

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

**ORIGINAL**

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GOVERNMENTAL CONSULTANTS  
MARGARETA MENDINI  
MCLANE STEPHENS

September 8, 2004

RECEIVED-FPSC  
SEP - 8 PM 4: 52  
COMMISSION  
CLERK

Ms. Blanca Bayo, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Docket No. 0405<sup>952 DM</sup>~~92~~-WS - Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates for its Chuluota Systems in Seminole County to Aqua Utilities Florida, Inc.

Dear Ms. Bayo:

Pursuant to Rule 25-30.030 (8), Florida Administrative Code, enclosed for filing on behalf of Florida Water Services Corporation ("Florida Water") and Aqua Utilities Florida, Inc. ("Aqua Utilities"), are the original and five copies of the following documents:

1) Late-Filed Exhibit "L" to Florida Water and Aqua Utilities' Joint Application filed in the above referenced docket, consisting of an affidavit of Nance L. Guth, Regional Director of Accounting of Aqua Utilities, affirming that the appropriate legal notice was mailed to the required legal entities, a copy of the mailed legal notice, and a list of the entities noticed.

CMP \_\_\_\_\_

2) Late-filed Exhibit "M" to Florida Water and Aqua Utilities' Joint Application filed in the above-referenced docket, consisting of an affidavit of Nance L. Guth, Regional Director of Accounting of Aqua Utilities, affirming that the appropriate legal notice was mailed to each customer of the Chuluota systems, and a copy of the mailed legal notice.

COM \_\_\_\_\_

CTR \_\_\_\_\_

ECR \_\_\_\_\_

GCL \_\_\_\_\_

3) Late-filed Exhibit "N" to Florida Water and Aqua Utilities' Joint Application filed in the above-referenced docket, consisting of an affidavit confirming that the appropriate legal notice was published once in the Orlando Sentinel, which is a newspaper of general circulation in the territory that is the subject of the above-referenced Application, and proof of publication of the legal notice.

OPC \_\_\_\_\_

MMS \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC L

OTH Kim L.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09809 SEP -8 04

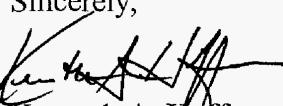
FPSC-COMMISSION CLERK

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

Ms. Blanca Bayo, Director  
September 8, 2004  
Page 2

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,  
  
Kenneth A. Hoffman

Enclosures

cc: Melissa Taylor, Esq. (w/enclosures)  
Kathy Pape, Esq. (w/enclosures)

**EXHIBIT L**

**An affidavit that the notice of actual application was given in accordance with Section 367.045(1), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail, a copy of the notice, and the list of entities is attached hereto.**

DOCUMENT NUMBER-DATE

09809 SEP-8 8

FPSC-COMMISSION CLERK

**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Joint Application for Approval )  
of Sale of Florida Water Services )  
Corporation's Land, Facilities, and )  
Certificates for its Chuluota Systems in )  
Seminole County to Aqua Utilities )  
Florida, Inc. )

Docket No. 040592-WS  
Filed: **SEPTEMBER 8, 2004**

**AFFIDAVIT**

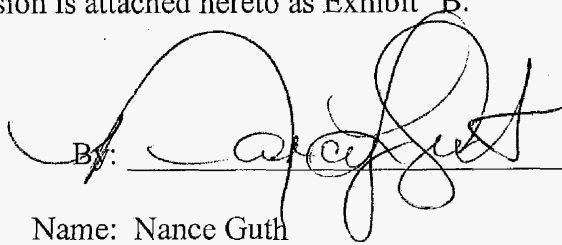
STATE OF FLORIDA:  
COUNTY OF SARASOTA:

BEFORE ME, the undersigned authority, personally appeared NANCE L. GUTH, who after being duly sworn, deposes and says:

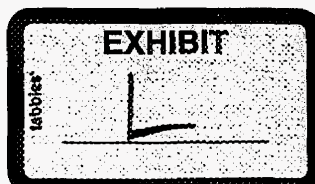
1. That I, NANCE L. GUTH, am the Regional Director of Accounting of Aqua Utilities Florida, Inc., and as part of my duties, I am responsible for administering mailings of Aqua Utilities Florida, Inc.

