.

Residential Development: Delete 3 hotel/inn buildings with 88 rooms. Authorize developer to redevelop the existing 24 unit hotel building into 12 condominiums on .5 acres and to develop 57 detached single family residential units.

Advanced Wastewater Treatment/Temporary Aerobic Systems: Delete reference to advanced wastewater treatment, ground and surface water monitoring, and temporary aerobic systems. Authorize 57 detached single-family units on individual aerobic treatment systems and 12 condominium units in the existing hotel building to be served by the existing hotel aerobic treatment system; swimming pools, racquetball courts; shuffle board courts; fitness center; owners' meeting and similar activities

Phasing: The revised tenth amendment to the DO approved a specific development plan for .9.6 acres of the subject property. No phasing is proposed as part of this proposed change.

Additional Lands: No additional lands are proposed to be included in the DRI.

Commencement Date: The revised tenth amendment to the development order states that if physical development had not commenced on the site within five years of the effective date of the amended development order, then the amendment would expire. Substantial development has occurred on the site.

Build out date: The amended DO does not include a build out date and none is proposed.

Changes to the development order conditions and requirements or the representations contained in either the development order or the Application for Development Approval:

The Applicant proposes the Eleventh Amendment to the 1977 St. George Island DRI Development Order, which would supersede and replace the Revised Tenth Amendment. A draft of precise language is attached hereto as Exhibit 6. A general description of proposed changes is as follows:

1. Subsection A, "Subject Property," is revised to show the subject property consists of approximately 58 acres within the Plantation commercial areas.
2. Subsection B, "Development Approval" is revised to reflect a revised master plan (exhibit 4 hereto) including the following:
  - a. 57 detached single family residential units on 57 acres;
  - b. No more than 12 condominium units (re-development of the existing 24 unit hotel building) on .5 acres;
  - c. Ancillary recreation and support facilities on .5 acres.
3. Section C, "Advanced Wastewater Treatment" is updated by deleting all reference to advanced wastewater treatment and groundwater or surface water monitoring is deleted. Single family units will be served by individual Aerobic Treatment Systems. The 12 condominium units will be served by the existing Aerobic Treatment System for the hotel.
4. Section D, "Temporary Aerobic Systems" is deleted and subsequent sections are redesignated.
5. No change is proposed in new Section D, "Vegetation."
6. New Section E, "Impervious Surfaces," is updated to state that the amount of impervious surface is determined in the comp plan land use designation.
7. New Section F, "Height of Structures," is revised to allow building heights up to 44 feet from the ground level slab with certain exceptions.
8. New Section G, "Parking" states that the parking requirement will be established in the PUD Ordinance.
9. No change is proposed to New Section H, "Construction Debris."
10. New Section I., "Water Supply" is changed to correct the owner name.
11. New Section J, "Stormwater" is amended to delete the certification of compliance for the hotels and to add a requirement that the applicant furnish a copy of the DEP permit to the county.
12. New Section K., "Hurricane Evacuation," is amended to delete outdated provisions applicable to the hotels and conference center.

- 13. New Section L, "Wetlands" is amended to delete reference to the "subject property" and substitute reference to the master site plan.
- 14. New Sections M., "Rezoning", N. "Binding Effect", O. "Monitoring Official," Q., "Recording of Order" and R. "Effective Date" will be updated, but will not be changed in substance. Paragraph P., "Annual Report," is updated to reflect recent statutory changes allowing biennial reports.
- 15. Paragraph S, "Expiration Date" is deleted as construction commenced on this site under the Revised Tenth Amendment.
- 16. A new Subsection "T" is added providing that the 10/3/96 Tenth Amendment of 3/4/97 are superseded and replaced by 11<sup>th</sup> and supersedes any conflicting provisions of 1997 DRI DO.

Indicate such changes on the project master site plan, supplementing with other detailed maps as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impact.

A new master site plan is included as Exhibit 4. The specific plan of development approved in the Revised Tenth Amendment is included as Exhibit 2. It was determined that it would be confusing to attempt to superimpose the proposed master site plan (Exhibit 4) on the approved plan (Exhibit 2). The changes are easily visible, however, in a side-by-side comparison of the exhibits.

- 6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

See Attachment 1.

- 7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

There has been no change in local government jurisdiction. Modifications or amendments to the Development Order are listed below.

