

**Ruth Nettles**

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**From:** Trina Collins [TCollins@RSBattorneys.com]  
**Sent:** Monday, July 27, 2009 3:37 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Martin Friedman; Trina Collins  
**Subject:** Filing in Docket No. 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida  
**Importance:** High  
**Attachments:** PSC Clerk 02 (filing Late Filed Ex. C).ltr.07-27-2009(2).pdf

- a. Martin S. Friedman, Esq.  
Rose, Sundstrom & Bentley, LLP  
Sanlando Center  
2180 W. State Road 434, Suite 2118  
Longwood, FL 32779  
Phone: (407) 830-6331  
Fax: (407) 830-8522  
Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)
- b. Docket No.: 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida
- c. Colina Recovery, Inc.
- d. 10 Pages.
- e. Letter to Commission Clerk - 1 page; Notice of Filing - 1 page; Affidavit of Mailing - 1 page; Notice of Application - 2 pages and Entity List - 5 pages.

7/27/2009

DOCUMENT NUMBER-DATE

07673 JUL 27 8

FPSC-COMMISSION CLERK

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CENTRAL FLORIDA OFFICE  
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MARTIN S. FRIEDMAN, P.A.  
BRIDGET M. GRIMSLEY  
CHRISTIAN W. MARCELLI  
BRIAN J. STREET

July 27, 2009

E-FILING

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

RE: Docket No. 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida  
Our File No.: 44014.01

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is a Notice of Filing Late Filed Exhibit "C" and Affidavit of Mailing, which evidences the Notice of Application was mailed to each customer in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code

Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/tlc  
Enclosures

cc: Mr. Rusty Mouton (w/enclosures) (via e-mail)  
Ms. Sarah Whitaker (w/enclosures) (via e-mail)

M:\1 ALTAMONTE\MERCANTILE BANK (44014)\PSC Clerk 02 (filing Late Filed Ex C).lrr.wpd

DOCUMENT NUMBER-DATE  
07673 JUL 27 8  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Authority )  
to Transfer the Assets of COLINA BAY )  
WATER COMPANY, LLC and Certificate. )  
No. 632-W in Lake County, Florida to )  
COLINA RECOVERY, INC. )  
\_\_\_\_\_ )

Docket No. 090385-WU

NOTICE OF FILING

Applicant, COLINA RECOVERY, INC., by and through its undersigned attorneys, hereby gives notice of filing in the above-referenced docket Late filed Exhibit "C" to its Application, which is the Affidavit that notice of the Application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code.

Respectfully submitted this 27<sup>th</sup> day of  
July, 2009, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
Sanlando Center  
2180 W. State Road 434  
Suite 2118  
Longwood, Florida 32779  
(407) 830-6331 Telephone  
(407) 830-8522 Facsimile  
Email: [mfriedman@rsbatttoneys.com](mailto:mfriedman@rsbatttoneys.com)

By:   
\_\_\_\_\_  
MARTIN S. FRIEDMAN

DOCUMENT NUMBER-DATE

07673 JUL 27 8

FPSC-COMMISSION CLERK

AFFIDAVIT OF MAILING

STATE OF FLORIDA  
COUNTY OF SEMINOLE

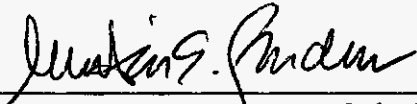
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared TRINA COLLINS, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of Martin S. Friedman, attorney for Colina Recovery, Inc., and that on the 27<sup>th</sup> of July, 2009, she did send by U.S. Mail a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
TRINA COLLINS

Sworn and subscribed to before me this 27 day of July, 2009, by Trina Collins, who is personally known to me or who has provided \_\_\_\_\_ as identification.



