

State of Florida



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Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

COMMISSION
CLERK

DATE: November 10, 2010
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Thomas J. Walden, Utilities System/Engineering Specialist, Division of Economic Regulation
RE: Docket No. 090441-WU; Application for amendment of Certificate No. 430-W to add territory in Duval County by Neighborhood Utilities, Inc.

Please include the attached documents in the docket file that have been provided by the utility that show proof of noticing.

TW

DOCUMENT NO. DATE
09341-10 11/12/10
EPSC - COMMISSION CLERK

Tom Walden

From: Larry O'Steen [wlarryo@hotmail.com]
Sent: Wednesday, November 10, 2010 9:02 AM
To: Tom Walden
Subject: RE: County Radius Listing
Attachments: AFFIDAVIT 11062009a 005.jpg; AFFIDAVIT 11062009a 006.jpg; AFFIDAVIT 11062009a 007.jpg; AFFIDAVIT 11062009a 008.jpg

Tom, see attached Notice. Does this complete the Application?
 Thanks,

Larry O'Steen

Subject: County Radius Listing
Date: Tue, 19 Oct 2010 17:33:24 -0400
From: TWalden@PSC.STATE.FL.US
To: wlarryo@hotmail.com
CC: ANWillia@PSC.STATE.FL.US; PDaniel@PSC.STATE.FL.US

I believe we have everything we need to process the application except for the proof of noticing. Rule 25-30.030, Florida Administrative Code requires notice to utilities when territory changes.

I have a copy of a document entitled, "Notice of Application for Amendment of Service Area," and the first sentence in the notice begins with Notice is hereby given on the ___ day of November, 2009.... Did this notice ever get sent? If so, I need an affidavit similar to the one you filed on July 26 for the tariff and annual report, that says you gave notice and to whom notice was given. If noticing still needs to be made, the folks to get notice are listed in the attached pdf. Notice can be by regular, first class mail.

In addition to the noticing described above, the utility should notify the all of its customers that the land swap occurred. A bill stuffer with a regular billing will suffice. The notice to the customers might best be understood if you described the land swap by referring to the subdivision name rather than the NU-1 and NU-2 description that I refer to in the preceding paragraph. For instance, you might want to refer to the added customers as "Those residents who live in ___ S/D on Cherokee Cove Drive; Cherokee Cove Trail, south of Cherokee Cove Drive; the ten easternmost lots on Arrowbrook Lane [or if you want to use addresses on Arrowbrook] are now customers of Neighborhood Utilities, Inc. Residents who live on a portion of Cherokee Cove Trail North, (a street east of Cherokee Cove Trail whose name is not listed on the map), Mistybrook Court, and east of Mistybrook on Cherokee Cove Trail North and Cherokee Trail Cove East are now served by JEA."

You will also need to notice the property owners in the territory you gained from JEA so that when homes are built, those folks will know that water service will come from Neighborhood. The folks who are already getting service from JEA do not need to be noticed. Once all the noticing is complete, you will need to include a statement in the affidavit mentioned in the second paragraph above that notice was given to existing customers and property owners who are affected by this territory addition.

I will be out of town the rest of this week and next week. Back in the office on November 1.

Tom Walden
 Engineer Specialist
 850-413-6950

cc: Anna Williams, Staff Attorney
 Patti Daniel, Supervisor

11/10/2010

DOCUMENT NO. **DATE**
 09341-10 11/12/10
 FPSC - COMMISSION CLERK

**LIST OF WATER AND WASTEWATER UTILITIES IN DUVAL COUNTY
(VALID FOR 60 DAYS)
10/19/2010 - 12/17/2010**

UTILITY NAME

MANAGER

DUVAL COUNTY

COMMERCIAL UTILITIES, DIVISION OF GRACE AND COMPANY, INC. (WS090)
865 SOUTH LANE AVENUE
JACKSONVILLE, FL 32205-4420

ANNE LEE
(904) 781-0970

NEIGHBORHOOD UTILITIES, INC. (WU383)
4551 SHIRLEY AVENUE
JACKSONVILLE, FL 32210-2065

W. LARRY O'STEEN
(904) 387-0487

REGENCY UTILITIES, INC. (WS919)
ONE INDEPENDENT DRIVE, SUITE 3120
JACKSONVILLE, FL 32202-5023

MARTIN S. FRIEDMAN
(407) 830-6331

**LIST OF WATER AND WASTEWATER UTILITIES IN DUVAL COUNTY
(VALID FOR 60 DAYS)
10/19/2010 - 12/17/2010**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CITY OF JACKSONVILLE PLANNING BOARD
128 E. FORSYTH STREET
JACKSONVILLE, FL 32202