DATE	BOOK & PAGE NUMBER	SUBJECT MATTER
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09/02/1981	Not available	Approval of specific development plans for the Sunset Beach commercial area. This included 252 multi-family units, a 150 unit hotel/motel, and 8,000 square feet of commercial development.
08/26/1982	190/177	Amendments to the St. George's Plantation Development of Regional Impact Development Order reduced number of single family residential lots from 831 to 770. The County conveyed to Leisure Properties the airport property and a 3.44 acre site, ownership of which had been in dispute, and Leisure Properties conveyed to the County low or marginal lands totaling 85.78 acres.
07/16/1985	224/541	Amendment to the St. George's Plantation Development of Regional Impact Development Order- <u>Substantial Deviation</u> -marina application suspended. Multi family density bonus of 23 units awarded based on wastewater treatment plan for a total of 352 multi family units and 1,375 total residential units. (November 14, 1996, memorandum by Susan Anderson of the Department of Community Affairs: Approval of the specific development plan for the Sikes Cut commercial area included 352 multi family dwelling units and 386 hotel units on 99.3 acres.)
11/03/1987	264/224	Second Amendment to the St. George's Plantation Development of Regional Impact Development Order - conditional approval of marina at Sikes Cut and increase the slips to no more than 150 wet strips and 120 dry slips.
09/13/1988		Board approves Bob Sikes Planned Unit Development District Ordinance 88-5 with effective date of 10/5/88.
06/20/1989		Bob Sikes PUD Master Plan approved.
07/31/89		Agreement between developer and the Department of Community Affairs requiring

the developer to seek a "substantial deviation determination" prior to developing a golf course.

12/19/1989	310/121	Third Amendment to the St. George's Plantation Development of Regional Impact Development Order amended conditions related to Bob Sikes Cut. Amendment revised timing of tertiary treatment plan, the groundwater study, and archeological study. Amendment also specified the type of development allowed within 300 feet of Sikes Cut prior to the completion of the erosion control requirement; types of development allowed on Osier/Ductston soils and requiring the extent of these soils to be shown on each site plan and providing for additional construction standards; requiring either central sewer or aerobic treatment systems; requiring that aerobic systems be set back beyond 75 feet from all waters and wetlands; requiring that from 75 to 150 feet of waters or wetlands, and in areas not served by a central wastewater system, aerobic treatment systems shall be required; and prohibiting all habitable or impervious structures within 50 feet of wetlands or waters.
08/07/1990	324/234	Fourth Amendment to the St. George's Plantation Development of Regional Impact Development Order -deleted Paragraph 8 section P of the 1977 Development Order. This section prohibited fresh water wells of any type to be permitted on any building site.
08/07/1990	324/235	Fifth Amendment to the St. George's Plantation Development of Regional Impact Development Order - County Flood Hazard Ordinance made part of the Order.
08/07/1990	324/236	Sixth Amendment to the St. George's Plantation Development of Regional Impact Development Order - request to cluster residential units so as to transfer density of residential units from north to south of Leisure

Lane at Nick's Hole denied. Request to amend Section VI, General Commercial Conditions of the St. George's Plantation Development of Regional Impact Development Order denied.

01/03/1991	335/017	Seventh Amendment to the St. George's Plantation Development of Regional Impact Development order - prohibits certain artificial beach stabilization structures except for those receiving prior approval from DEP and DNR that protect archeological site #8Fr27.
07/07/1992		Eighth Amendment to the St. George's Plantation Development of Regional Impact Development Order -The total residential units to be built in the entire Sikes Cut Planned Unit Development is not to exceed 190 units. This decrease resulted from the reduction in residential units from 246 to 84 on property owned by Sunny Day Development Corp. Amendment required that no site plan or building permits for 44 lots in the Cay Cove, Oyster Bay and Heron Bay subdivisions be approved without certification that they will be connected to the advanced wastewater treatment facility.
12/01/1992	BCC Minutes Book 17/Page 443	The 1985 amendment expired based on the Board's determination that no substantial physical development had commenced within the Sikes Cut Planned Unit Development.
02/03/1993	402/271	Revised fourth amendment regarding water wells. The amendment confirmed deletion of Development Order requirements prohibiting water wells and placed limits on the number of residential wells to be allowed on a temporary basis at 30. The amendment also required that the homeowners install water lines so that connection to the central water supply could be made when water was available from St. George Island Utility Company.
03/02/93	405/188	Ninth amendment to the St. George's

Plantation Development of Regional Impact Development Order adopting density reduction in portions of Sikes Cut Planned Unit Development and establishing conditions related to environmental protection. Amendment requested by Sunny Day Development Corp. approved 76 single family units on approximately 67 acres. Approximately 15.8 additional acres were deeded to the State by Sunny Day. Requirements for advanced wastewater treatment or tertiary wastewater treatment were deleted.

