

Holland & Knight

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Holland & Knight LLP | www.hklaw.com

D. Bruce May, Jr.
850.425.5607
bruce.may@hklaw.com

100050-WS

January 22, 2010

RECEIVED-FPSC
10 JAN 22 PM 3:05
COMMISSION
CLERK

VIA HAND DELIVERY

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

Re: Application for Grandfather Certificate to Operate Water and Wastewater Utility in Hardee County by Aqua Utilities Florida, Inc. WS938

Dear Ms. Cole:

On behalf of Aqua Utilities Florida, Inc. ("AUF"), enclosed for filing are the following:

1. The original and five (5) copies of Aqua Utilities Florida, Inc.'s application for grandfather certificate to operate water and wastewater utility in Hardee County;
2. One (1) copy each of the territory and system map for water;
3. One (1) copy each of the territory and system map for wastewater;
- 3 The original and two (2) copies of the proposed water and wastewater tariffs; and
4. AUF's filing fee check in the amount of \$400.00 (\$200 for water; \$200 for wastewater).

COM _____
 APA _____
 ECR _____
 GCL _____
 RAD _____
 SSC _____
 ADM _____
 OPC _____
 CLK _____

** map forwarded R.V.N.*
** map forwarded R.V.N.*
** All tariffs forwarded R.V.N.*
** tariffs and maps forwarded .. R.V.N.*


DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

Ann Cole
January 22, 2010
Page 2

Please acknowledge receipt of this filing by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance.

Sincerely,

HOLLAND & KNIGHT LLP


Bruce May, Jr.

DBM:kjg
Enclosures

cc: Kimberly A. Joyce, Esq.
William T. Rendell

9119126_v1

APPLICATION FOR GRANDFATHER CERTIFICATE

(Pursuant to Section 367.171, Florida Statutes)

**To: Director, Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for original certificate(s) to operate a water and wastewater utility in Hardee County, Florida, and submits the following information. The name of Aqua Utilities Florida, Inc.'s ("AUF") system is Peace River Heights:

PART I

APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

Aqua Utilities Florida, Inc. ("AUF")
1100 Thomas Ave.
Leesburg, FL 34748
(352) 787-0980 (Telephone)
(352) 787-6333 (Fax No.)

Internet address if applicable:

www.aquaamerica.com

Mailing Address:

Troy Rendell
Rates Manager
Aqua Utilities Florida, Inc.
2228 Capital Circle NE, Suite 2A
Tallahassee, FL 32308

B) The name, address and telephone number of the person to contact concerning this application:

Troy Rendell
Rates Manager
Aqua Utilities Florida, Inc.
2228 Capital Circle NE, Suite 2A
Tallahassee, FL 32308
(850) 575-8500 (Telephone)

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and;

Kimberly A. Joyce, Esquire
Manager of Regulatory Affairs
Aqua America, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1077 (Telephone)
(610) 519-0989 (Facsimile)

C) Indicate the organizational character of the applicant:
(circle one)

Corporation X Partnership ___ Sole Proprietorship

D) If the applicant is a corporation, list names, titles and addresses of corporate officers and directors.
(Use additional sheet if necessary).

See Exhibit 1 - 2009 Annual Corporation Annual Report

E) If the applicant is not a corporation, list names and addresses of all persons or entities owning an interest in the organization. (Use additional sheet if necessary.)

N/A

PART II SYSTEM INFORMATION

A) **WATER**

(1) A statement describing the proposed type(s) of water service to be provided (i.e. potable, non-potable or both).

AUF provides potable water in Hardee county.

(2) Provide a description of the types of customers served (i.e., single family homes, mobile homes, duplexes, commercial, etc.).

Currently AUF provides potable water service to single family residential homes and two general service customers (church and county park).

(3) Exhibit N/A (see below) - Provide a schedule showing the number of customers currently served by

class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied.

There are currently 101 Residential customers with 5/8 X 3/4" meters. There are 2 General Service customers with 5/8 X 3/4" meters. The system is built out.

- (4) Indicate permit numbers and dates of approval of water treatment facilities by the Department of Environmental Protection (DEP) or the agency designated by DEP to issue permits:

PWS 6251954

- (5) Indicate when the water utility system was established.

The utility system was established in approximately 1972.

- (6) Exhibit 2 - Evidence that the utility owns the land where the water treatment facilities are located. Or, if the utility does not own the land, a copy of the agreement which provides for the long term continuous use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative.

B) **WASTEWATER**

- (1) Provide a description of the types of customers served (i.e., single family homes, mobile homes, duplexes, commercial, etc.).

Currently AUF provides wastewater service to single family residential homes and two general service customers (church and county park).

- (2) Exhibit N/A (see below) - Provide a schedule showing the number of customers currently served by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied.

There are currently 95 Residential wastewater

customer with 5/8 X 3/4" meters. There are 2 General Service customers with 5/8 X 3/4" meters. The system is built out.

- (3) Indicate permit numbers and dates of approval of wastewater treatment facilities by the Department of Environmental Protection (DEP) or the agency designated by DEP to issue permits:

FLA 011994

- (4) Indicate when the wastewater utility system was established.

The utility system was established in approximately 1972.

- (5) Exhibit 2 - Evidence that the utility owns the land where the wastewater treatment facilities are located. Or, if the utility does not own the land, a copy of the agreement which provides for the long term continuous use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative.

PART III RATES AND TARIFFS

- A) Exhibit 3 and see below - A statement specifying on what date and under what authority the current rates and charges were established.

AUF's current rates and charges were approved by the Hardee County Board of Commissioners at its September 24, 2009 board meeting. See attached letter from the county administrator with the approved customer notice and approved tariffs with the effective date of August 4, 2009. Also see attached agenda from the board meeting, as well as AUF's rate proposal that was approved. AUF agreed to lower its service rates to the Group 3 rates.

- B) Exhibit 4 - The original and two copies of water and/or wastewater tariff(s) containing all rates, classifications, charges, rules and regulations.