  
\_\_\_\_\_  
NOTARY PUBLIC - State of Florida  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

LATE FILED EXHIBIT "C"

(Affidavit of Mailing)

**NOTICE OF APPLICATION FOR TRANSFER UTILITY ASSETS  
AND WATER CERTIFICATE**

NOTICE IS HEREBY given on the 27<sup>th</sup> day of July, 2009, pursuant to Section 367.071, Florida Statutes, of the Application for Transfer of the Assets of Colina Bay Water Company, LLC, and Certificate No. 632-W to Colina Recovery, Inc, 104 S. Main Street, Greenville, SC 29601, providing water service to the following described territory in Lake County, Florida:

THAT PART OF SECTIONS 14 AND 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING NORTH OF COUNTY ROAD NO. 455 AND SOUTH OF THE CENTERLINE OF THE ABANDONED SEABOARD AIR LINE RAILROAD RIGHT-OF-WAY BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE RUN N00°36'58"E, ALONG THE EAST BOUNDARY OF SAID SECTION 23, 793.00 FEET; THENCE RUN N89°23'02"W, 1012.00 FEET TO A LINE 1012.00 FEET WEST OF WHEN MEASURED PERPENDICULAR TO THE EAST LINE OF SAID SECTION 23; THENCE RUN N00°36'58"E ALONG SAID LINE, 41.36 FEET TO THE POINT OF BEGINNING; SAID POINT BEING AT THE SOUTHWEST CORNER OF TRACT "A", GOURD NECK SPRINGS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGES 51 AND 52 BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WINTER ROAD; THENCE CONTINUE N00°36'58"E ALONG SAID LINE 1012.00 FEET WEST OF WHEN MEASURED PERPENDICULAR TO THE EAST LINE OF SAID SECTION 23, ALSO BEING THE WEST LINE OF AFORESAID GOURD NECK SPRINGS, 1853.23 FEET TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, EXTENDED INTO THE WATERS OF LAKE APOPKA; THENCE N89°33'10"W ALONG SAID NORTH LINE OF THE NORTHEAST 1/4, 1640.42 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 23, SAID NORTH 1/4 CORNER ALSO BEING THE SOUTH 1/4 CORNER OF SAID SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN N00°31'20"E ALONG THE MID-SECTION LINE OF SAID SECTION 14, 33.72 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED SEABOARD AIR LINE RIGHT-OF-WAY; THENCE N75°58'03"W, ALONG SAID RIGHT-OF-WAY CENTERLINE, 135.74 FEET; THENCE RUN N76°01'03"W ALONG SAID RIGHT-OF-WAY CENTERLINE, 1265.03 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1160.92 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY CENTERLINE THROUGH A CENTRAL ANGLE 18°36'33", AN ARC DISTANCE OF 377.06 FEET, A CHORD BEARING OF N66°42'46"W AND A CHORD DISTANCE OF 375.40 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 455 PER SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAP AND A POINT ON A NON-TANGENT CURVE, SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1095.92 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 15°20'50", AN ARC DISTANCE OF 293.55 FEET, A CHORD BEARING OF S38°56'07"E AND A CHORD DISTANCE OF 292.68 FEET TO A POINT OF TANGENCY; THENCE RUN S46°36'32"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 1438.33 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1095.92 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 19°57'28", AN ARC DISTANCE OF 381.74 FEET, A CHORD BEARING OF S56°35'16"E AND A CHORD DISTANCE OF 379.81 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN S23°26'00"W, 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD OLD HIGHWAY 50 PER COUNTY ROAD OLD 50 RIGHT-OF-WAY SURVEY AND MAINTENANCE RIGHT-OF-WAY MAP DATED JANUARY 26, 2001, LAKE COUNTY PUBLIC WORKS; THENCE RUN S66°14'54"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 165.22 FEET; THENCE RUN S66°39'32"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 1103.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 979.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 25°42'25", AN ARC DISTANCE OF 439.67 FEET, A CHORD BEARING OF S53°48'19"E AND A CHORD DISTANCE OF 435.99 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN N49°26'40"E, 64.68 FEET; THENCE RUN N70°18'50"E, 50.00 FEET

TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WINTER ROAD PER FLORIDA TURNPIKE RIGHT-OF-WAY MAP SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 910.50 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 12°57'24", A CHORD BEARING OF S26°09'54"E AND A CHORD DISTANCE OF 205.46 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 117.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 49°51'49", AN ARC DISTANCE OF 101.82 FEET, A CHORD BEARING OF S57°34'35"E AND A CHORD DISTANCE OF 98.64 FEET TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing and filed with the Commission Clerk, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the date of this Notice, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2180 W. State Road 434, Suite 2118, Longwood, Florida 32779. The objection must state the grounds for the objection with particularity.