07/02/1993

Circuit Court issued Declaratory Judgment finding that the St. George Homeowner's Association could not impose restrictive covenants on the R.S.H. property pursuant to the Andrew Jackson Agreement. It also found that the Andrew Jackson Agreement criteria established that nine single family units could be developed on the property.

07/03/1993

Board votes to allow five residential units on the three acre R.S.H. property. No NOPC or revised plan was ever entered.

07/22/1993

421/10

Revised Ninth Amendment settled an appeal by Covington Properties. It permitted 31 units (Per Anderson memo, the 31 units were approved on 30 acres) on aerobic septic tanks and a boat ramp. Also deleted certain conditions contained in the July 16, 1985 and November 3, 1987 amendments.

01//04/1994

437/247

Board denied amendment to the Development Order which would have allowed multi-family residential development in Resort Village Property .

11/15/1994

478/83

Board amended conceptual master plan of the October 19, 1993 amendment to allow an additional 13 single-family residential units at Sunset Beach and eliminate commercial uses.

565/243

Tenth amendment to the St. George's



10/03/96

Plantation Development of Regional Impact Development Order authorizing development of Phase I of the Resort Village Property on 9.6 acres. Phase I of the Resort Village authorizes a one-story Beach Club and Conference center with a total of 14,750 heated and cooled square feet (including 300 square feet of retail space, 6,000 square feet of exercise/club space and 325 conference seats); four hotel/inn buildings with a total of 66,000 heated and cooled square feet (including 114 hotel/inn suites); a 4,000 square foot facility for food and beverage service, and the advanced wastewater treatment facility authorized by DEP permit number FLA010069-001, including not more than 5 acres of subsurface absorption beds and various recreational and support activities.

03/04/97 572/674

*Revised* tenth amendment to the St. George's Plantation Development of Regional Impact is approved by the Board including the following changes: clarified that a Notice of Proposed Change will be submitted for future phases of development of this property; established timeframes for completion of baseline ground water sampling related to the Advanced Wastewater Treatment Plant; and amended language regarding mitigation of wetlands; to the extent that wetlands are dredged or filled.

09/18/2001 676/249

Amendment to the Ninth Amendment granted an increase of 5 single family residential lots to the portion of the property formerly known as the "Sunny Day" property presently owned by Mahr Development Corp. This brings number of approved units to 81. In return Mahr entered into an agreement to transfer title of an approximately 5.7 acre site called the "Nick's Hole Parcel."

8. Describe any lands purchased or optioned within one quarter mile of the original DRI site subsequent to the original approval or issuance of the DRI Development Order. Identify

such land, its size, intended use, and adjacent non-project land uses within one half mile on a project master site plan or other map.

There are no such lands.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

a) An increase in the number of parking spaces at an attraction or recreational facility by 5 percent or 300 spaces, whichever is greater, or an increase in the number of spectators that may be accommodated at such a facility by 5 percent or 1,000 spectators, whichever is greater

Not applicable

b) A new runway, a new terminal facility, a 25 percent lengthening of an existing runway, or a 25 percent increase in the number of gates of an existing terminal, but only if the increase adds at least three additional gates. However, if an airport is located in two counties, a 10 percent lengthening of an existing runway or a 20 percent increase in the number of gates of an existing terminal is the applicable criteria.

Not applicable

c) An increase in the number of hospital beds by 5 percent or 60 beds, whichever is greater.

Not applicable

d) An increase in industrial development are by 5 percent or 32 acres, whichever is greater.

Not applicable

e) An increase in the annual average acreage mined by 5 percent or 10 acres, whichever is greater, or an increase in the average daily water consumption by a mining operation by 5 percent or 300,000 gallons, whichever is greater. An increase in the size of the mine by 5 percent of 750 acres, whichever is less.

Not applicable

f) An increase in land area for office development by 5 percent or an increase in gross floor area of office development by 5 percent or 60,000 gross square feet, whichever is greater.

Not applicable.

- g) An increase in the storage capacity for chemical or petroleum storage facilities by 5 percent, 20,000 barrels, or 7 millions pounds, whichever is greater.

Not applicable.

- h) An increase in the development at a waterport of wet storage for 20 watercraft, dry storage for 30 watercraft, or wet/dry storage for 60 watercraft in an area identified in the state marina siting plan as an appropriate site for additional waterport development or a 5 percent increase in watercraft storage capacity, whichever is greater.