PART IV TERRITORY DESCRIPTION AND MAPS

- A) **TERRITORY DESCRIPTION**

Exhibit 5 - An accurate description, using township, range and section references as specified in Rule 25-30.030(2), Florida Administrative Code, of the territory the utility was serving or was authorized to serve on the day Chapter 367, Florida Statutes, became applicable. If the water and wastewater service territories are different, provide separate descriptions.

B) **TERRITORY MAPS**

Exhibit 6 - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater service territories are different, provide separate maps.

C) **SYSTEM MAPS**

Exhibit 6 - One copy of detailed map(s) showing existing lines and facilities and the territory proposed to be served. **Any requested territory not served at the time of application shall be specifically identified.** Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory to be served. Provide separate maps for water and wastewater systems.

PART V FILING FEE

Indicate the filing fee enclosed with the application:

\$ 200 (for water) and/or \$ 200 (for wastewater)

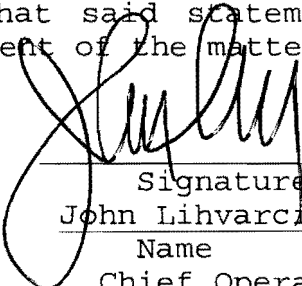
Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee as follows:

- (1) For applications in which the utility has the capacity to serve up to 100 ERCs, the filing fee shall be **\$100.**
- (2) For applications in which the utility has the capacity to serve from 101 to 200 ERCs the filing fee shall be **\$200.**

- (3) For applications in which the utility has the capacity to serve from 201 to 500 ERCs the filing fee shall be \$500.
- (4) For applications in which the utility has the capacity to serve 501 to 2,000 ERCs the filing fee shall be \$1,000.
- (5) For applications in which the utility has the capacity to serve from 2,001 to 4,000 ERCs the filing fee shall be \$1,750.
- (6) For applications in which the utility has the capacity to serve more than 4,000 ERCs the filing fee shall be \$2,250.

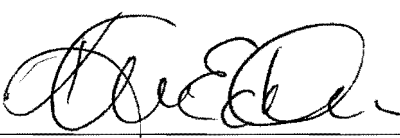
PART VI AFFIDAVIT

I, John Lihvarcik, Chief Operating Officer for Aqua Utilities Florida, Inc. (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: 
 Signature
John Lihvarcik
 Name
Chief Operating Officer
 Title *

Subscribed and sworn to before me this 7th day in the month of January in the year of 2010 by John M. Lihvarcik who is personally known to me X or produced identification

 Type of Identification Produced


 Notary Public's Signature

 Print, Karen Eckles My Commission No. 785022 Expires 05/17/2012
 Notary Public State of Florida
 My Commission No. 785022 Expires 05/17/2012

* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

Respectfully submitted on this 22nd day of January, 2010, by:

D. Bruce May, Jr.
HOLLAND & KNIGHT LLP
315 South Calhoun Street, Suite 600
Tallahassee, FL 32301
Telephone: (850)425-5607
Facsimile: (850)224-8832

EXHIBIT "1"

EXHIBIT "2"

Prepared by and after recording return to:

Wiley S. Boston, Esq.
Holland & Knight, LLP
200 S. Orange Avenue, Suite 200
Orlando, FL 32801

Parcel Number: R 15-34-25-0000-05630-0000
Parcel Number: R 15-34-25-0000-05610-0000
Parcel Number: R 15-34-25-0835-00001-0022
Parcel Number: R 15-34-25-0831-00001-0017

Inst:200925007525 Date:10/22/2009 Time:10:25 AM
Doc Stamp-Deed:0.70
AFL DC.B. Hugh Bradley, Hardee County Page 1 of 4

10-22-09A10:19 RCVD

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED is made as of the 19th day of October, 2009, by and between Aqua Utilities, Inc., a Texas corporation f/k/a AquaSource Utility, Inc., whose address is 762 W. Lancaster Avenue, Bryn Mawr, Pennsylvania 19010 ("**Grantor**"), and Aqua Utilities Florida, Inc., a Florida corporation, whose address is 762 W. Lancaster Avenue, Bryn Mawr, Pennsylvania 19010 ("**Grantee**"), (Wherever used herein the term "**Grantor**" and "**Grantee**" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations).

WITNESSETH: That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, and Grantee's heirs, successors and assigns forever, the parcel of land situate, lying and being in the County of Hardee, State of Florida, and more particularly described as follows (the "**Property**"):

See Exhibit "A", attached hereto and made a part hereof

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same unto Grantee in fee simple, forever.

AND Grantor hereby covenants with Grantee: (1) that Grantor is lawfully seized of the Real Property in fee simple; (2) that Grantor has good right and lawful authority to sell and convey the Real Property; (3) that Grantor warrants the title to the Real Property and will defend the same against the lawful claims of all persons whomsoever; and (4) the Real Property is free of all encumbrances, save and except those permitted exceptions more particularly described on Exhibit "B" attached hereto, provided that reference thereto shall not reimpose any of them.

IN WITNESS WHEREOF, Grantor has caused this General Warranty Deed to be executed by its duly authorized corporate officer on the date stated above.

Signed, sealed and delivered in the presence of:

AQUA UTILITIES, INC., a Texas corporation

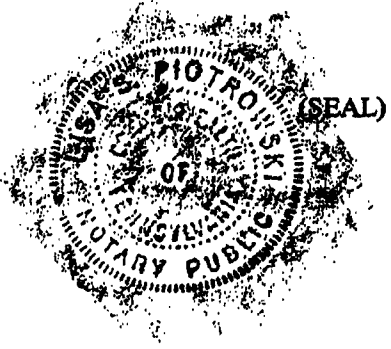
William M. Dickerson
Print Name: William M. Dickerson

By: [Signature]
Christopher Franklin, as CEO

Jacqueline Pyretera
Print Name: Jacqueline Pyretera

STATE OF Pennsylvania
COUNTY Montgomery

The foregoing instrument was acknowledged before me this 19th day of October, 2009, by Christopher Franklin, CEO of Aqua Utilities, Inc., a Texas corporation, on behalf of the Corporation, who is personally known to me or has produced _____ as identification.



