

ORIGINAL



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KATHRYN.COWDERY@RUDEN.COM

May 25, 2005

Blanca S. Bayo, Director  
Division of Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Building, Room 110  
Tallahassee, Florida 32399-0850

Via Hand Delivery

COMMISSION  
CLERK

MAY 25 PM 1:23

REC'D ED-PPSC

Re: Docket No. 050313-WU  
Application for Transfer of Majority Organizational Control of NHC Utilities,  
Inc., Holder of Certificate No. 573-W in Charlotte County

Dear Ms. Bayo:

Enclosed for filing on behalf of NHC Utilities, Inc., are an original and twelve copies of  
an executed Affidavit of Publication of the Notice of the above application.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this  
letter and returning same to my attention.

Sincerely,

Kathryn G.W. Cowdery  
Attorney

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

Enclosure

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

05088 MAY 25 05

RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

FPSC-COMMISSION CLERK

CHARLOTTE/ENGLEWOOD  
Herald Tribune  
Charlotte County, Florida

AD NUMBER: 52AH01800  
STATE OF FLORIDA  
COUNTY OF CHARLOTTE

Before the undersigned authority personally appeared Kathy Silverberg, who on oath says she is Publisher, Charlotte/Englewood Herald-Tribune, a daily newspaper published in Charlotte County and Sarasota County, Florida; that the attached copy of advertisement, being a notice in the matter of:

**Notice of Application for Transfer of Majority Organizational Control of NHC Utilities, Inc.**

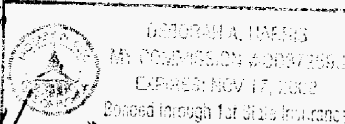
Charlotte/Englewood edition of said newspaper in the issue of:  
  
**May 6, 2005**

Affiant further says that the said Herald-Tribune is a newspaper published in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in Charlotte County, Florida, each day, and has been entered as second-class mail matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and Affiant further says that she has neither paid nor promised any person, firm or corporation a discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed Kathy Silverberg

Sworn to and subscribed before me on this 18th day of May, 2005, by Kathy Silverberg who is personally known to me.

SEAL Deborah A. Harris  
Notary Public



**NOTICE OF APPLICATION FOR TRANSFER OF MAJORITY ORGANIZATIONAL CONTROL OF NHC UTILITIES, INC.**

Notice is hereby given on May 06, 2005, pursuant to Section 367.071, Florida Statutes, of the application for a transfer of majority organizational control of NHC Utilities, holder of Certificate No. 573-W, providing service to the following described territory in Charlotte County, Florida:

A portion of Plan No. 1 of a part of Ward Seven El Jobean, as recorded in Plat Book 2, page 37, of the Public Records of Charlotte County, Florida, and a portion Plan No. 2 of a part of Ward Seven El Jobean, as recorded in Plat book 2, page 48, of the Public Records of Charlotte County, Florida, all being more particularly described as follows:

Beginning at the intersection of the Northerly right of way line of Russell Avenue and the centerline of the C.H. & N. Railroad; thence South 72 degrees 11'23" West along the Northerly right of way line said Russell Avenue, a distance of 1257.07 feet to a point on the arc of a curve whose radius point bears South 67 degrees 00'19" West from said point, and being the right of way line of Seminole Circle; thence Northerly and Westerly, along the arc of said curve, having a radius of 332 feet and a central angle of 49 degrees 37'52", an arc distance 287.59 feet, to the Easterly right-of-way line of Southland Avenue; thence North 12 degrees 11'23" East, along said Easterly right-of-way line, a distance of 2024.95 feet; thence North 77 degrees 44' 37" West, a distance of 1390.0 feet, to the center of Lincoln Park; thence North 17 degrees 22'27" East radially a distance of 331.97 feet to the intersection of Lincoln Circle with the Easterly right-of-way line of Hamner Avenue; thence North 12 degrees 11'23" East, along the Easterly right-of-wayline of Hamner Avenue, a distance of 1222.32 feet to the intersection with the Southeastery right-of-way line of Colonial Avenue; thence North 72 degrees 11'23" East along the Southeastery right-of-way line of Colonial Avenue, a distance of 605.01 feet to the Southwesterly extension of the Southeastery right-of-way line of Ward Road; thence North 12 degrees 11'23" East along the Southeastery right-of-way line of Ward Road, a distance of 417.62 feet to a point on the North line of Section 21, Township 40 South, Range 21 East, Charlotte County, Florida; thence South 89 degrees 32'10" East along the North line of said Section 21, a distance of 2212.21 feet to the intersection with the centerline of the C.H. & N. Railroad; thence South 12 degrees 11'23" West along said centerline, a distance of 4258.40 feet to the Point of Beginning, containing 202.5285 acres, more or less.

Any objections to said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruder, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, attorneys for NHC Utilities, Inc. The objection must state the Grounds for the objection with particularity.  
Published: May 6, 2005

DOCUMENT NUMBER: DATE  
05088 MAY 25 03  
FPSC-COMMISSION CLERK