Not applicable.

- i) An increase in the number of dwelling units by 5 percent or 50 dwelling units, whichever is greater.

The original DO allowed 831 units on the approximately 1,000 acres designated residential of the 1200 acres. Approximately 200 acres were designated commercial. The original DO permitted one single family lot for each acre of commercial property that was not used for commercial purposes. The DO allowed multifamily residential in the Sunset Beach area, but did not set a maximum number of allowable units. The original DO also allowed condominiums and multifamily within the Plantation Commercial Area, with the prior consent of the Board of County Commissioners.

In 1985, the DO was amended through the substantial deviation process. The total number of residential units permitted as of that amendment was 1,374. Because 1,374 units were approved after further DRI review, this is the number of vested residential units used to calculate percentage increase for the NOPC.

As noted in the list of amendments (see question 7), the DO has subsequently been amended to reduce the total number of residential units. At this time, 1,103 units are permitted by the DO.

This proposed amendment proposes a total of 69 (57 single-family and 12 condominium units) residential units. However, this represents an increase of only 11 units in authorized residential development because 58 acres of property currently designated for commercial will not be used for commercial development, and may be converted to 58 residential units, under the terms of the development order (paragraph 3.B.(vi)). The total of 69 units will bring the number of permitted residential units to 1172. Cumulatively, this figure represents an approximately 15% reduction from the 1,375 units approved in 1985. Individually, the 11 unit increase is less than 1% of the 1,375 approved units.

- j) An increase in commercial development by 50,000 square feet of gross floor areas or of parking spaces provided for customers for 300 cars or a 5 percent increase in either of these, whichever is greater.

Currently, the specific plan of development for 9.6 acres of this property allows for a total of 18,750 square feet of commercial uses. These uses include a 14,750 square foot Beach Club and Conference Center (including 300 square feet of retail, 6,000 square feet of exercise/club space and 325 conference seats) and a 4,000 square foot restaurant. This NOPC proposes to delete all commercial development.

- k) An increase in hotel or motel facility units by 5 percent or 75 units, whichever is greater.

The proposed change decreases the number of hotel or motel units from 114 to 0.

- l) An increase recreational vehicle park area by 5 percent or 100 vehicle spaces, whichever is less.

Not applicable

- m) A decrease in the area set aside for open space of 5 percent or 20 acres, whichever is less.

There is no decrease in area set aside for open space.

- n) A proposed increase in multiuse development of regional impact where the sum of the increases of each land use as a percentage of the applicable substantial deviation criteria is equal to or exceeds 100 percent. The percentage of a decrease in the amount of open space shall be treated as an increase for purposes of determining when 100 percent has been reached or exceeded.

As explained in "i)" above, the increase in residential units is 11 units. Five percent of the vested number of units (1,375) is 69. The increase of 11 units is less than 1%.

As demonstrated in 8(j) above, there is no increase in the commercial uses.

The sum of the increases in each land use is less than 100%.

- o) A 15 percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development of regional impact review.

The proposed development will decrease the number of external vehicle trips. The applicant has searched the previous applicant's files and cannot locate a trip generation analysis for the Revised Tenth Amendment. The previous applicant recalls that a traffic study was not

required for the revised Tenth Amendment. For the purpose of this criterion, the applicant has prepared a trip generation for both the currently approved development and the proposed development. (Exhibit 5, hereto)

- p) Any change which would result in development of any areas which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered or threatened, or species of special concern and their habitat, primary dunes, or archeological and historical sites designated as significant by the Division of Historical Resources of the Department of State.

Not applicable for this property.

<p>Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.?</p> <p style="text-align: center;">NO</p>
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**10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates?**

The amended development order dated March 4, 1997 granted approval for Phase I of the Resort Village project. No phasing is proposed under the proposed change. Neither the original development order nor the amended development order establishes a buildout date for this project. No buildout date is proposed.

**11. Will the proposed change require an amendment to the local government comprehensive plan?**

The proposed change will require an amendment to the Franklin County Comprehensive Plan. The designation of the entire 58 acres on the FLUM will be changed to "Resort Village." The description of the Resort Category will be changed to reflect the specific development plan set out herein.

**Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15) F.S. and 9J-2.025), F.A.C.**

**12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order condition.**

See Exhibit 4.