Notary Public
Sign: Lisa S. Piotrowski
Print Name: Lisa S. PIOTROWSKI
State and County Aforesaid
My commission expires: 1-19-2012

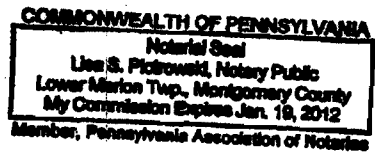


Exhibit "A"

Legal Description

The West 1327.80 feet of North 1637.40 feet of Northeast 1/4 of Section 15, Township 34 South, Range 25 East, Hardee County, Florida, LESS those portions previously platted and described in PEACE RIVER HEIGHTS UNIT #1, according to the plat thereof recorded in Plat Book 4, Page 104, and PEACE RIVER HEIGHTS UNIT #2, according to the plat thereof recorded in Plat Book 3, Page 43, all of the Public Records of Hardee County, Florida, and LESS the West 310 feet of East 590 feet of South 420.90 feet of North 1637.40 feet of West 1/2 of Northeast 1/4 and LESS Commence at Southwest corner of Northeast 1/4, run North 1006.44 feet for Point of Beginning; thence North 286.72 feet; thence South 89°54'09" East 100 feet, South 286.72 feet; thence North 89°54'09" West 100 feet to Point of Beginning, all in Section 15, Township 34 South, Range 25 East, Hardee County, Florida.

AND

Lots 17 and 18, of ORANGE GROVE ESTATES, according to the plat thereof recorded in Plat Book 3, Page 35, Public Records of Hardee County, Florida.

AND

Lots 22 and 23 of PEACE RIVER HEIGHTS, UNIT NO. 1, according to the plat thereof recorded in Plat Book 4, Page 104, Public Records of Hardee County, Florida.

Exhibit "B"

Permitted Exceptions

1. Taxes and assessments for the year 2009 and subsequent years, which are not yet due and payable.
2. Easement as set forth on the plat of Orange Grove Estates, as recorded in Plat Book 3, Page 35, of the Public Records of Hardee County Florida.
3. Easement set forth on plat of Peace River Heights Unit No. 1, as recorded in Plat Book 4, Page 104, of the Public Records of Hardee County, Florida.
4. Easement recorded in Official Records Book 168, Page 49, of the Public Records of Hardee County, Florida.
5. Third Party Beneficiary Contract Form Agreement attached to deed recorded in Official Records Book 300, Page 578, Public Records of Hardee County, Florida.
6. Easement contained in Deed recorded in Official Records Book 300, Page 578, Public Records of Hardee County, Florida.
7. Record of Final Decision of Planning and Zoning Board recorded in Official Records Book 514, Page 290, of the Public Records of Hardee County, Florida.

EXHIBIT "3"



HARDEE COUNTY
BOARD OF COUNTY COMMISSIONERS
412 West Orange Street, Room 103
Wauchula, Florida 33873
(863)773-9430 * (863)773-6952 * Fax (863)773-0958
bcc@hardeecounty.net www.hardeecounty.net

October 29, 2009

Mr. Troy Rendell, Manager of Rates
AQUA Utilities Florida, Inc.
2228 Capital Circle NE, Suite 2A
Tallahassee, FL 32308

Dear Mr. Rendell:

This is to confirm that on Thursday, September 24, 2009, the Hardee County Board of County Commissioners voted unanimously to direct staff to prepare an ordinance returning jurisdiction of private water and sewer utilities back to the Florida Public Service Commission. It was agreed that if this was done, Group 3 Rates (copy attached) for both water and wastewater would be implemented.

Sincerely,

Lexton H. Albritton, Jr.
County Manager

LHA:sm

Dale A. Johnson, Chairman - Minor L. Bryant, Vice-Chairman
Terry Atchley - Clifton N. Timmerman - Bobby R. Smith
County Manager Lexton H. Albritton, Jr. - County Attorney Ken Evers

"An Equal Opportunity Employer"

**Notice of Rate Increase for Customers of
Aqua Utilities Florida, Inc. (Aqua or Utility)
in Hardee County, Florida**

Date Issued: October 1, 2009

Dear Peace River Aqua Customer,

At the September 24, 2009, meeting of the Hardee County Board of Commissioners, the commission voted to accept the final rate proposal of Aqua Utilities Florida, Inc. (Aqua) to increase its rates to recover its prudent costs and an allowance for the opportunity to earn a reasonable return to its owner. This rate proposal took into consideration the affordability of water and wastewater bills to customers, as well as, the need for a conservation oriented rate structure.

This increase was necessary due to the rising costs associated with providing water and wastewater service to our customers in the Peace River utility system and increasing environmental requirements from state and federal agencies. The Peace River previous rates fall short of paying for the production and treatment as required by state and federal law

Under the approved rates, a residential customer using 5,000 gallons a month will pay \$41.14 for water service and \$60.68 for wastewater service. Below is a comparison of current rates versus the approved rates. All single family homes in Aqua's service areas have 5/8" meters. As agreed by Aqua and approved by the Commission, the new rates and charges for Peace River will be applied to your September 2009 bill; therefore, the effective date of these approved rates is August 4, 2009.