2. That on August 30, 2004, in my presence and under my supervision, and in accordance with Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code, Aqua Utilities Florida, Inc. provided a copy of the Notice, attached hereto as Exhibit "A," of its Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates for Chuluota Systems in Seminole County to Aqua Utilities Florida, Inc., by regular mail to the list of governmental agencies, state officials, and certificated utilities obtained from the Florida Public Service Commission. A copy of the aforementioned list obtained from the Public Service Commission is attached hereto as Exhibit "B."

3. Further, Affiant sayeth not.

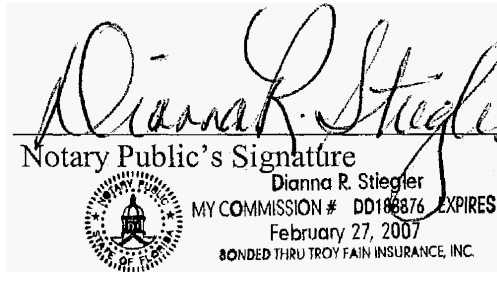
By:   
\_\_\_\_\_

Name: Nance Guth  
Title: Regional Director of Accounting



STATE OF FLORIDA:  
COUNTY OF SARASOTA:

Subscribed and sworn to before me this 30th day of August, 2004, by Nance L. Guth,  
who is personally known to me.



Print, Type or Stamp Commissioned  
Name of Notary Public

## NOTICE OF APPLICATION FOR SALE OF FACILITIES

(Section 367.071, Florida Statutes)

### LEGAL NOTICE

Notice is hereby given on August 24, 2004, pursuant to Section 367.071, Florida Statutes, of the application of Florida Water Services, Corporation (Applicant) for the sale of its Chuluota water and wastewater facilities providing service in Seminole County, Florida, to Aqua Utilities Florida, Inc. (Purchaser). Please note that this application is not a request for a change in rates.

#### Seminole County

Chuluota (water & wastewater):

Township 21 South, Range 32 East, Sections 16, 17, 20, 21,  
28 and 29

The full legal descriptions of the areas served by the Chuluota water and wastewater facilities are available upon written request to the Applicant at the address listed below.

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

#### Applicant:

Florida Water Services Corporation  
Attn: Melissa Taylor, Esquire  
P.O. Box 609520  
Orlando, FL 32860-9520

#### Purchaser:

Aqua Utilities Florida, Inc.  
Attn: Kathy L Pape, Esquire  
762 West Lancaster Ave.  
Bryn Mawr, PA 19010



**LIST OF WATER AND WASTEWATER UTILITIES IN SEMINOLE COUNTY  
(VALID FOR 60 DAYS)  
07/30/2004 - 09/27/2004**

UTILITY NAME

MANAGER

SEMINOLE COUNTY

ALAFAYA UTILITIES, INC. (SU445)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4099

PATRICK C. FLYNN  
(407) 869-1919

CWS COMMUNITIES LP D/B/A PALM VALLEY (WS832)  
3700 PALM VALLEY CIRCLE  
OVIEDO, FL 32765-4904

SANDY SEYFFART  
(407) 365-6651

FLORIDA WATER SERVICES CORPORATION (WS230)  
P. O. BOX 609520  
ORLANDO, FL 32860-9520

CARLYN KOWALSKY  
(407) 598-4297

SANLANDO UTILITIES CORPORATION (WS397)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4027

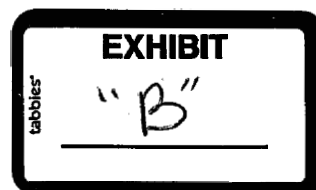
STEVEN LUBERTOZZI  
(847) 498-6440

UTILITIES, INC. OF FLORIDA (WS251)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN  
(407) 869-1919

UTILITIES, INC. OF LONGWOOD (SU761)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN  
(407) 869-1919



**LIST OF WATER AND WASTEWATER UTILITIES IN SEMINOLE COUNTY  
(VALID FOR 60 DAYS)  
07/30/2004 - 09/27/2004**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CITY MANAGER, CITY OF CASSELBERRY  
95 TRIPLET LAKE DRIVE  
CASSELBERRY, FL 32707-3399