13. Pursuant to Subsection 380.06(19)(f)F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and buildout date of the development; to development order conditions and requirement; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed changes of land use, open space, areas for preservation, greenbelts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

See Exhibit 6

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

See Exhibit 7.

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

The amended development order dated March 4, 1997 states that it would expire five years from its effective date, unless physical development had commenced by that date. Physical development as defined in the amended development order has occurred on the site.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

The Development Order for this project has no buildout date and none is proposed.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to downzoning, unit density reduction, or intensity reduction, if applicable;

The Development Order for this project has no buildout date and none is proposed.

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025(7), F.A.C.

May 27, 2004

EXHIBIT B - 1 (continued)

See Exhibit 6, Paragraph Q.

LIST OF EXHIBITS

1	General Location Map
2	Specific Plan of Development for Phase 1 of St. George Island Resort Village approved October 3, 1996
3	Map Showing Existing Phase 1 Development
4	General Master Site Plan of Proposed Development
5	Trip Generation Study for Commercial Uses
6	Draft Amended Development Order
7	Updated legal description



## EXHIBIT C

### SGI UTILITY, LLC

#### TERRITORY DESCRIPTION

The following described lands located in a portion of Section 35, Township 9 South, Range 7 West, and Section 2, Township 10 South, Range 7 West, Franklin County Florida; being more particularly described as follows: Commence at the POINT OF REFERENCE which is the Northeast corner of Section 29, Township 9 South, Range 6 West, Franklin County Florida. Thence from the POINT OF REFERENCE proceed South 8,366.47 feet, more or less; thence West 14,980.22 feet more or less, to the POINT OF BEGINNING which is a concrete marker number 2658 marking the Northwest corner of Sea Palm Village, a subdivision recorded in the public records of Franklin County, Florida, plat book 4, page 27. Thence from the POINT OF BEGINNING proceed South 31 degrees 34 minutes 12 seconds East 475.07 feet; thence South 07 degrees 39 minutes 32 seconds West 334.40 feet; thence South 31 degrees 34 minutes 07 seconds East 891.06 feet to a point of intersection with the mean high water line of the Gulf of Mexico; thence proceed along said mean high water line South 54 degrees 47 minutes 20 seconds West 512.99 feet; thence south 61 degrees 06 minutes 08 seconds West 452.25 feet to the Southeast corner of the Bluffs, Phase 2, a subdivision recorded in the public records of Franklin County, Florida, plat book 5, page 46; thence leaving said mean high water line, proceed North 31 degrees 16 minutes 36 seconds West along the Easterly boundary of said subdivision 414.45 feet; thence proceed North 31 degrees 15 minutes 49 seconds West 100.42 feet thence proceed northeasterly along the arc of a curve (radius of 732.00 feet, chord of 130.12 feet, chord bearing of North 48 degrees 30 minutes 29 seconds East) 128.26 feet; thence proceed North 44 degrees 16 minutes 54 seconds west 4360.46 feet to the mean highwater line of Apalachicola Bay; thence proceed along said mean highwater line, North 74 degrees 49 minutes 04 seconds East 96.58 feet; thence North 51 degrees 35 minutes 31 seconds East 182.48 feet; thence North 32 degrees 50 minutes 33 seconds East 78.72 feet; thence North 67 degrees 07 minutes 24 seconds East 72.63 feet; thence North 77 degrees 15 minutes 17 seconds East 28.75 feet; thence South 87 degrees 35 minutes 46 seconds East 67.75 feet; thence South 68 degrees 53 minutes 34 seconds East 93.67 feet; thence South 89 degrees 05 minutes 16 seconds East 60.81 feet; thence North 75 degrees 48 minutes 57 seconds East 74.89 feet; thence North 59 degrees 44 minutes 47 seconds East 40.94 feet; thence North 70 degrees 10 minutes 07 seconds East 72.80 feet; thence North 55 degrees 37 minutes 06 seconds East 55.54 feet; thence South 89 degrees 26 minutes 42 seconds East 33.99 feet; thence South 82 degrees 58 minutes 35 seconds East 39.61 feet; thence South 80 degrees 59 minutes 22 seconds East 61.13 feet; thence South 08 degrees 08 minutes 24 seconds East 11.29 feet; thence South 84 degrees 12 minutes 49 seconds East 34.11 feet; thence North 76 degrees 59 minutes 54 seconds East 50.29 feet; thence South 41 degrees 05 minutes 38 seconds East 23.20 feet; thence South 51 degrees 30 minutes 26 seconds East 39.51 feet; thence South 16 degrees 20 minutes 48 seconds East 21.44 feet; thence North 60 degrees 20 minutes 15 seconds West 12.32 feet; thence North 53 degrees 20 minutes 29 seconds West 13.28 feet; thence South 67 degrees 27 minutes 17 seconds West 9.23 feet; thence North 20 degrees 03 minutes 19 seconds West 7.98 feet; thence North 56 degrees 48 minutes 04 seconds West

