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November 8, 2004

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

RECEIVED FPSC
NOV - 8 PM 1:22
COMMISSION CLERK

RE: Docket No. 040951-WS - Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates in Brevard, Highlands, Lake, Orange, Pasco, Polk, Putnam, a portion of Seminole, Volusia and Washington Counties 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) Revised Late-Filed Exhibit "M" to Florida Water and Aqua Utilities' Joint Application filed in the above referenced docket (the "Joint Application"), consisting of an affidavit of Nance L. Guth, Regional Director of Accounting of Aqua Utilities, affirming that a letter from Aqua Utilities' President, Glenn LaBrecque, along with the appropriate legal notice, was mailed to the required legal entities. Copies of the aforementioned letter, the notice, and the list of entities that received the notice, are also included with this revised exhibit. Where the list includes two Department of Environmental Protection offices or two Water Management District offices, we have identified which is the proper district office to be noticed by marking through the office that does not apply.

2) Revised Late-filed Exhibit "N" to the Joint Application, consisting of an affidavit of Nance L. Guth, Regional Director of Accounting of Aqua Utilities, affirming that a letter from Aqua Utilities' President, Glenn LaBrecque, along with the appropriate legal notice, was mailed to each

CMP
COM
CTR
ECR
GCL
OPC
MMS
RCA
SCR
SEC
OTH

Exhibit (M)
DOCUMENT NUMBER-DATE

12009 NOV-8 04

FPSC-COMMISSION CLERK

Exhibit (N)
DOCUMENT NUMBER-DATE

12010 NOV-8 04

FPSC-COMMISSION CLERK

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

customer of each system that is the subject of the above-referenced Application. Copies of the aforementioned letter and the notice are also included with this revised exhibit.

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)

**REVISED EXHIBIT N**

**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.**

DOCUMENT NUMBER - DATE

12010 NOV-8 3

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 in Brevard, Highlands, Lake, )  
Orange, Pasco, Polk, Putnam, a portion of )  
Seminole, Volusia, and Washington )  
Counties to Aqua Utilities Inc. )  
\_\_\_\_\_ )

Docket No. 040951-WS  
Filed: November 8, 2004

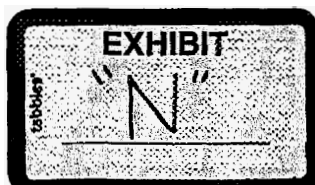
**AFFIDAVIT**

STATE OF FLORIDA:  
COUNTY OF SARASOTA:

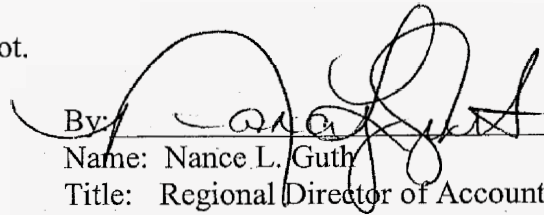
BEFORE ME, the undersigned authority, personally appeared NANCE L. GUTH, who after being duly sworn, deposes and says:

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 October 25, 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 letter from Aqua Utilities Florida, Inc.'s President, Glenn LaBrecque, along with Notice of its Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates in Brevard, Highlands, Lake, Orange, Pasco, Polk, Putnam, a portion of Seminole, Volusia, and Washington Counties to Aqua Utilities Florida, Inc., by regular mail to each customer of each system proposed to be transferred. A copy of the letter and Notice are attached hereto as Exhibit "A".



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 2nd day of November, 2004, by Nance L. Guth, who is personally known to me.

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

Print, Type or Stamp Commissioned  
Name of Notary Public



Aqua Utilities Florida, Inc.  
6960 Professional Parkway East  
Suite 400  
Sarasota, FL 34240

[www.aquafl.com](http://www.aquafl.com)

October 25, 2004

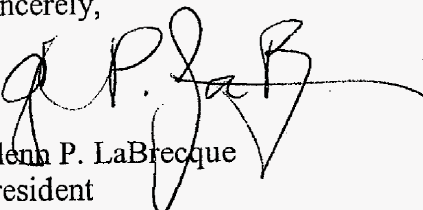
Dear Customer:

As you will likely recall, Florida Water Services Corporation and Aqua Utilities Florida, Inc. (Aqua) announced in April 2004 that the companies had reached an agreement to transfer the remaining Florida Water systems to Aqua..

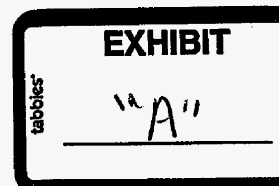
The attached public notice, which addresses the transaction, was originally sent to you at the end of August, 2004. However, because of the turbulent weather that plagued Florida and other parts of the South during that time, we understand that it is possible that you might not have had the opportunity to review the notice, which details how you may comment on the transaction. For that reason, we have decided it would be best to resend the notice to ensure that everyone has had the opportunity to read it.

We look forward to continuing to serve you.

Sincerely,



Glenn P. LaBrecque  
President



## NOTICE OF APPLICATION FOR SALE OF FACILITIES

(Section 367.071, Florida Statutes)

### LEGAL NOTICE

Notice is hereby given on October 25, 2004, pursuant to Section 367.071, Florida Statutes, of the application of Florida Water Services, Corporation (Applicant) for the sale to Aqua Utilities Florida, Inc. (Purchaser) of the facilities providing service to the areas listed on the succeeding pages. Please note that this application is not a request for a change in rates.