Peace River Water		
Residential & General Service	Current Rates	Commission Approved Final Rates
5/8" X 3/4"	\$ 34.49	\$ 16.44
3/4"		\$ 24.66
1"		\$ 41.10
1-1/2"		\$ 82.20
2"		\$ 131.52
3"		\$ 263.03
4"		\$ 410.99
6"		\$ 821.97
8"		\$ 1,315.16
10"		\$ 1,890.54
Gallonge — Residential		
Block 1, 0 - 5,000 gal	\$ 3.84	\$ 4.94
Block 2, 5,000 – 10,000 gal	\$ 3.84	\$ 6.17
Block 3, over 10,000 gal	\$ 3.84	\$ 14.81
Gallonge — General Service	\$ 3.84	\$ 6.05
Water Bill at 5,000 gal	\$ 55.69	\$ 41.14

Peace River Wastewater

	Rates Prior to Filing	Commission Approved Final Rates
Residential		
All meter sizes	\$46.88	\$29.03
Gallage cap (gallons)	<i>None</i>	<i>6,000</i>
Gallage Charge per 1,000 gallons	\$9.20	\$8.87
General Service & Multi-Family		
5/8" X 3/4"	\$9.20	\$29.03
3/4"		\$43.55
1"		\$72.58
1-1/2"		\$145.17
2"		\$232.27
3"		\$464.54
4"		\$725.84
6"		\$1,451.68
8"		\$2,322.70
10"		\$3,338.87
Gallage charge	\$10.64	\$10.64
Wastewater Bill at \$100	\$106.40	\$117.04

CUSTOMER DEPOSIT: \$ 100.00 \$ 100.00

MISCELLANEOUS FEES AND CHARGES:

In addition, the following miscellaneous service charges were effective May 15, 2009 to reflect the current costs of providing these services for our customers:

WATER	Bus. Hrs.	After Hrs.
Meter Installation Fee	\$210.00	
Initial Connection	\$22.00	\$33.00
Normal Reconnect	\$22.00	\$33.00
Violation Reconnect	\$35.00	\$55.00
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Payment Fees	\$5.00	-

WASTEWATER	Bus. Hrs.	After Hrs.
Initial Connection	\$22.00	\$33.00
Normal Reconnect	\$22.00	\$33.00
Violation Reconnect	Actual Cost	Actual Cost
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Payment Fees	\$5.00	-

If you have any questions about this rate increase, please call Aqua at 1.877.WTR.AQUA (1.877.987.2782). You also can visit Aqua anytime at www.aquaamerica.com. We look forward to continuing to listen to you and to serve you.

Sincerely,

Aqua Utilities Florida, Inc.

RATE SCHEDULE: PEACE RIVER

RESIDENTIAL SERVICE (RS)

- AVAILABILITY:** Available throughout the Peace River service area served by the Company in Hardee County.
- APPLICABILITY:** For water service for all purposes in private residences and individually metered apartment units.
- LIMITATIONS:** Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD:** Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

GALLONAGE CHARGE:

Per 1,000 gallons	
Block 1, (0 – 5,000)	\$ 4.94
Block 2, (5,000 – 10,000)	\$ 6.17
Block 3, (Over 10,000)	\$ 14.81

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Final Rate Case Increase

EFFECTIVE DATE: August 4, 2009

Jack Lihvarcik
Chief Operating Officer

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River service area of the Company in Hardee County.

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	\$35.00	\$55.00
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Base Rate Increase

EFFECTIVE DATE May 15, 2009

John Lihvarcik
Chief Operating Officer

RATE SCHEDULE: PEACE RIVER
GENERAL SERVICE (GS)

AVAILABILITY: Available throughout the Peace River service area served by the Company in Hardee County.

APPLICABILITY: For water service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

GALLONAGE CHARGE: Per 1,000 gallons \$ 6.05

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Final Rate Case Increase

EFFECTIVE DATE: August 4, 2009

Jack Lihvarcik
Chief Operating Officer

RATE SCHEDULE: GROUP 3
PRIVATE FIRE PROTECTION SERVICE (PF)

AVAILABILITY: Available throughout the Peace River service area served by the Company in Hardee County.

APPLICABILITY: For Private Fire Protection service to Customers.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
2"	\$ 10.96
3"	\$ 21.92
4"	\$ 34.25
6"	\$ 68.50
8"	\$ 109.60
10"	\$ 157.55

GALLONAGE CHARGE: Not applicable.

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Final Rate Case Increase

EFFECTIVE DATE: August 4, 2009

Jack Lihvarcik
Chief Operating Officer

RATE SCHEDULE: PEACE RIVER

RESIDENTIAL SERVICE (RS)

AVAILABILITY: Available throughout the Peace River service area served by the Company in Hardee County.

APPLICABILITY: For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
All Meter Sizes	\$ 29.03

GALLONAGE CHARGE: Per 1,000 gallons \$ 8.87
(6,000 gallon maximum)

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Final Rate Case Increase

EFFECTIVE DATE: August 4, 2009

Jack Lihvarcik
Chief Operating Officer

RATE SCHEDULE: PEACE RIVER

GENERAL SERVICE (GS) and MULTI-FAMILY (MF)

AVAILABILITY: Available throughout the area served by the Company in Group 3 - see Volume II – Section V, Sheet No. 1.0 for specific systems.

APPLICABILITY: For wastewater service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 29.03
3/4"	\$ 43.55
1"	\$ 72.58
1½"	\$ 145.17
2"	\$ 232.27
3"	\$ 464.54
4"	\$ 725.84
6"	\$ 1,451.68
8"	\$ 2,322.70
10"	\$ 3,338.87

GALLONAGE CHARGE: Per 1,000 gallons \$ 10.64

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Final Rate Case Increase

EFFECTIVE DATE: August 4, 2009

Jack Lihvarcik
Chief Operating Officer

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River certificated service areas in Hardee County

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	Actual Cost	Actual Cost
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Rate Base Increase

EFFECTIVE DATE May 15, 2009

John Lihvarcik
Chief Operating Officer

A G E N D A
HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
THURSDAY, SEPTEMBER 24, 2009 8:30 A.M.
COUNTY COMMISSION CHAMBERS, ROOM 102
COURTHOUSE ANNEX
412 WEST ORANGE STREET, WAUCHULA, FLORIDA

Commissioners:	District I	Minor L. Bryant, Vice-Chairman
	District II	Clifton N. Timmerman
	District III	Terry Atchley
	District IV	Bobby R. Smith
	District V	Dale A. Johnson, Chairman

County Manager Lexton H. Albritton, Jr.	Office Manager Sandy Meeks
Clerk B. Hugh Bradley	Deputy Clerk Laura Barker
County Attorney Ken Evers	

Chairman Johnson – Call to Order.
Invocation by Rev. Dr. Dewayne Wyatt followed by Pledge to Flag.