CLERK, BOARD OF COUNTY COMMISSIONERS, DUVAL COUNTY
DUVAL COUNTY COURTHOUSE
330 EAST BAY STREET
JACKSONVILLE, FL 32202-2921

DEP NORTHEAST DISTRICT
7825 BAYMEADOWS WAY, SUITE 200B
JACKSONVILLE, FL 32256-7577

MAYOR, CITY OF ATLANTIC BEACH
800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233-5400

MAYOR, CITY OF JACKSONVILLE
CITY HALL
117 WEST DUVAL STREET
JACKSONVILLE, FL 32202-3700

MAYOR, CITY OF JACKSONVILLE BEACH
CITY HALL
11 NORTH 3RD STREET
JACKSONVILLE BEACH, FL 32250-6930

MAYOR, CITY OF NEPTUNE BEACH
116 FIRST STREET
NEPTUNE BEACH, FL 32266-6140

MAYOR, TOWN OF BALDWIN
10 U.S. 90 WEST
BALDWIN, FL 32234-1832

N.E. FLORIDA REGIONAL PLANNING COUNCIL
6850 BELFORT OAKS PLACE
JACKSONVILLE, FL 32216

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

**LIST OF WATER AND WASTEWATER UTILITIES IN DUVAL COUNTY
(VALID FOR 60 DAYS)
10/19/2010 - 12/17/2010**

UTILITY NAME

MANAGER

STATE OFFICIALS

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

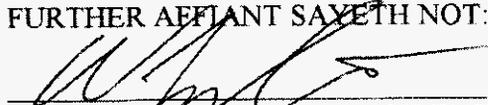
Neighborhood Utilities, Inc.
4551 Shirley Ave
Jacksonville, Florida 32210
Phone (904) 387-0487
Fax (904) 387-4761

AFFIDAVIT OF DELIVERY OF NOTICE

STATE OF FLORIDA
COUNTY OF DUVAL

Before me, the undersigned authority, authorized to administer Oaths and take Acknowledgements, personally appeared W. Larry O'Steen, who being duly sworn on oath, did depose and say that he is the President of Neighborhood Utilities, Inc., a Florida Corporation, and that Neighborhood Utilities, Inc. did deliver, by United States Mail, on November 9, 2010, the attached "Notice of Application of Amendment of Service Area", to Utilities, Governmental Agencies and State Officials as shown on attached list dated October 19, 2010, as well as to customers as required by Rule 25-30.030, Florida Administrative Code.

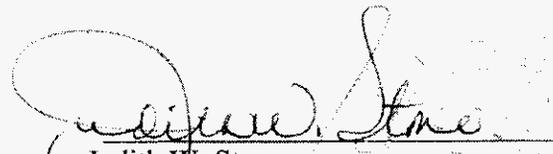
FURTHER AFFIANT SAYETH NOT:



W. LARRY O'STEEN as PRESIDENT
OF NEIGHBORHOOD UTILITIES, INC.

Sworn and subscribed before me this 9TH day of NOVEMBER, 2010 by W. Larry O'Steen, who is personally known to me as President of Neighborhood Utilities, Inc.

STATE OF FLORIDA
COUNTY OF DUVAL



Judith W. Stone
NOTARY PUBLIC
My Commission Expires: 3/27/2011

Notice of Application for Amendment of Service Area

Notice is hereby given on the 9th day of November, 2010 pursuant to Section 367.045, Florida Statutes, and Section 25-30.030 Florida Administrative Code, of the application on Neighborhood Utilities, Inc., 4551 Shirley Ave., Jacksonville, Florida 32210, of it's application to the Florida Public Service Commission to extend its service area to provide water service to areas added and to delete certain portions from it's service area to eliminate water service to the areas deleted, said properties in Duval County, Florida being described as follows:

LEGAL DESCRIPTION OF PROPERTY TO BE ADDED:

Area name: NU-1

A portion of Tracts 13 and 14, Block 3, Section 31, Township 2 South, Range 25 East, as shown on the plat of Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the current public records of Duval County, Florida as follows: Commence at the Southwest corner of said Section 31; thence N 89-42-31 E along the south line of said Section 31, a distance of 1,224.03 feet to the Southwest corner of Tract 13, Block 3, Jacksonville Heights, to the POINT OF BEGINNING: thence continue along said South line of Section 31 N 89-42-30 E a distance of 663.36 feet; thence N 00-50-36 E a distance of 664.62 feet; thence S 89-46-36 W a distance of 664.95 feet; thence S 00-47-27 W a distance of 665.40 feet to the POINT OF BEGINNING.

