

**RUTLEDGE, ECENIA & PURNELL**

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA  
RICHARD M. ELLIS  
JOHN M. LOCKWOOD  
MARTIN P. McDONNELL  
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551  
215 SOUTH MONROE STREET, SUITE 420  
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT  
HAROLD F. X. PURNELL  
MARSHA E. RULE  
GARY R. RUTLEDGE  
MAGGIE M. SCHULTZ  
GOVERNMENTAL CONSULTANTS  
JONATHAN M. COSTELLO  
MARGARET A. MENDUNI

July 15, 2008

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, FL 32399-0850

**HAND DELIVERY**

RECEIVED-FPSC  
08 JUL 15 AM 9:35  
COMMISSION  
CLERK

Re: Docket No. 080428-WS

Dear Ms. Cole:

Enclosed for filing on behalf of Keith and Clara Starkey d/b/a Heather Hills Estates ("Heather Hills") and Ni Florida, Inc. ("Ni Florida") are the original and five copies of the Notice of Filing Late Filed Exhibit "L."

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,

*Marsha E. Rule for*  
Marsha E. Rule

MER/rl

Enclosures

cc: Michael Cooke, General Counsel

F:\USERS\Marsha\Ni America\Heather Hills\Cole.july 15 08.wpd

DOCUMENT NUMBER-DATE

06068 JUL 15 08

FPSC-COMMISSION CLERK


**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint Application of Keith and Clara Starkey )  
d/b/a Heather Hills Estates and Ni Florida, Inc. for )  
Approval of Transfer of Heather Hills Estates ) Docket No. 080428-WS  
Water and Wastewater Systems. )  
\_\_\_\_\_ ) Filed: July 15, 2008

**NOTICE OF FILING LATE FILED EXHIBIT "L"**

Applicants, Keith and Clara Starkey d/b/a Heather Hills Estates and Ni Florida, Inc., by and through their undersigned counsel, hereby notices filing in the above-referenced docket Late Filed Exhibit "L " to its Application, which is the Affidavit of Publication.

Respectfully submitted this 15<sup>th</sup> day of July, 2008.



Marsha E. Rule, Esquire  
Rutledge, Ecenia & Purnell, P.A.  
P.O. Box 551  
Tallahassee, Florida 32302 -0551  
(850) 681- 6788 (Telephone)  
(850 ) 681-6515 (Facsimile)

Counsel for Ni Florida, Inc.

DOCUMENT NUMBER-DATE

06068 JUL 15 08

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Notice of Filing Late Filed Exhibit "J" was furnished by United States Mail to the following this 15<sup>th</sup> day of July, 2008:

Michael Cooke, Esq.  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Marti P. McDell for  
Marsha E. Rule, Esquire

niamerica\hh\noticeoffilingexhibit1

# BRADENTON HERALD

MANATEE - BRADENTON - SARASOTA  
102 MANATEE AVENUE WEST, P.O. BOX 921  
BRADENTON, FL 34205  
TELEPHONE (941) 748-0411

Published Daily  
Bradenton, Manatee, Florida

## STATE OF NEW YORK COUNTY OF ERIE:

Before the undersigned authority personally appeared Jessica Sherman, who on oath says that she is Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Notice of Application

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of

July 3, 2008.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee 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 any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jessica R. Sherman

(Signature of Affiant)

Sworn to and subscribed before me this  
10 day of July, 192008

[Signature]  
SEAL & Notary Public

**TYSHAWN REDFERN**  
Notary Public, State of New York  
No. 01NEB19822  
Qualified in Erie County  
Commission Expires: May 12, 2012

Personally Known X or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

DOCUMENT NUMBER - DATE

06068 JUL 15 8

FPSC-COMMISSION CLERK

**NOTICE OF  
APPLICATION FOR  
TRANSFER OF WATER  
AND WASTEWATER  
CERTIFICATES**

Notice is hereby given on the 30th day of June, 2008, pursuant to Section 367.071, Florida Statutes, of the Joint Application for Keith and Clara Starkey d/b/a Heather Hills Estates ("Heather Hills") and Ni Florida, LLC ("Ni Florida") for Approval of the Transfer of Heather Hills's Water and Wastewater Systems and Certificate Nos. 577-W and 498-S to Ni Florida, in Manatee County, Florida, providing water and wastewater service to the following described territory in Manatee County, Florida:

Section 11, Township 35S, Range 17E

The NE 1/4 of the SE 1/4 and the South 1/2 of the SE 1/4 of the NE 1/4.

also

Section 12, Township 35S, Range 17E  
From the NW corner of the SW 1/4 of the SW 1/4 of the NW 1/4 run due East 170.0 feet to the Point of Beginning;

thence due North 50.0 feet; thence due East 100.0 feet; thence due South 100.0 feet; thence due West 100.0 feet; thence due North 50.0 feet to the Point of Beginning.

Any objections to the Joint Application must be made in writing and filed within 30 days from the date of this Notice with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Marsha E. Rule, Esq., Rutledge, Ecenia & Purnell P.A., P. O. Box 551, Tallahassee, Florida 32302. The objection must state the grounds for the objection with particularity.

Keith and Clara  
Starkey d/b/a Heather  
Hills Estates  
4925 Third Street, West  
Bradenton, Florida  
34207  
(941)755-0123  
(Telephone)

-- and --

Ni Florida, LLC  
10913 Metronome  
Houston, Texas 77043  
(713) 574-5952  
(Telephone)  
07/03/08

DOCUMENT NUMBER-DATE

06068 JUL 15 08

FPSC-COMMISSION CLERK