MINUTES FOR APPROVAL:

APPROVAL OF AGENDA
PLEASE TURN OFF CELL PHONES AND PAGERS

APPOINTMENTS - PUBLIC HEARINGS

Recess BCC Meeting & Convene Zoning Meeting

Tab 1
8:35 a.m. BCC Zoning – See Separate Agenda.

Close Zoning Meeting & Re-Convene BCC Meeting

Tab 2
8:50 a.m. Brent Driskell, Hardee County Builder's Association – Discuss building issues.

ACTION RECOMMENDED: Board's discretion.

Tab 3
9:20 a.m. Jim Griffin, Business Manager, Hardee County Health Department - Request approval and authorization for Chairman to sign Resolution 09-35 revising the fee schedule for the Hardee County Health Department.

ACTION RECOMMENDED: Motion to approve and authorization for Chairman to sign Resolution 09-35.

Copy of resolution provided.

Tab 4
9:30 a.m. Troy Rendell, Manager of Rates & Jack Lihvarcik, President of Aqua Utilities Florida, Inc. - Discuss residential rate increase for water and wastewater for the Peace River utility system.

ACTION RECOMMENDED: Board's discretion.

Copy of proposal provided.

Tab 5

10:00 a.m. Doug Knight, Hardee County Project Manager – Request Board's interpretation/clarification of Section 7.10.00 Unified Land Development Code and L1.15 of the Hardee County Comprehensive Plan.

ACTION RECOMMENDED: Board's discretion.

Copy of letter from Mike Thompson dated 09/10/09 provided.

Tab 6

10:20 a.m. Kevin Atchley, Hardee County Public Works Director & Engineer – Request approval of plan for drainage improvements at the Curtis Ezelle Government Services Complex (Annex II) to fix the water ponding problems at the south end of the parking lot.

ACTION RECOMMENDED: Motion to approve plan and move forward to obtain construction bids.

Copy of plan provided.

COUNTY MANAGER, NON-CONSENT

CONSENT AGENDA

Tab 7

A. Request approval and authorization for Chairman to sign the Emergency Management Preparedness Assistance (EMPA) Grant for FY 2009-2010 with the Department of Community Affairs in the amount of \$102,724.00. Contract #10-BG-25-07-35-01-XXX; CSFA #52.008.

Copy of grant provided.

Tab 8

B. Request approval and authorization for Chairman to sign Minor Subdivision for Stronghold SelfStorage 1, Inc., containing 6.44 MOL acres located on or about US Highway 17 North.

Copy of memo dated 09/15/09 from Doug Knight, property card, and plat map provided.

Tab 9

C. Request approval and acknowledgement of Chairman's signature to submit the Ezra Keats Foundation Grant Application in the amount of \$492.58 to assist the Hardee County Public Library in providing and "Art Revamped" program to refurbish old furniture to create art. No cash match required.

Copy of information sheet provided.

Tab 10

D. Request approval and authorization for the Chairman to sign all related documents and submission of the E911 rural county grant Program application for the Fall 2009 funding to be used for a Netclock. (No matching funds required).

Copy of application provided.

Copy of application provided.

Tab 11

E. Acknowledge receipt of Clerk's Financial Report for period ending 08/31/09.

Copy of report on file.

MOTION TO APPROVE CONSENT AGENDA A - E

COUNTY ATTORNEY KEN EVERS

OTHER BUSINESS

COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS AND CITIZENS

**PLEASE NOTE THAT THE ABOVE APPOINTMENT TIMES MAY BE ADJUSTED AS DEEMED
NECESSARY UNLESS IT IS AN ADVERTISED PUBLIC HEARING.**

REMINDERS:

Joint Meeting with P&Z on 10/01/09 at 6:00 p.m.

VAB meeting 10/15/09 at 8:30 a.m.

Meetings to be held in the Commission Chambers, 412 W. Orange St., Room 102, Wauchula, Florida, unless otherwise noted.

Meeting adjourned at _____ .



**Aqua Utilities Florida, Inc.
Before the Hardee County Board of Commissioners
Peace River Water and Wastewater Systems
Rate Increase**

Aqua Utilities Florida, Inc. (Aqua) entered Hardee County and the State of Florida in 2003 and 2004 with the purchase of Aqua Source and Florida Water Services.

The water and wastewater systems in Hardee County are very small systems and were previously owned by Aqua Source. At the beginning of 2008, there were approximately 95 water and 91 wastewater customers. In 2009 that number has dropped to 87 water customers and 81 wastewater customers. Since the purchase, these systems have continuously been operating at a net operating loss. Also, since 2004, Aqua has invested over \$200,000 in capital improvements to these systems in Hardee County.

Aqua is a privately owned, publicly traded water and wastewater utility. As such, the rates are set in accordance with Section 367.081, Florida Statutes.

2008 Rate Increase

In 2008, Aqua completed an analysis of its investment, operating expenses and revenues. By using the ratemaking requirements of Section 367.081, F.S. Aqua determined that its total revenue requirement in 2008 was \$62,230 for water, which represented an increase of \$37,776 or 154.48%. For wastewater the 2008 revenue requirement was calculated to be \$90,188 or an increase of \$64,303 for 248.42%.

Realizing this was a very large increase, Aqua determined that it would implement the rate increase over two years. For the first year, 2008, Aqua increased revenues to only recover its Operation and Maintenance Expenses (O&M). This increase did not recover any depreciation expense, taxes, or any debt or equity costs. The 2008 increase resulted in an increase of \$23,497 for water and \$26,389 for wastewater. The total revenue shortfall that Aqua voluntarily agreed to was \$52,193. This increase went into effect May 23, 2008.