**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY  
(VALID FOR 60 DAYS)  
07/27/2009 - 09/24/2009**

| <u>UTILITY NAME</u>   | <u>LAKE COUNTY</u> | <u>MANAGER</u>                             |
|---|--------------------|--|
| AQUA UTILITIES FLORIDA, INC. (WS881)<br>2228 CAPITAL CIRCLE N.E., SUITE 2A<br>TALLAHASSEE, FL 32308-4306            |                    | TROY RENDELL<br>(850) 575-8500             |
| BRENDENWOOD WATER SYSTEM, INC. (WU020)<br>3153 PENWA COURT<br>LONGWOOD, FL 32779-3109                               |                    | DEBORAH J. DAY BRACELAND<br>(352) 383-7908 |
| CENTURY ESTATES UTILITIES, INC. (WU725)<br>P. O. BOX 1234<br>APOPKA, FL 32704-1234                                  |                    | JOSEPH LINARTAS<br>(352) 787-0732          |
| COLINA BAY WATER COMPANY, LLC (WU900)<br>161 EGLINTON AVENUE EAST, SUITE 600<br>TORONTO, ONTARIO M4P 1J5<br>CANADA, |                    | SHELDON FENTON<br>(416) 440-2904 EXT 220   |
| CWS COMMUNITIES LP (WU839)<br>14 CORAL STREET<br>EUSTIS, FL 32726-6710  |                    | MICHAEL MATHISEN<br>(352) 589-1190         |
| HARBOR HILLS UTILITIES, L.P. (WU727)<br>6538 LAKE GRIFFIN ROAD<br>LADY LAKE, FL 32159-2900                          |                    | ADAM RICH<br>(352) 753-7000                |
| HIDDEN VALLEY SPE LLC D/B/A ORANGE LAKE (WS892)<br>15840 STATE ROAD 50, LOT 32<br>CLERMONT, FL 34711-8715           |                    | GARY MORSE<br>(352) 382-3414               |
| LAKE UTILITY SERVICES, INC. (WU553)<br>200 WEATHERSFIELD AVENUE<br>ALTAMONTE SPRINGS, FL 32714-4027                 |                    | PATRICK C. FLYNN<br>(407) 869-1919         |
| LAKE UTILITY SERVICES, INC. (WS641)<br>200 WEATHERSFIELD AVENUE<br>ALTAMONTE SPRINGS, FL 32714-4027                 |                    | PATRICK C. FLYNN<br>(407) 869-1919         |
| LAKE YALE TREATMENT ASSOCIATES, INC. (WS823)<br>38141 MAYWOOD BAY DRIVE<br>LEESBURG, FL 34788-8134                  |                    | DANNY ELLIS<br>(352) 589-9214              |
| OAK SPRINGS, LLC (WU875)<br>1886 CANOVA STREET S.<br>PALM BAY, FL 32909-2931  |                    | MICHAEL CAMPBELL<br>(321) 837-0565         |

**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY  
(VALID FOR 60 DAYS)  
07/27/2009 - 09/24/2009**

UTILITY NAME

MANAGER

LAKE COUNTY

PINE HARBOUR WATER UTILITIES, LLC (WU921)  
P. O. BOX 447  
FRUITLAND PARK, FL 34731-0447

SANDRA S. WESSON  
(352) 787-2944

RAINTREE UTILITIES, INC. (WU663)  
P. O. BOX 1840  
EUSTIS, FL 32727-1840

KEITH J. SHAMROCK  
(352) 357-0250

SHANGRI-LA BY THE LAKE UTILITIES, INC. (WS728)  
1214 WEST IL ROUTE 72  
LEAF RIVER, IL 61047-9614

MERTIS L. WERNER  
(616) 887-8888

SOUTHLAKE UTILITIES, INC. (WS638)  
2215 RIVER BLVD.  
JACKSONVILLE, FL 32204-4647

WILLIAM J. DEAS  
(904) 387-9292

SUN COMMUNITIES FINANCE, LLC D/B/A WATER OAK UTILITY (WS755)  
THE AMERICAN CENTER  
27777 FRANKLIN ROAD, SUITE 200  
SOUTHFIELD, MI 48034-8205