Includes lots 33 thru 42, Cherokee Cove Unit One, as recorded in Plat Book 57, Pages 74, 74A through 74F, of the Public Records of Duval County, Florida.

Area name: NU-2

A portion of Tracts 1 through 6, inclusive, Tracts 10 through 14, Block 3, and Tracts 5 through 8, inclusive, Tracts 9, 11, and 12, Block 4, Section 31, Township 2 South, Range 25 East, together with a portion of Tracts 6 and 7, Block 2, Section 6, Township 3 South, Range 25 East as shown on the plat of Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the current public records of Duval County, Florida as follows: Commence at the Southwest corner of said Section 31; thence N 89-42-31 E along the south line of said Section 31, a distance of 664.35 feet to the Southwest corner of Tract 11, Block 3, Jacksonville Heights, to the POINT OF BEGINNING: thence N 00-44-25 E a distance of 166.54 feet; thence S 89-43-33 W a distance of 614.49 feet; thence S 00-39-57 W a distance of 327.10 feet; thence N 89-42-31 E a distance of 248.32 feet; thence S 00-38-40 W a distance of 173.91 feet; thence N 89-17-13 E a distance of 364.98 feet; thence S 00-39-10 W a distance of 516.95 feet; thence N 84-58-30 E a distance of 172.65 feet; thence N 00-40-10 E a distance of 222.00 feet; thence N 84-58-30 E a distance of 160.00 feet; thence N 00-41-18 E a distance of 599.10 feet; thence S 89-42-31 W a distance of 330.34 feet to the POINT OF BEGINNING.

Includes lots 1 thru 9, & 53 thru 84 Cherokee Cove Unit One, as recorded in Plat Book 57, Pages 74, 74A through 74F, of the Public Records of Duval County, Florida.

LEGAL DESCRIPTION OF PROPERTY TO BE DELETED:

Area name: JEA-1

A portion of Tracts 11 and 12, Block 3, Section 31, Township 2 South, Range 25 East, as shown on the plat of Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the current public records of Duval County, Florida as follows: Commence at the Southwest corner of said Section 31; thence N 89-42-31 E along the south line of said Section 31, a distance of 1,224.03 feet to the Southwest corner of Tract 13, Block 3, Jacksonville Heights, thence N 00-47-27 E along the West line of said Tract 13 a distance of 861.76 feet to the POINT OF BEGINNING: thence N 55-09-07 W a distance of 66.88 feet; thence N 89-18-56 W a distance of 219.61 feet; thence N 00-46-00 E a distance of 65.71 feet; thence N 89-15-41 W a distance of 110.00 feet; thence N 00-43-08 E a distance of 275.01 feet; thence N 89-50-42 E a distance of 155.39 feet; thence N 00-01-10 E a distance of 135.00 feet; thence N 89-50-42 E a distance of 230.97 feet; thence S 00-47-27 W a distance of 519.05 feet to the POINT OF BEGINNING.

Includes lots 16 thru 19, 49 through 55, & 57 through 60, Cherokee Cove Unit Two, as recorded in Plat Book 61, Pages 67 through 72, of the Public Records of Duval County, Florida.

Area name: JEA-2

A portion of, Tracts 9, 11, and 12, plus all of Tract 10 Block 4, Section 31, Township 2 South, Range 25 East, as shown on the plat of Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the current public records of Duval County, Florida as follows: Commence at the Southwest corner of said Section 31; thence N 89-42-31 E along the south line of said Section 31, a distance of 2,657.56 feet to the Southwest corner of Tract 11, Block 4, Jacksonville Heights, to the POINT OF BEGINNING: thence N 00-53-47 E a distance of 1327.69 feet; thence S 44-38-49 E a distance of 1856.48 feet; thence S 89-42-31 W a distance of 1325.40 feet to the POINT OF BEGINNING. Includes lots 11 thru 47, Cherokee Cove Unit Three, as recorded in Plat Book 62, Pages 123 through 130, of the Public Records of Duval County, Florida.

Any objections to the Application must be made in writing and filed with the Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, referencing Docket No. 090441-WU, no later than 30 days after the date this notice was mailed or published, whichever is later, with a copy provided to W. Larry O'Steen, President Neighborhood Utilities, Inc., 4551 Shirley Ave, Jacksonville, Florida 32210. The objection must state the grounds for objection with particularity.
Neighborhood Utilities, Inc.
4551 Shirley Ave
Jacksonville, Florida 32210