2009 Rate Increase

In 2009, Aqua completed an analysis of its investment, operating expenses and revenues. By using the ratemaking requirements of Section 367.081, F.S. Aqua determined that its total revenue requirement in 2009 was \$78,639 for water, which represented an increase of \$42,352 or 116.71%. For wastewater the 2009 revenue requirement was calculated to be \$96,582 or an increase of \$58,231 for 151.84%.

This was based on the same return on equity that the Florida Public Service Commission had just approved in its most recent rate case. If Aqua had calculated its revenue requirement using the leverage formula approved at the time, pursuant to Section 367,

F.S., the actual revenue requirement would have been \$79,399 for water and \$97,760 for wastewater. The total revenue shortfall that Aqua voluntarily agreed to was \$1,937. This increase went into effect May 15, 2009.

The chart below summarizes these increases:

	At 2009 Leverage Formula	Requested at Lower ROE	Difference Less than Entitled	
<u>2009 Rate Increase</u>				
Water	\$79,399	\$78,639	(\$759)	
Wastewater	\$97,760	\$96,582	(\$1,178)	
Total	\$177,158	\$175,221	(\$1,937)	-1.09%
<u>Increase over 2008 Increase</u>				
Water:	\$ 42,352	2009 Increase Implemented		
	\$ 23,497	2008 increase Implemented		
	\$ 18,855	Incremental Increase		
	51.96%	Percent Increase over 2008 Increase		
Wastewater:	\$58,231	2009 Increase Implemented		
	\$26,389	2008 increase Implemented		
	\$31,842	Incremental Increase		
	83.03%	Percent Increase over 2008 Increase		

Rates

In the original rates implemented on 5/15/09, Aqua calculated rates using a 50/50 split between the base facility charge and gallonage charge. Also, Aqua did not implement an inclining block rate structure. Based on the comments received at the Commission meeting and upon further analysis, Aqua has calculated rates using a 35/65 split and a two tier inclining block rate structure. This brings down the base facility charge and also implements a conservation rate structure.

Also, there were discussions as to where these systems may fall if the county returns jurisdiction of private owned utilities to the Florida Public Service Commission. We believe that based on its analysis, the water customers in Hardee County would fit into the Group 2 Band of Aqua's statewide rates. For the wastewater customers, they would fall into the Group 3 Band of Aqua's rates.

Below is a chart that shows the various rate scenarios.

Rates	Utility Original Implemented	Hardee County Regulated Proposal	PSC Regulated Proposal
Water			
Base Facility Charge			
5/8 x 3/4" meter	\$ 34.49	\$ 24.14	\$ 16.44
Gallorage Charge			
All Gallons	\$ 3.84		
0 - 5,000 gal	\$ 3.84	\$ 4.40	\$ 4.94
5,000 - 10,000 gal	\$ 3.84	\$ 6.60	\$ 6.17
Over 10,000 gal	\$ 3.84	\$ 6.60	\$ 14.81
Residential Customer Bills at:			
3,000	\$ 46.00	\$ 37.35	\$ 31.26
5,000	\$ 53.67	\$ 46.16	\$ 41.14
10,000	\$ 72.86	\$ 79.18	\$ 71.99
	Utility Original Implemented	Hardee County Regulated Proposal	PSC Regulated Proposal
Wastewater:			
All meter sizes	\$ 46.43	\$ 32.50	\$ 29.03
Gallorage charge (6,000 cap)	\$ 9.20	\$ 11.51	\$ 8.87
Residential Customer Bills at:			
3,000	\$ 74.03	\$ 67.02	\$ 55.64
5,000	\$ 92.43	\$ 90.03	\$ 73.38
10,000	\$ 101.63	\$ 101.54	\$ 82.25

Proposal:

If the Hardee County Board of County Commissioners votes to pass a Resolution to return jurisdiction back to the Florida Public Service Commission, Aqua would propose to implement the Group 3 Rates for both Water and Wastewater. For a customer using an average of 5,000 gallons this would represent a total savings of approximately \$31.58 a month or a savings of \$378.96 a year. This proposal would represent Aqua not recovering approximately \$9,343 in revenues per year. Thus, under this proposal, Aqua would be forfeiting any opportunity to recover approximately \$11,280 in revenues it is entitled to under Section 367.081, Florida Statutes. However, Aqua is willing to forgo this collection in an effort to avoid any potential challenge and thus placing any additional legal expenses on these customers through rate case expense. Further, Aqua is hopeful that with the inclusion of the Peace River systems in uniform rates, these customers will receive an even larger benefit and will receive affordable rates.

If the Hardee County Board of Commissioners declines to return jurisdiction, Aqua proposes to implement the recalculated proposed rates at the reduced return agreed to.

This proposal splits the revenues 35% to base facility charge and 65% to gallonage charge. It also implements a two tier inclining block rate structure with the first block between 0 – 5,000 gallons and the second over 5,000 gallons.

For the fixed charge, this represents a total reduction of \$24.28 a month. Further for a typical residential customer using 5,000 gallons, the monthly bill would reduce by \$9.91 a month. Also, it encourages conservation. During 2008, Peace River customers' average consumption was approximately, 9,300 a month. During 2009, that average consumption has dropped to 8,175 gallons per month.

A G E N D A
HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
THURSDAY, AUGUST 27, 2009 8:30 A.M.
COUNTY COMMISSION CHAMBERS, ROOM 102
COURTHOUSE ANNEX
412 WEST ORANGE STREET, WAUCHULA, FLORIDA

Commissioners:	District I	Minor L. Bryant, Vice-Chairman
	District II	Clifton N. Timmerman
	District III	Terry Atchley
	District IV	Bobby R. Smith
	District V	Dale A. Johnson, Chairman

County Manager Lexton H. Albritton, Jr.	Office Manager Sandy Meeks
Clerk B. Hugh Bradley	Deputy Clerk Laura Barker
County Attorney Ken Evers	

Chairman Johnson – Call to Order.
Invocation by Rev. Dr. Dewayne Wyatt followed by Pledge to Flag.

