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REPLY TO ALTAMONTE SPRINGS

May 19, 2005

MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD

HAND DELIVERY
COMMISSION
CLERK
MAY 19 PM 12:07
RECEIVED PSC

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

Re: Docket No. 050323-SU; Joint Application of to Transfer Facilities of Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities and Certificate No. 456-S, Cancellation of Certificate No. 456-S and Amendment to Certificate 247-S, and Limited Proceeding for Authority to Charge the Customers of Heron's Glen Utilities its Authorized Rates, Fees and Charges
Our File No.: 16319.66

Dear Ms. Bayo:

CMP _____ Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of
COM _____ the Notice of Filing Late Filed Exhibit "H" to the Joint Application, which is the Affidavit that notice
CTR _____ of the Application was given in accordance with Rule 25-30.030, Florida Administrative Code, to each
customer of the system.

ECR _____ Should you have any questions regarding this matter, please do not hesitate to give me a call.
GCL _____

OPC _____

MMS _____

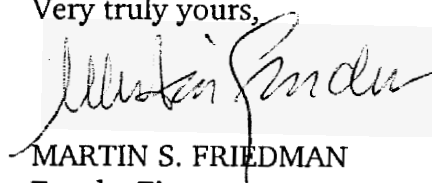
RCA _____

SCR _____

SEC | MSF/tlc
Enclosures

OTH _____

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

cc: Mr. Jack Schenkman (w/o enclosure)
Dr. Joel Schenkman (w/o enclosure)
Dr. Michael Schenkman (w/o enclosure)
Mr. Tony Reeves (w/enclosure)
Scott Callahan, Esquire (w/enclosure)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Authority to Transfer
the Facilities of COOLIDGE-FT. MYERS
REALTY LIMITED PARTNERSHIP, d/b/a
HERON'S GLEN UTILITIES and Certificate
No. 456-S in Lee County, Florida to NORTH
FORT MYERS UTILITY, INC., Cancellation of
Certificate No. 456-S, and Amendment of
Certificate No. 247-S, and limited
proceeding for authority to charge the
customers of Heron's Glen Utilities its
authorized rates, fees and charges

Case No. 050323-SU

NOTICE OF FILING LATE FILED EXHIBIT "H"

COOLIDGE-FT. MYERS REALTY LIMITED PARTNERSHIP d/b/a HERON'S GLEN UTILITIES ("Seller") and NORTH FORT MYERS UTILITY, INC. ("Buyer"), by and through their attorneys, hereby notice the filing in the above-referenced docket of Late Filed Exhibit "H" to its Application for Authority to Transfer the Wastewater System, which is the Affidavit that notice of the Application was given in accordance with Rule 25-30.030, Florida Administrative Code, to each customer of the system.

Respectfully submitted on this 18th day of
May 2005, by:

ROSE, SUNDSTROM & BENTLEY, LLP
600 S. North Lake Boulevard
Suite 160
Altamonte Springs, Florida 32701
(407) 830-6331
(407) 830-8522 Fax

By: 

MARTIN S. FRIEDMAN
For the Firm

AFFIDAVIT OF MAILING

STATE OF FLORIDA

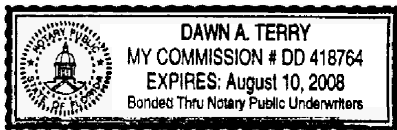
COUNTY OF LEE

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared Denice Bishop, as the Authorized Representative of Heron's Glen Utilities, who, after being duly sworn on oath, did depose on oath and say that he/she did send by first class U.S. Mail on the 17th of May, 2005, a copy of the Notice attached hereto to each of the Utility's customers.

FURTHER AFFIANT SAYETH NAUGHT.

Denice A. Bishop

Sworn to and subscribed before me this 17 day of May 2005, by Denice Bishop, who is personally known to me or has produced _____ as identification.



NOTARY PUBLIC

Dawn A. Terry

Print Name: Dawn A. Terry

My Commission Expires: 8/10/08

**NOTICE OF APPLICATION OF NORTH FORT MYERS UTILITY, INC.
FOR AUTHORITY TO TRANSFER FACILITIES OF COOLIDGE-FT. MYERS REALTY
LIMITED PARTNERSHIP d/b/a HERON'S GLEN UTILITIES, AND CERTIFICATE NO.
456-S, CANCELLATION OF CERTIFICATE NO. 456-S AND AMENDMENT OF
CERTIFICATE NO. 247-S, AND LIMITED PROCEEDING FOR AUTHORITY TO
CHARGE THE CUSTOMERS OF HERON'S GLEN UTILITIES ITS AUTHORIZED
RATES, FEES AND CHARGES**

Notice is hereby given on this 16th day of May, 2005, pursuant to Sections 367.071, 367.045 and 367.0822, Florida Statutes, of the application of North Fort Myers Utility, Inc. (**Applicant**), for authority to transfer the wastewater system providing wastewater service to the Heron's Glen Subdivision in Lee County, Florida, and Wastewater Certificate No. 456-S to the Applicant, North Fort Myers Utility, Inc., to cancel Certificate No. 456-S and to amend Certificate No. 247-S, and for a limited proceeding for authority to charge the customers of the Heron's Glen Subdivision the Applicant's current Commission-authorized rates, fees and charges.

The wastewater system in the Heron's Glen Subdivision to be transferred will serve between 2,000 and 4,000 customers in the area more particularly described in Exhibit "A" to this Notice.