CLERK, BOARD OF COUNTY COMMISSIONERS, SEMINOLE COUNTY  
P. O. DRAWER C  
SANFORD, FL 32772-0659

DEP CENTRAL DISTRICT  
3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FL 32803-3767

EAST CENTRAL FLORIDA PLANNING COUNCIL  
1011 WYMORE ROAD, SUITE 105  
WINTER PARK, FL 32789

MAYOR, CITY OF ALTAMONTE SPRINGS  
225 NEWBURYPORT AVENUE  
ALTAMONTE SPRINGS, FL 32701-3642

MAYOR, CITY OF LAKE MARY  
P. O. BOX 950700  
LAKE MARY, FL 32746-0700

MAYOR, CITY OF LONGWOOD  
175 WEST WARREN AVENUE  
LONGWOOD, FL 32750-4107

MAYOR, CITY OF OVIEDO  
400 ALEXANDRIA BLVD.  
OVIEDO, FL 32765-6770

MAYOR, CITY OF SANFORD  
P. O. BOX 1788  
SANFORD, FL 32772-1788

MAYOR, CITY OF WINTER SPRINGS  
1126 EAST S. R. 434  
WINTER SPRINGS, FL 32708-2715

ST. JOHNS RIVER WTR MANAGEMENT DISTRICT  
P.O. BOX 1429  
PALATKA, FL 32178-1429



**LIST OF WATER AND WASTEWATER UTILITIES IN SEMINOLE COUNTY  
(VALID FOR 60 DAYS)  
07/30/2004 - 09/27/2004**

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 M**

**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 and a copy of the notice is attached hereto.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Joint Application for Approval )  
of Sale of Florida Water Services )  
Corporation's Land, Facilities, and )  
Certificates for its Chuluota Systems in )  
Seminole County to Aqua Utilities )  
Florida, Inc. )  
\_\_\_\_\_ )

Docket No. 040592-WS  
Filed: **SEPTEMBER 8, 2004**

**AFFIDAVIT**

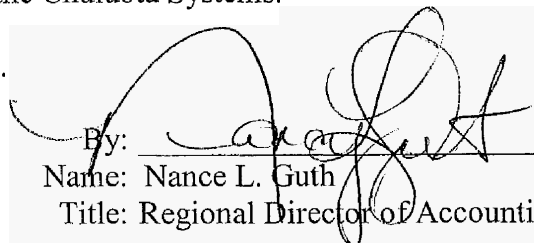
STATE OF FLORIDA:  
COUNTY OF SARASOTA:

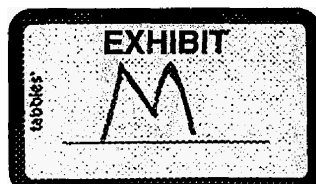
BEFORE ME, the undersigned authority, personally appeared NANCE L. GUTH, who after being duly sworn, deposes and says:

1. That I, NANCE L. GUTH, am the Regional Director of Accounting of Aqua Utilities Florida, Inc., and as part of my duties, I am responsible for administering mailings of Aqua Utilities Florida, Inc.

2. That on August 30, 2004, in my presence and under my supervision, and in accordance with Section 367.045, Florida Statutes, and Rule 25-30.030, Florida Administrative Code, Aqua Utilities Florida, Inc. provided a copy of the Notice, attached hereto as Exhibit "A," of its Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates for Chuluota Systems in Seminole County to Aqua Utilities Florida, Inc., by regular mail to each customer of the Chuluota Systems.

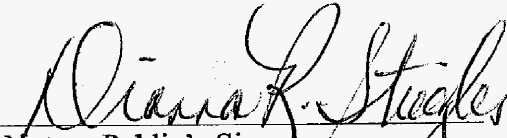

3. Further, Affiant sayeth not.

By:   
Name: Nance L. Guth  
Title: Regional Director of Accounting



STATE OF FLORIDA:  
COUNTY OF SARASOTA:

Subscribed and sworn to before me this 30th day of August, 2004, by Nance L. Guth,  
who is personally known to me.