MINUTES FOR APPROVAL:
BCC Regular Meeting of 07/16/09 at 8:30 a.m.
BCC Joint Meeting of 07/16/09 at 6:00 p.m.

APPROVAL OF AGENDA
PLEASE TURN OFF CELL PHONES AND PAGERS

APPOINTMENTS – PUBLIC HEARINGS

Tab 1

8:35 a.m. Dawn Stark, Hardee County Right of Way Agent – Request approval and authorization for Chairman to sign Termination of Easement on behalf of HWA Properties, Full Quiver Investments, LLC, and 2325 Hardee, LLC to terminate and release the Grant of Drainage Easement given by Orange Co., Inc.

ACTION RECOMMENDED: Motion to approve and authorization for Chairman to sign termination of easement.

Copy of termination of easement provided.

Tab 2

8:50 a.m. Michael Choate, Director of Public Safety – Request approval and authorization for Chairman to sign the Fire Protection Agreement with Polk County for period October 01, 2009 through September 30, 2010.

ACTION RECOMMENDED: Motion to approve and authorization for Chairman to sign agreement.

ALSO:

Request approval and authorization for Chairman to sign the 911-Dispatch Interlocal Agreement with Polk County and Grady Judd, as Sheriff of Polk County for period October 01, 2009 through September 30, 2010.

ACTION RECOMMENDED: Motion to approve and authorization for Chairman to sign agreement.

Copy of agreements provided.

Tab 3

9:10 a.m. Janet Gilliard, Director of Community Development & General Services & Danny Weeks, Director of Facilities Management – Request approval and authorization for Chairman to sign all related documents and submission of the Florida Recreation Development Assistance Program (FRDAP) Grant Application packet for 2010-2011 to the Florida Department of Environmental Protection for Hardee Lakes Park Recreational Vehicle (RV) camping site development in the amount of \$200,000. No cash match requirement.

ACTION RECOMMENDED Motion to approve and authorization for Chairman to sign all related documents and submission of the FRDAP Grant application packet.

ALSO:

Request approval and authorization for Chairman to sign Resolution 09-30 Authorizing amendment of the Capital Improvement Plan to include the RV campsite, if said funds are awarded.

ACTION RECOMMENDED Motion to approve and authorization for Chairman to sign Resolution 09-30.

Copy of information sheet and resolution provided.

Tab 4

9:25 a.m. Troy Rendell, Manager of Rates, Aqua Utilities of Florida, Inc. - Discuss residential rate increase for water and wastewater for the Peace River utility system.

ACTION RECOMMENDED Board's discretion.

Copy of rate increase letters dated 05/06/08 and 05/06/09 provided.

Tab 5

A. Request approval and authorization for Chairman to sign Work Squad Contract #WS559(Landfill) with the Department of Corrections effective October 07, 2009 through October 06, 2010.

Copy of agreement provided.

Tab 6

B. Acknowledge receipt of the Third Quarter Contract Variance Report 2008-2009 (10/2008-06/2009).

Copy of report provided.

Tab 7

C. Request approval and authorization for the Chairman to sign all related documents and submission of the E911 Rural County Grant Program Application for the fall 2009 funding to be used for E911 Training for Coordinator. (No matching funds required).

Copy of grant application provided.

- D.** Request approval and authorization for the Chairman to sign all related documents and submission of the E911 Rural County Grant Program Application for the fall 2009 funding to be used for 1 year maintenance (\$10,168.08 on the Positron VIPER at the primary PSAP (public safety answering point).

Copy of grant application provided.

Tab 9

- E.** Request approval and authorization for Staff to submit the 2009 Blue Foundation Grant electronic application to Blue Cross Blue Shield of Florida to provide the "Get Fit @ the Library" fitness program specifically targeting the under/uninsured patrons of our County in the amount of \$60,000. No cash match required.

Copy of information sheet provided.

Tab 10

- F.** Acknowledge receipt of the Clerk's Financial Report for period ending 07/31/09.

Copy of report on file.

MOTION TO APPROVE CONSENT AGENDA

COUNTY ATTORNEY KEN EVERS

OTHER BUSINESS

COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS AND CITIZENS

PLEASE NOTE THAT THE ABOVE APPOINTMENT TIMES MAY BE ADJUSTED AS DEEMED NECESSARY UNLESS IT IS AN ADVERTISED PUBLIC HEARING.

REMINDERS:

VAB Organizational meeting 09/14/09 at 4:00 p.m.
BCC Tentative Budget Meeting 09/14/09 at 6:00 p.m.
BCC Final Budget Meeting 09/21/09 at 6:00 p.m.

Meetings to be held in the Commission Chambers, 412 W. Orange St., Room 102, Wauchula, Florida, unless otherwise noted.

Meeting adjourned at _____ .

EXHIBIT "4"

WATER TARIFF

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River Heights service area of the Company in Hardee County.

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	\$35.00	\$55.00
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Grandfather Certificate

EFFECTIVE DATE

**John Lihvarcik
Chief Operating Officer**

WATER TARIFF

RATE SCHEDULE: PEACE RIVER

RESIDENTIAL SERVICE (RS)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For water service for all purposes in private residences and individually metered apartment units.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

<u>GALLONAGE CHARGE:</u>	Per 1,000 gallons	
	Block 1, (0 – 5,000)	\$ 4.94
	Block 2, (5,000 – 10,000)	\$ 6.17
	Block 3, (Over 10,000)	\$ 14.81

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

**John Lihvarcik
Chief Operating Officer**

WATER TARIFF

**RATE SCHEDULE: PEACE RIVER
GENERAL SERVICE (GS)**

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For water service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

GALLONAGE CHARGE: Per 1,000 gallons \$ 6.05

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

**John Lihvarcik
Chief Operating Officer**

WATER TARIFF

RATE SCHEDULE: GROUP 3
PRIVATE FIRE PROTECTION SERVICE (PF)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For Private Fire Protection service to Customers.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
2"	\$ 10.96
3"	\$ 21.92
4"	\$ 34.25
6"	\$ 68.50
8"	\$ 109.60
10"	\$ 157.55

GALLONAGE CHARGE: Not applicable.