12.87 feet; thence North 18 degrees 19 minutes 30 seconds West 19.42 feet; thence South 75 degrees 29 minutes 36 seconds West 26.46 feet; thence North 89 degrees 58 minutes 09 seconds West 46.32 feet; thence North 68 degrees 44 minutes 25 seconds West 21.36 feet; thence North 72 degrees 53 minutes 24 seconds West 47.70 feet; thence North 88 degrees 45 minutes 57 seconds West 18.71 feet; thence North 69 degrees 33 minutes 38 seconds West 38.07 feet; thence South 74 degrees 53 minutes 18 seconds West 31.11 feet; thence South 52 degrees 35 minutes 45 seconds West 56.67 feet; thence South 22 degrees 15 minutes 03 seconds West 14.20 feet; thence North 86 degrees 33 minutes 18 seconds West 8.90 feet; thence South 70 degrees 43 minutes 44 seconds West 11.86 feet; thence North 88 degrees 20 minutes 28 seconds West 22.70 feet; thence South 43 degrees 21 minutes 15 seconds West 10.72 feet; thence South 18 degrees 02 minutes 20 seconds West 10.73 feet; thence South 34 degrees 23 minutes 19 seconds West 8.82 feet; thence South 49 degrees 10 minutes 19 seconds East 19.97 feet; thence North 89 degrees 01 minutes 31 seconds West 33.89 feet; thence North 55 degrees 23 minutes 18 seconds West 18.62 feet; thence South 71 degrees 17 minutes 20 seconds West 49.24 feet; thence South 83 degrees 19 minutes 41 seconds West 19.47 feet; thence North 81 degrees 29 minutes 01 seconds West 18.14 feet; thence South 86 degrees 13 minutes 37 seconds West 37.92 feet; thence North 84 degrees 43 minutes 26 seconds West 41.86 feet; thence North 46 degrees 16 minutes 06 seconds West 20.07 feet; thence North 67 degrees 41 minutes 14 seconds West 24.46 feet; thence North 85 degrees 18 minutes 41 seconds West 28.33 feet; thence North 78 degrees 39 minutes 11 seconds West 19.92 feet; thence North 63 degrees 03 minutes 43 seconds West 14.57 feet; thence South 63 degrees 20 minutes 25 seconds West 14.60 feet; thence North 88 degrees 17 minutes 24 seconds West 19.53 feet; thence North 87 degrees 57 minutes 22 seconds West 24.54 feet; thence South 70 degrees 38 minutes 18 seconds West 25.15 feet; thence South 55 degrees 30 minutes 42 seconds West 39.06 feet; thence South 83 degrees 43 minutes 24 seconds West 8.57 feet; thence South 34 degrees 59 minutes 06 seconds West 13.52 feet; thence South 12 degrees 14 minutes 41 seconds West 8.03 feet; thence South 04 degrees 10 minutes 33 seconds West 12.05 feet; thence South 33 degrees 45 minutes 38 seconds West 16.25 feet; thence South 63 degrees 20 minutes 30 seconds West 14.89 feet; thence South 30 degrees 14 minutes 38 seconds East 501.80 feet; thence South 53 degrees 20 minutes 17 seconds East 282.63 feet; thence South 35 degrees 39 minutes 11 seconds East 242.45 feet; thence South 49 degrees 45 minutes 47 seconds East 148.83 feet; thence South 19 degrees 21 minutes 49 seconds West 115.07 feet; thence South 40 degrees 06 minutes 51 seconds East 707.81 feet; thence South 35 degrees 26 minutes 02 seconds East 67.25 feet; thence South 44 degrees 19 minutes 59 seconds East 179.81 feet; thence South 63 degrees 32 minutes 34 seconds East 51.74 feet; thence South 32 degrees 11 minutes 59 seconds East 80.00 feet; thence South 44 degrees 19 minutes 59 seconds East 54.51 feet; thence North 84 degrees 39 minutes 15 seconds East 151.38 feet; thence North 41 degrees 43 minutes 02 seconds West 193.26 feet; thence North 20 degrees 34 minutes 44 seconds West 270.50 feet; thence North 15 degrees 43 minutes 04 seconds West 167.08 feet; thence North 51 degrees 35 minutes 49 seconds East 89.49 feet; thence South 41 degrees 10 minutes 08 seconds East 227.54 feet; thence South 52 degrees 05 minutes 25 seconds East 123.65 feet; thence South 10 degrees 27 minutes 31 seconds East 57.08 feet; thence South 61 degrees 55 minutes 09 seconds East 122.94 feet; thence South 42 degrees 03 minutes 19 seconds East 104.71 feet; thence South 21 degrees 07 minutes 10 seconds East 233.80 feet; thence South 02 degrees 59 minutes 41 seconds West 79.58 feet; thence South 29 degrees 36 minutes 39 seconds West 66.57 feet; thence North 64