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. Pape, Esquire  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

FLORIDA WATER SERVICES CORPORATION'S  
FACILITIES IN FLORIDA COUNTIES  
BEING SOLD TO AQUA UTILITIES FLORIDA, INC.

Brevard County

Kingswood (water):

Township 21 South, Range 34 East, Section 14

Oakwood (water):

Township 21 South, Range 35 East, Sections 7 & 8

Highlands County

Leisure Lakes (Covered Bridge) (water & wastewater):

Township 36 South, Range 29 East, Sections 15 & 16

Lake County

Carlton Village (water):

Township 18 South, Range 24 East, Sections 11 & 14

East Lake Harris Estates (water):

Township 20 South, Range 26 East, Sections 20 & 29

Fern Terrace (water):

Township 19 South, Range 25 East, Sections 19, 20, 29 & 30

Friendly Center (water):

Township 20 South, Range 26 East, Section 30

Grand Terrace (water):

Township 18 South, Range 26 East, Section 32

Hobby Hills (water):

Township 18 South, Range 24 East, Sections 27 & 28

Holiday Haven (water):

Township 15 South, Range 28 East, Sections 30 & 37

Holiday Haven (wastewater):

Township 15 South, Range 28 East, Section 30

Imperial Mobile Terrace (water):

Township 19 South, Range 25 East, Section 25

Morningview (water & wastewater):

Township 20 South, Range 24 East, Section 2

Palms Mobile Home Park (water):

Township 20 South, Range 24 East, Section 36

Picciola Island (water):

Township 19 South, Range 24 East, Sections 11-13

Piney Woods (water):

Township 18 South, Range 24 East, Sections 32 & 33

Quail Ridge (water):

Township 18 South, Range 25 East, Sections 24 & 25

Silver Lake Estates (water):

Township 19 South, Range 25 East, Sections 10, 11, 14 & 15

Skycrest (water):

Township 18 South, Range 24 East, Sections 27, 33 & 34

Stone Mountain (water):

Township 20 South, Range 25 East, Section 18

Valencia Terrace (water & wastewater):

Township 19 South, Range 24 East, Sections 10 & 11

Venetian Village (water):

Township 20 South, Range 26 East, Sections 10, 11, 14 & 15

Venetian Village (wastewater):

Township 20 South, Range 26 East, Sections 11 & 14

Western Shores (water):

Township 19 South, Range 25 East, Sections 1 & 12;

Township 19 South, Range 26 East, Sections 7 & 18



**FLORIDA WATER SERVICES CORPORATION'S  
FACILITIES IN FLORIDA COUNTIES  
BEING SOLD TO AQUA UTILITIES FLORIDA, INC  
(Continued)**

Orange County

Tangerine (water):

Township 20 South, Range 27 East, Sections 4-9, & 16-18

Pasco County

Palm Terrace (water & wastewater):

Township 25 South, Range 16 East, Sections 10 & 15

Zephyr Shores (water & wastewater):

Township 26 South, Range 21 East, Sections 17 & 18

Polk County

Gibsonia Estates (water):

Township 27 South, Range 23 East, Sections 23-26

Lake Gibson Estates (water & wastewater):

Township 27 South, Range 23 East, Section 24;

Township 27 South, Range 24 East, Section 19

Orange Hill/Sugar Creek (water):

Township 28 South, Range 25 East, Section 28

Putnam County

Beecher's Point (water & wastewater):

Township 12 South, Range 26 East, Section 40

Hermits Cove (water):

Township 10 South, Range 26 East, Sections 33 & 39

Interlachen Lake Estates (water):

Township 10 South, Range 25 East, Sections 7 & 18

Palm Port (water & wastewater):

Township 9 South, Range 27 East, Section 40

Park Manor (water & wastewater):

Township 10 South, Range 25 East, Section 18

Pomona Park (water):

Township 11 South, Range 27 East, Sections 31-33

River Grove (water):

Township 10 South, Range 27 East, Section 38

Saratoga Harbour (water):

Township 11 South, Range 26 East, Section 39

Silver Lake Oaks (water & wastewater):

Township 10 South, Range 26 East, Section 17

St. Johns Highlands (water):

Township 11 South, Range 26 East, Section 39

Welaka (water):

Township 11 South, Range 26 East, Section 39

Wootens (water):

Township 13 South, Range 26 East, Section 41

Seminole County

Florida Central Commerce Park (wastewater):

Township 21 South, Range 30 East, Section 6

Harmony Homes (water):

Township 21 South, Range 30 East, Section 7

FLORIDA WATER SERVICES CORPORATION'S  
FACILITIES IN FLORIDA COUNTIES  
BEING SOLD TO AQUA UTILITIES FLORIDA, INC  
(Continued)

Volusia County

Jungle Den (water & wastewater):

Township 15 South, Range 28 East, Sections 19 & 30

Tomoka/Twin Rivers (water):

Township 14 South, Range 32 East, Section 30;

Township 14 South, Range 31 East, Section 25

Washington County

Sunny Hills (water):

Township 2 North, Range 13 West, Sections 1, 4-9, 11-31, 35  
& 36;

Township 2 North, Range 14 West, Sections 13, 24-27, 34-36;

Township 1 North, Range 13 West, Section 2;

Township 1 North, Range 14 West, Sections 2 & 3

Sunny Hills (wastewater):

Township 2 North, Range 13 West, Sections 7, 8, 15-22, 28-  
31;

Township 2 North, Range 14 West, Sections 25 & 36