JIM HOEKSTRA  
(248) 208-2554

UTILITIES, INC. OF PENNBROOKE (WS861)  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714-4027

PATRICK C. FLYNN  
(407) 869-1919

W.B.B. UTILITIES, INC. (WU639)  
4223 BAIR AVENUE  
FRUITLAND PARK, FL 34731-5618

RICHARD S. BAIR  
(352) 787-3107



**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY  
(VALID FOR 60 DAYS)  
07/27/2009 - 09/24/2009**

UTILITY NAME

GOVERNMENTAL AGENCIES

MANAGER

ADMINISTRATOR, CITY OF UMATILLA  
P. O. BOX 2286  
UMATILLA, FL 32784-2286

CLERK, BOARD OF COUNTY COMMISSIONERS, LAKE COUNTY  
P. O. BOX 7800  
TAVARES, FL 32778-7800

DEP CENTRAL DISTRICT  
3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT  
13051 N. TELECOM PARKWAY  
TEMPLE TERRACE, FL 33637-0926

EAST CENTRAL FLORIDA PLANNING COUNCIL  
631 NORTH WYMORE ROAD, SUITE 100  
MAITLAND, FL 32751

MAYOR, CITY OF CLERMONT  
P. O. BOX 120219  
CLERMONT, FL 32712-0219

MAYOR, CITY OF EUSTIS  
P. O. DRAWER 68  
EUSTIS, FL 32727-0068

MAYOR, CITY OF FRUITLAND PARK  
506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731-3200

MAYOR, CITY OF GROVELAND  
156 SOUTH LAKE AVENUE  
GROVELAND, FL 34736-2597

MAYOR, CITY OF LEEBURG  
P. O. BOX 490630  
LEEBSBURG, FL 32749-0630

MAYOR, CITY OF MASCOTTE  
P. O. BOX 56  
MASCOTTE, FL 34753-0056

**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY  
(VALID FOR 60 DAYS)  
07/27/2009 - 09/24/2009**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

MAYOR, CITY OF MINNEOLA  
P. O. BOX 678  
MINNEOLA, FL 34755-0678

MAYOR, CITY OF MOUNT DORA  
P. O. BOX 176  
MOUNT DORA, FL 32756-0176

MAYOR, CITY OF TAVARES  
P. O. BOX 1068  
TAVARES, FL 32778-1068

MAYOR, TOWN OF ASTATULA  
P. O. BOX 609  
ASTATULA, FL 34705-0609

MAYOR, TOWN OF HOWEY-IN-THE-HILLS  
P. O. BOX 128  
HOWEY-IN-THE-HILLS, FL 34737-0128

MAYOR, TOWN OF LADY LAKE  
409 FENNELL BLVD.  
LADY LAKE, FL 32159-3159

MAYOR, TOWN OF MONTVERDE  
P. O. BOX 560008  
MONTVERDE, FL 34729-0008

ST. JOHNS RIVER UTILITY, INC.  
P.O. BOX 77  
ASTOR, FL 32102

ST. JOHNS RIVER WTR MANAGEMENT DISTRICT  
P.O. BOX 1429  
PALATKA, FL 32178-1429

**LIST OF WATER AND WASTEWATER UTILITIES IN LAKE COUNTY  
(VALID FOR 60 DAYS)  
07/27/2009 - 09/24/2009**

UTILITY NAME

STATE OFFICIALS

MANAGER

OFFICE OF PUBLIC COUNSEL  
111 WEST MADISON STREET  
SUITE 812  
TALLAHASSEE, FL 32399-1400

OFFICE OF COMMISSION CLERK  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850