degrees 29 minutes 11 seconds West 96.76 feet; thence South 64 degrees 50 minutes 40 seconds West 53.82 feet; thence South 31 degrees 13 minutes 49 seconds East 231.69 feet; thence North 21 degrees 34 minutes 54 seconds East 46.94 feet; thence North 20 degrees 36 minutes 37 seconds East 39.24 feet; thence North 14 degrees 20 minutes 13 seconds East 78.45 feet; thence South 17 degrees 06 minutes 20 seconds East 80.09 feet; thence North 58 degrees 03 minutes 38 seconds East 28.16 feet; thence South 06 degrees 14 minutes 21 seconds East 54.85 feet; thence South 59 degrees 37 minutes 51 seconds East 75.39 feet; thence North 11 degrees 04 minutes 29 seconds West 225.64 feet; thence North 07 degrees 09 minutes 31 seconds East 59.45 feet; thence North 23 degrees 09 minutes 19 seconds East 45.95 feet; thence North 18 degrees 42 minutes 44 seconds East 40.54 feet; thence North 65 degrees 37 minutes 42 seconds East 110.74 feet; thence North 54 degrees 25 minutes 40 seconds East 50.41 feet; thence South 74 degrees 03 minutes 16 seconds East 45.84 feet; thence South 80 degrees 13 minutes 07 seconds East 42.31 feet; thence South 49 degrees 50 minutes 58 seconds East 96.47 feet; thence South 67 degrees 04 minutes 01 seconds East 32.93 feet; thence North 34 degrees 06 minutes 31 seconds East 59.73 feet; thence North 62 degrees 33 minutes 23 seconds East 42.71 feet; thence South 76 degrees 53 minutes 52 seconds East 59.26 feet; thence North 52 degrees 08 minutes 40 seconds East 96.34 feet to a re-rod on the Southerly boundary of Pelican Point, a subdivision as per map or plat thereof recorded in Public Records of Franklin County, Florida; thence leaving said mean highwater line run North 87 degrees 41 minutes 17 seconds East along the Southerly boundary of said subdivision 289.91 feet to a concrete monument; thence proceed southerly along the arc of a curve (radius of 258.71 feet, chord of 123.00 feet, chord bearing North 22 degrees 50 minutes 43 seconds East); thence proceed South 09 degrees 05 minutes 36 seconds West 83.75 feet; thence proceed northeasterly along the arc of a curve (radius of 3710.00 feet, chord of 327.02 feet, chord bearing North 52 degrees 12 minutes 54 seconds East) to the POINT OF BEGINNING, containing 58 acres, more or less.

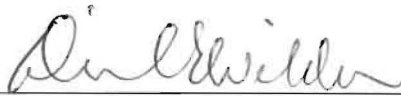
EXHIBIT D

AFFIDAVIT OF NOTICE

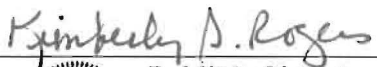

STATE OF FLORIDA

COUNTY OF LEON

Before me, the undersigned authority, this day personally appeared DAVID E. WILDER, who after being duly sworn, did depose and say that he is the Vice President of SGI Utility, LLC, and that on June 9, 2004, he sent by regular U.S. mail a copy of the notice attached hereto to each of the persons or entities on the list provided by the Florida Public Service Commission, which is also attached hereto.

By:   
David E. Wilder  
Vice President, SGI Utility, LLC

Subscribed and sworn to before me this 9<sup>th</sup> day of June, 2004, by David E. Wilder, who is personally known to me.

  
  
Notary Public's Signature  
MY COMMISSION # DD219836 EXPIRES  
July 13, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.