  
Notary Public's Signature  
Diana R. Stiegler  
 MY COMMISSION # DD188876 EXPIRES  
February 27, 2007  
BONDED THRU TROY FAIN INSURANCE, INC

Print, Type or Stamp Commissioned  
Name of Notary Public

# Orlando Sentinel

Published Daily

State of Florida } S.S.  
COUNTY OF ORANGE

Before the undersigned authority personally appeared BEVERLYC. SIMMONS

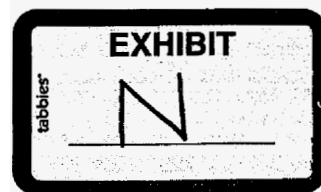
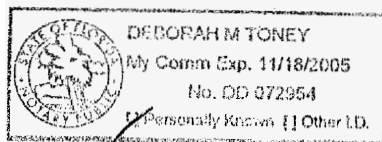
, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at ALTAMONTE SPRINGS in SEMINOLE County, Florida; that the attached copy of advertisement, being a NOTICE OF APPLICATION FOR SALE OF FACILITIES in the matter of CHULUOTA WATER & WASTEWATER

in the SEMINOLE Court, was published in said newspaper in the issue; of 08/26/04

Affiant further says that the said Orlando Sentinel is a newspaper published at ALTAMONTE SPRINGS, in said SEMINOLE County, Florida, and that the said newspaper has heretofore been continuously published in said SEMINOLE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ALTAMONTE SPRINGS in said SEMINOLE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she 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 the said newspaper.

The foregoing instrument was acknowledged before me this 26th day of AUGUST, 20 04, by BEVERLYC. SIMMONS, who is personally known to me and who did take an oath.

(SEAL)



### NOTICE OF APPLICATION FOR SALE OF FACILITIES

(Section 367.071, Florida Statutes)

#### LEGAL NOTICE

Notice is hereby given on August 26, 2004, pursuant to Section 367.071, Florida Statutes, of the application of Florida Water Services Corporation (Applicant) for the sale to Chuluota water and wastewater facilities providing service in Seminole County, Florida, to Aqua Utilities Florida, Inc. (Purchaser). Please note that this application is not a request for a change in rates.

Seminole County  
Chuluota (water and wastewater):  
Township 21 South, Range 32 East, Sections 16, 17, 20, 21, 28, and 29

The full legal descriptions of the service areas are available upon written request to the Applicant at the address listed below.

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

#### Applicant:

Florida Water Services Corporation  
Attn: Melissa Taylor, Esquire  
P.O. Box 609520  
Orlando, FL 32860-9520

#### Purchaser:

Aqua Utilities Florida, Inc.  
Attn: Kathy L. Pope, Esquire  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
CSEL5815740 Aug 26, 2004

## NOTICE OF APPLICATION FOR SALE OF FACILITIES

(Section 367.071, Florida Statutes)

### LEGAL NOTICE

Notice is hereby given on August 24, 2004, pursuant to Section 367.071, Florida Statutes, of the application of Florida Water Services, Corporation (Applicant) for the sale of its Chuluota water and wastewater facilities providing service in Seminole County, Florida, to Aqua Utilities Florida, Inc. (Purchaser). Please note that this application is not a request for a change in rates.

#### Seminole County

Chuluota (water & wastewater):

Township 21 South, Range 32 East, Sections 16, 17, 20, 21,  
28 and 29

The full legal descriptions of the areas served by the Chuluota water and wastewater facilities are available upon written request to the Applicant at the address listed below.

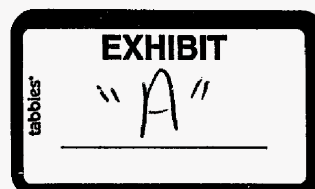
Any objection to this Application must be made in writing and filed with the Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the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

#### Applicant:

Florida Water Services Corporation  
Attn: Melissa Taylor, Esquire  
P.O. Box 609520  
Orlando, FL 32860-9520

#### Purchaser:

Aqua Utilities Florida, Inc.  
Attn: Kathy L Pape, Esquire  
762 West Lancaster Ave.  
Bryn Mawr, PA 19010



**EXHIBIT N**

**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 and a copy of the proof of publication is attached hereto.**