

**Marguerite McLean**

090385-WU

**From:** Trina Collins [TCollins@RSBAttorneys.com]  
**Sent:** Wednesday, February 03, 2010 3:30 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 04 (filing Amended Application).ltr.pdf

- a. Martin S. Friedman, Esq.  
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- 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 - Filing the Amendment to Application of Colina Recovery, Inc., for Authority to Transfer Assets and Certificate No. 632-W of Colina Bay Water Company, LLC.
- c. Colina Recovery, Inc.
- d. 3 Pages.
- e. Letter to Commission Clerk - 1 page; and Amendment to Application of Colina Recovery, Inc. for Authority to Transfer Assets and Certificate No. 632-W - 2 pages.

DOCUMENT NUMBER DATE

00784 FEB-03

FPSC-COMMISSION CLERK

2/3/2010

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REPLY TO CENTRAL FLORIDA OFFICE

February 3, 2010

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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 the Amendment to Application of Colina Recovery, Inc., for Authority to Transfer Assets and Certificate No. 632-W of Colina Bay Water Company, LLC.

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: Robert B. White, Jr., Esquire (w/enclosures) (via e-mail)

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DOCUMENT NUMBER-DATE

00784 FEB-3 2010

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

**AMENDMENT TO APPLICATION OF COLINA RECOVERY, INC.  
FOR AUTHORITY TO TRANSFER ASSETS AND CERTIFICATE NO. 632-W**

COLINA RECOVERY, INC., (hereinafter referred to as "Utility" or "Buyer"), by and through its undersigned attorneys, files this Amendment to Application for authority to transfer the water utility assets and Certificate No. 632-W, and states:

1. In connection with the sale of the land which constitutes the service area of the Utility, Mercantile Bank transferred the stock of Colina Recovery, Inc. The change in control of Colina Recovery, Inc. necessitates an amendment to the original Application.

2. The complete name and address of the Buyer is:

Colina Recovery, Inc.  
529 Versailles Drive, Suite 200  
Maitland, FL 32751

3. The names and addresses of Buyer's officers and directors are:

President/Director: Robert Harrell  
5300 South Orange Avenue  
Orlando, FL 32809

Vice President/Director: Ralph Singletary  
529 Versailles Drive, Suite 200  
Maitland, FL 32751

Secretary/Director: Maylinda Detweiler  
529 Versailles Drive, Suite 200  
Maitland, FL 32751

4. Robert and Ruth Harrell own 50% of the issued and outstanding stock of the Utility, and are the only shareholders owning more than 10% of the issued and outstanding shares.


5. This transfer is in the public interest in that Mercantile Bank took the water system over in foreclosure, and the Utility will now be owned and operated by a party related to the party who purchased and is developing the land in the service area. Thus, the Utility has a vested interest in operating the water system in compliance with regulatory requirements in order for its related party to develop and sell the land.

6. Since the property was purchased through foreclosure, the Buyer does not have access to the books and records of Colina Bay Water Company, LLC, which constructed the water treatment plant and distribution system. The Utility requests the Commission to establish rate base consistent with the cost estimates in the original application proceeding.

7. Since the Utility does not yet have any customers, its Financial Statements are pro forma and consistent with the Special Report filed in the original certificate proceeding.

Respectfully submitted on this 3<sup>rd</sup> day of  
February, 2010, by:

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For the Firm