Copies of the Application can be reviewed at the offices of the Applicant 5660 Bayshore Road, Suite 36, Fort Myers, Florida, during normal business hours. The Applicant's telephone number is (239) 543-1005.

PROPOSED RATES AND CHARGES

The Applicant proposes to charge the customers in the Heron's Glen Subdivision the following rates and charges upon interconnection with the Applicant's system:

**WASTEWATER
General Service**

<u>Class/Meter Size</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
5/8" X 3/4"	\$14.91	\$11.15
1"	\$37.29	\$27.84
1 1/2 "	\$74.56	\$55.67
2"	\$119.30	\$89.07
3"	\$238.61	\$178.12
4"	\$372.85	\$278.30
6"	\$745.68	\$556.71
Gallonge Charge (per 1,000 gallons)	\$2.38	\$4.11

Residential Service

Martin S. Friedman, Esq.
Rose, Sundstrom & Bentley, LLP
600 S. North Lake Blvd., Ste. 160
Altamonte Springs, FL 32701

All correspondence should refer to "Docket No. 050323-SU, North Fort Myers Utility, Inc." Your letter will be placed in the correspondence file of this docket. You may also submit comments through the Public Service Commission's toll-free facsimile line at 1-800-511-0809. The Commission also has a web-site available at <http://floridapsc.com/consumers/complaint/index.cfm>.

Any objections to the Application must be made in writing and filed with the Director, Division of Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 600 S. North Lake Boulevard, Suite 160, Altamonte Springs, Florida 32701, within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

If you wish to contact the Commission regarding complaints about service, you may call the Commission's Division of Consumer Affairs at the following toll-free number 1-800-342-3552.

This notice was prepared by the Applicant and approved by Commission staff for distribution by the Applicant to its proposed customers.

NORTH FORT MYERS UTILITY, INC.
P.O. Box 2547
Fort Myers, Florida 33902-2547

a distance of 441.17 feet; thence N.00°02'36"E., along the east line of said parcel for a distance of 2,546.26 feet to an intersection with the aforementioned south line of that certain parcel of land described in Deed Book 224 at Page 437 of the aforementioned public records; thence N.89°48'47"E., along said south line for a distance of 775.85 feet to an intersection with the aforementioned westerly right of way line of the former S.A.L. Railroad; thence N.11°11'01"W., along said westerly right of way line for a distance of 4,190.51 feet to the Point of Beginning.

Township 43 South, Range 24 East

Section 4 A tract or parcel of land lying in Section 4, Township 43 South, Range 24 East, Lee County, Florida, which tract or parcel is described as follows:

From the SE corner of Lot 45 of Unit No. 1, North Fort Myers Park according to a plat thereof recorded in Plat Book 9 at Page 113 public records of Lee County, Florida, run S.89°59'E., along the south line of the lands conveyed by Deed recorded in Deed Book 224 at Page 437 of said public records and along the south line of Section No. 1, Unit No. 1, Lakeville, according to a plat thereof recorded in Plat Book 10, Page 48 of said public records and Section No. 1, Unit No. 2, Lakeville, according to a plat thereof recorded in Deed Book 298 at Pages 303 to 306, inclusive, of said public records for a distance of 1,940 feet to the SE corner of said Section No. 1, Unit No. 2 and the Point of Beginning of the lands herein described:

From said Point of Beginning continue S.89°59'E. along the south line of the lands conveyed by said Deed recorded in Deed Book 224 at Page 437, for a distance of 425 feet to a concrete monument at the SW corner of the lands described in and conveyed by Deed recorded in Deed Book 300, Page 633, of said public records; thence run N.00°01'E., along the west line of said lands for a distance of 2,040 feet to a point in the centerline of a roadway easement 80 feet wide which point is marked by a concrete monument; thence run N.89°59'W., along said centerline for a distance of 500 feet to a point on a prolongation of the east line of said Section No. 1, Unit No. 2, Lakeville, which point is 40 feet north of the NE corner of said Section No. 1, Unit No. 2; thence run south along said prolongation and along the easterly boundary of said Section No. 1, Unit No. 2, S.00°01'W., for a distance of 335 feet, thence run S.89°59'E., for a distance of 60 feet, thence run S.00°01'W., for a distance of 600 feet to a point of curvature; thence run southeasterly along the arc of a curve of radius 236.25 feet for a distance of 131.72 feet, thence run S.89°59'E., for a distance of 39.71 feet, thence run S.00°01'W., for a distance of 125 feet, thence run N.89°59'W., for a distance of 35.48 feet, thence run S.00°01'W., for a distance of 650 feet, thence run N.89°59'W., for a distance of 25 feet, and thence run S.00°01'W., for a distance of 205 feet to the SE corner of said Section No. 1, Unit No. 2, Lakeville, and the Point of Beginning.

Subject to roadway easements over and along the north 40 feet and over and along the north 80 feet of the south 855 feet being an extension of Lakeville Drive as shown on said plat of Section No. 1, Unit No. 2, Lakeville. Also granting an easement for roadway purposes over and along a strip of land 40 feet in width north of and adjacent to the northern boundary of the above described lands and an easement for roadway purposes 80 feet in width extending from the westerly boundary of the above described lands westerly along the northern boundaries of said Section No. 1, Unit No. 2, and Section No. 1, Unit No. 1 of Lakeville and through Lot 24 of said Unit No. 1, Fort Myers Park to the Tamiami Trail (State Road No. 45).