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

WASTEWATER TARIFF

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River certificated service areas in Hardee County

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	Actual Cost	Actual Cost
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Grandfather Certificate

EFFECTIVE DATE

John Lihvarcik
Chief Operating Officer

WASTEWATER TARIFF

RATE SCHEDULE: PEACE RIVER

RESIDENTIAL SERVICE (RS)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
All Meter Sizes	\$ 29.03

<u>GALLONAGE CHARGE:</u>	Per 1,000 gallons	\$ 8.87
	(6,000 gallon maximum)	

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Application

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

WASTEWATER TARIFF

RATE SCHEDULE: PEACE RIVER

GENERAL SERVICE (GS) and MULTI-FAMILY (MF)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For wastewater service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 29.03
3/4"	\$ 43.55
1"	\$ 72.58
1½"	\$ 145.17
2"	\$ 232.27
3"	\$ 464.54
4"	\$ 725.84
6"	\$ 1,451.68
8"	\$ 2,322.70
10"	\$ 3,338.87

GALLONAGE CHARGE: Per 1,000 gallons \$ 10.64

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

EXHIBIT "5"

Exhibit "5" – Legal Description of the Territory that the Utility was serving on the day Chapter 367, Florida Statutes became applicable – will be submitted as a Late-Filed Exhibit.

EXHIBIT "6" - MAPS

2 COPIES – PROPOSED WATER TARIFF

WATER TARIFF

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River Heights service area of the Company in Hardee County.

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	\$35.00	\$55.00
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Grandfather Certificate

EFFECTIVE DATE

**John Lihvarcik
Chief Operating Officer**

WATER TARIFF

RATE SCHEDULE: PEACE RIVERRESIDENTIAL SERVICE (RS)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For water service for all purposes in private residences and individually metered apartment units.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

<u>GALLONAGE CHARGE:</u>		
	Per 1,000 gallons	
	Block 1, (0 – 5,000)	\$ 4.94
	Block 2, (5,000 – 10,000)	\$ 6.17
	Block 3, (Over 10,000)	\$ 14.81

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

WATER TARIFF

RATE SCHEDULE: PEACE RIVER
GENERAL SERVICE (GS)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For water service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

<u>RATE:</u>	<u>Meter Size</u>	<u>Base Facility Charge</u>
	5/8" x 3/4"	\$ 16.44
	3/4"	\$ 24.66
	1"	\$ 41.10
	1½"	\$ 82.20
	2"	\$ 131.52
	3"	\$ 263.03
	4"	\$ 410.99
	6"	\$ 821.97
	8"	\$1,315.16
	10"	\$1,890.54

GALLONAGE CHARGE: Per 1,000 gallons \$ 6.05

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

WATER TARIFF

RATE SCHEDULE: GROUP 3
PRIVATE FIRE PROTECTION SERVICE (PF)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For Private Fire Protection service to Customers.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
2"	\$ 10.96
3"	\$ 21.92
4"	\$ 34.25
6"	\$ 68.50
8"	\$ 109.60
10"	\$ 157.55

GALLONAGE CHARGE: Not applicable.

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

2 COPIES – PROPOSED WASTEWATER TARIFF

WASTEWATER TARIFF

MISCELLANEOUS SERVICE CHARGES

APPLICABILITY: For the following services to all Customers within the Peace River certificated service areas in Hardee County

1. **Initial Connection** - This charge would be levied for service initiation at a location where service did not exist previously.
2. **Normal Reconnection** - This charge would be levied for transfer of service to a new Customer account at a previously served location, or reconnection of service subsequent to a Customer requested disconnection.
3. **Violation Reconnection** - This charge would be levied each time service has to be disconnected or reconnected for existing Customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
4. **Premise Visit Charge (In Lieu Of Disconnection)** - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

CHARGES:

<u>Type of Service</u>	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection	\$22.00	\$33.00
Normal Reconnection	\$22.00	\$33.00
Violation Reconnection	Actual Cost	Actual Cost
Premises Visit	\$22.00	\$33.00
NSF Check Charge	\$20.00	
Late Charge	\$ 5.00	

TYPE OF FILING Grandfather Certificate

EFFECTIVE DATE

**John Lihvarcik
Chief Operating Officer**

WASTEWATER TARIFF

RATE SCHEDULE: PEACE RIVER

RESIDENTIAL SERVICE (RS)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
All Meter Sizes	\$ 29.03

GALLONAGE CHARGE: Per 1,000 gallons \$ 8.87
(6,000 gallon maximum)

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Application

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer

WASTEWATER TARIFF

RATE SCHEDULE: PEACE RIVER

GENERAL SERVICE (GS) and MULTI-FAMILY (MF)

AVAILABILITY: Available throughout the Peace River Heights service area served by the Company in Hardee County.

APPLICABILITY: For wastewater service to all Customers for which no other schedule applies.

LIMITATIONS: Subject to all of the Company's Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD: Monthly.

RATE:

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 29.03
3/4"	\$ 43.55
1"	\$ 72.58
1½"	\$ 145.17
2"	\$ 232.27
3"	\$ 464.54
4"	\$ 725.84
6"	\$ 1,451.68
8"	\$ 2,322.70
10"	\$ 3,338.87

GALLONAGE CHARGE: Per 1,000 gallons \$ 10.64

MINIMUM CHARGE: Base Facility Charge.

TERMS OF PAYMENT: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING: Grandfather Certificate

EFFECTIVE DATE:

John Lihvarcik
Chief Operating Officer