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August 3, 2006

VIA HAND DELIVERY

Blanca S. Bayo, Director  
Commission Clerk & Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RE: Docket No. 060520  
Application for Transfer of Majority Organizational Control of Town and Country Utilities  
Company

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are an original and 15 copies of Late-Filed Exhibit E, consisting of the following Affidavits of Publication of the Notice of Application:

1. The Sun (Charlotte County) on July 28, 2006, and
2. The News-Press (Lee County), on July 29, 2006.

Please stamp and return a copy of this letter to my office acknowledging its receipt.

Sincerely



Wayne L. Schiefelbein  
Of Counsel

WLS/dcr  
Enclosure

DOCUMENT NUMBER-DATE

06932 AUG-3 06

FPSC-COMMISSION CLERK

# NEWS-PRESS

Published every morning - Daily and Sunday  
Fort Myers, Florida

## Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kathy Allebach**

who on oath says that he/she is the

**Legal Assistant**

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**Legal Notice**

In the matter of

**Application for a transfer of majority organizational control of Town and Country Utilities Company**

In the court was published in said newspaper in the issues of

**July 29, 2006**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the 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.

Sworn to and subscribed before me this

31st day of July 2006 by

**Kathy Allebach**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Print Name

NOTARY PUBLIC Gladys D. Vanderbeck  
Commission # DD378967  
Expires December 13, 2008  
STATE OF FLORIDA Bonded Tray Fain - Insurance, Inc. 800-385-7019

My commission

### LEGAL NOTICE

Notice is hereby given pursuant to Section 367.071, Florida Statutes, of the application for a transfer of majority organizational control of Town and Country Utilities Company from Babcock Florida Company to MSKP III, Inc. under a Merger, after which

Babcock Florida Company will be the surviving entity. Town and Country Utilities Company is authorized to provide water service to the following described territory in Charlotte and Lee Counties, Florida.

All of Sections 1 through 36, Township 41 South, Range 26 East, Charlotte County, Florida. Less road right-of-way for S. R. 31 and C. R. 74.

AND

All of Sections 1 through 36, Township 42 South, Range 26 East, Charlotte County, Florida. Less road right-of-way for S. R. 31.

AND

All of Sections 1 through 19, Township 41 South, Range 27 East, Charlotte County, Florida.

AND

All of Sections 1 through 11, the west 1/2 of Section 12, and all of Sections 13 through 36, Township 42 South, Range 27 East, Charlotte County, Florida.

AND

All of Sections 1 through 7, the west 1/2 of Section 9, and all of Section 12, Township 43 South, Range 26 East, Lee County, Florida. Less the road right-of-way for S. R. 31 and C. R. 78.

AND

All of Sections 4 through 8, Township 43 South, Range 27 East, Lee County, Florida.

AND

Section 9, Township 43 South, Range 27 East, Lee County, Florida. Less the South 1/2 of the Southeast 1/4 of 9-43-27.

AND

The Northwest 1/4 and the North 1/2 of the Northeast 1/4 of Section 17, Township 43 South, Range 27 East, Lee County, Florida.

AND

The North 1/2 of Section 18, Township 43 South, Range 27 East, Lee County, Florida.

Any objection to the 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 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to counsel to the applicant, whose address is set forth below. The objection must state the grounds for the objection with particularity.  
John R. Jenkins, Esquire  
Rose, Sundstrom & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, Florida 32301  
July 29 No. 1083509



PUBLISHER'S AFFIDAVIT OF PUBLICATION  
STATE OF FLORIDA  
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Amber Freeman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice, was published in said newspaper in the issues of:

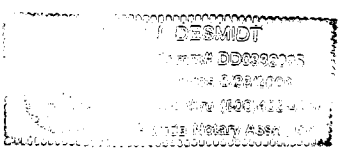
July 28, 2006

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals 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 he or 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.

(Signature of Affiant)

Sworn and subscribed before me this 28th day of July, 2006.

(Signature of Notary Public)



Notice is hereby given pursuant to Section 367.071, Florida Statutes, of the application for a transfer of majority organizational control of Town and Country Utilities Company from Babcock Florida Company to MSKP III, Inc. under a Merger, after which Babcock Florida Company will be the surviving entity. Town and Country Utilities Company is authorized to provide water service to the following described territory in Charlotte and Lee Counties, Florida.  
All of Sections 1 through 36, Township 41 South, Range 26 East, Charlotte County, Florida. Less road right-of-way for S. R. 31 and C. R. 74.  
**AND**  
All of Sections 1 through 36, Township 42 South, Range 26 East, Charlotte County, Florida. Less road right-of-way for S. R. 31.  
**AND**  
All of Sections 1 through 19, Township 41 South, Range 27 East, Charlotte County, Florida.  
**AND**  
All of Sections 1 through 11, the west 1/2 of Section 12, and all of Sections 13 through 36, Township 42 South, Range 27 East, Charlotte County, Florida.  
**AND**  
All of Sections 1 through 7, the west 1/2 of Section 9, and all of Section 12, Township 43 South, Range 26 East, Lee County, Florida. Less the road right-of-way for S. R. 31 and C. R. 78.  
**AND**  
All of Sections 4 through 8, Township 43 South, Range 27 East, Lee County, Florida.  
**AND**  
Section 9, Township 43 South, Range 27 East, Lee County, Florida. Less the South 1/2 of the Southeast 1/4 of 9-43-27.  
**AND**  
The Northwest 1/4 and the North 1/2 of the Northeast 1/4 of Section 17, Township 43 South, Range 27 East, Lee County, Florida.  
**AND**  
The North 1/2 of Section 18, Township 43 South, Range 27 East, Lee County, Florida.  
Any objection to the 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 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to counsel to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.  
John R. Jenkins, Esquire  
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2548 Blairstone Pines Drive  
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Publish: July 28, 2006