Print, Type or Stamp Commissioned  
Name of Notary Public

**APPLICATION FOR AMENDMENT OF CERTIFICATE  
( DELETION)**

**(Section 367.045, Florida Statutes)**

**LEGAL NOTICE**

Notice is hereby given on June 9, 2004, pursuant to Section 367.045, Florida Statutes, of the application of SGI Utility, LLC to amend its Wastewater Certificate No. 492-S to delete its territory in Franklin County, Florida as follows:

A portion of Section 35, Township 9 South, Range 7 West, and Section 2, Township 10 South, Range 7 West, Franklin County, Florida.

For a more detailed description, please contact the utility at the address and telephone number listed below.

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

SGI Utility, LLC  
3110 Capital Circle, NE  
Tallahassee, FL 32308  
Telephone 850-386-2332

**LIST OF WATER AND WASTEWATER UTILITIES IN FRANKLIN COUNTY  
(VALID FOR 60 DAYS)  
05/21/2004 - 07/19/2004**

UTILITY NAME

MANAGER

FRANKLIN COUNTY

SGI UTILITY, LLC (SU830)  
3110 CAPITAL CIRCLE, N.E.  
TALLAHASSEE, FL 32308-3706

DENNIS O. BOYLE  
(850) 386-2332

WATER MANAGEMENT SERVICES, INC. (WS236)  
3848 KILLEARN COURT  
TALLAHASSEE, FL 32309-3428

GENE D. BROWN  
(850) 668-0440

**LIST OF WATER AND WASTEWATER UTILITIES IN FRANKLIN COUNTY  
(VALID FOR 60 DAYS)  
05/21/2004 - 07/19/2004**

UTILITY NAMEMANAGERGOVERNMENTAL AGENCIES

APALACHEE REGIONAL PLANNING COUNCIL  
314 E. CENTRAL AVE., ROOM 119  
BLOUNTSTOWN, FL 32424

CLERK, BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY  
33 MARKET STREET, SUITE 203  
APALACHICOLA, FL 32320-2310

DEP NORTHWEST DISTRICT  
160 GOVERNMENT CENTER  
PENSACOLA, FL 32501-5794

MAYOR, CITY OF APALACHICOLA  
CITY HALL  
1 AVENUE E  
APALACHICOLA, FL 32320-2308

MAYOR, CITY OF CARRABELLE  
P. O. DRAWER 569  
CARRABELLE, FL 32322-0569

N.W. FLORIDA WATER MANAGEMENT DISTRICT  
RT. 1 BOX 3100  
HAVANA, FL 32333

**LIST OF WATER AND WASTEWATER UTILITIES IN FRANKLIN COUNTY  
(VALID FOR 60 DAYS)  
05/21/2004 - 07/19/2004**

UTILITY NAME

STATE OFFICIALS

MANAGER

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

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



EXHIBIT E

NEWSPAPER AFFIDAVIT

(TO BE LATE FILED)


EXHIBIT F

AFFIDAVIT

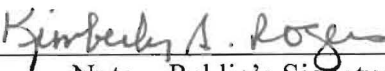

STATE OF FLORIDA

COUNTY OF LEON

Before me, the undersigned authority, this day personally appeared DAVID E. WILDER, who after being duly sworn, did depose and say that he is the Vice President of SGI Utility, LLC, and that SGI Utility, LLC has a tariff and an annual report on file with the Public Service Commission.

By:   
David E. Wilder  
Vice President, SGI Utility, LLC

Subscribed and sworn to before me this 9<sup>th</sup> day of June, 2004, by David E. Wilder, who is personally known to me.

  
Notary Public's Signature  
Kimberly S. Rogers  
MY COMMISSION # DD219836 EXPIRES  
July 13, 2007  
  
Print, Type or Stamp Commissioned  
Name of Notary Public

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number

492 - S

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to:

SGI Utility, LLC

Whose principal address is:

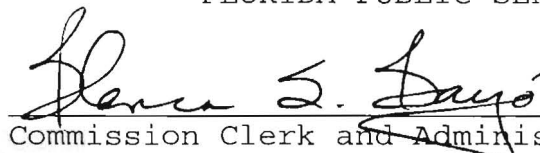
3110 Capital Circle, N.E.  
Tallahassee, FL 32308 (Franklin County)

to provide wastewater service in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER	PSC-94-1524-FOF-SU	DOCKET	931111-SU
ORDER	PSC-02-0658-PAA-SU	DOCKET	991812-SU
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	

BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION

  
Commission Clerk and Administrative Services Director

