

**Diamond Williams**

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**From:** Trina Collins [TCollins@RSBattorneys.com]  
**Sent:** Thursday, March 17, 2011 1:16 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Martin Friedman; Christian W. Marcelli; Trina Collins; reginaldburge@bellsouth.net  
**Subject:** Filing in Docket No. 110061-WS; Application for Authority to Transfer the Assets of Service Management Systems, Inc., and Certificate Nos. 517-W and 450-S to Aquarina Utilities, Inc.  
**Importance:** High  
**Attachments:** PSC Clerk 03 (NOF Affidavit of Mailing - Late Filed Exhibit F).ltr.03-17-2011(3).pdf

- a. Martin S. Friedman, Esq.  
 Christian W. Marcelli, Esq.  
 Rose, Sundstrom & Bentley, LLP  
 766 N. Sun Drive, Suite 4030  
 Lake Mary, Florida 32746  
 Phone: (407) 830-6331  
 Fax: (407) 830-8522  
 Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)
- b. Docket No. 110061-WS; Application for Authority to Transfer the Assets of Service Management Systems, Inc., and Certificate Nos. 517-W and 450-S to Aquarina Utilities, Inc. - Filing Late Filed Exhibit "F" to Aquarina Utilities, Inc.'s Application, which is the Affidavit of Mailing evidencing the Notice of Application has been mailed to the Utility's customers.
- c. Aquarina Utilities, Inc.
- d. 5 Pages.
- e. Letter to Commission Clerk - 1 page; Notice of Filing - 1 page; Affidavit of Mailing - 1 page; Notice of Application For Transfer Utility Assets and Water and Wastewater Certificates - 2 pages.

DOCUMENT NUMBER-DATE

01779 MAR 17 =

FPSC-COMMISSION CLERK

3/17/2011

LAW OFFICES

**ROSE, SUNDBSTROM & BENTLEY, LLP**

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Please Respond to the Lake Mary Office

March 17, 2011

CHRISTIAN W. MARCELLI  
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JOHN L. WHARTON

ROBERT M.C. ROSE, (1924-2006)

VIA E-FILING

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

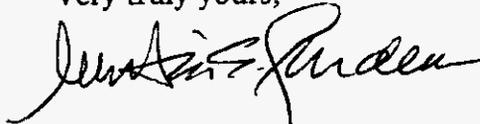
RE: Docket No. 110061-WS; Application for Authority to Transfer the Assets of Service Management Systems, Inc., and Certificate Nos. 517-W and 450-S to Aquarina Utilities, Inc. in Brevard County, Florida  
Our File No.: 45052.01

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Late Filed Exhibit "F" to Aquarina Utilities, Inc.'s Application, which is the Affidavit of Mailing evidencing the Notice of Application was given to each customer in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code.

Should you or the Staff 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. Reginald J. Burge (w/enclosures)

M:\1 ALTAMONTE\AQUARINA UTILITIES (45052)\TRANSFER\PSC Clerk 03 (NOF Affidavit of Mailing - Late Filed Exhibit F).ltr.doc

DOCUMENT NUMBER - DATE  
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2548 BLAIRSTONE PINES DRIVE, TALLAHASSEE, FLORIDA 32301 (850) 877-6555 FAX (850) 656-4029

950 PENINSULA CORPORATE CIRCLE, SUITE 2020, BOCA RATON, FLORIDA 33487 (561) 982-7114 FAX (561) 982-7116

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Authority to Transfer )  
the Assets of SERVICE MANAGEMENT )  
SYSTEMS, INC., and Certificate Nos. )  
517-W and 450-S in Brevard County, )  
Florida to AQUARINA UTILITIES, INC. )  
\_\_\_\_\_ )

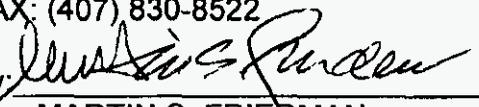
Docket No. 110061-WS

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

Applicant, AQUARINA UTILITIES, INC., by and through its undersigned attorneys, hereby gives notice of filing the attached Late Filed Exhibit "F" to its Application, which is an Affidavit that the actual notice of the Application was given to each customer in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code.

Respectfully submitted on this 17<sup>th</sup> day of  
March, 2011, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
766 N. Sun Drive, Suite 4030  
Lake Mary, Florida 32746  
PHONE: (407) 830-6331  
FAX: (407) 830-8522

By: 

MARTIN S. FRIEDMAN  
For the Firm

DOCUMENT NUMBER-DATE

01779 MAR 17 =

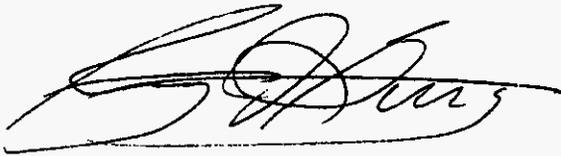
FPSC-COMMISSION CLERK

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA  
COUNTY OF Martin

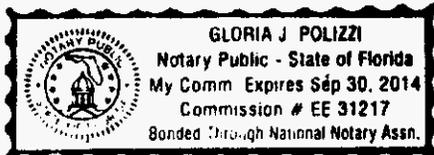
BEFORE ME, the undersigned authority, authorized to administer oaths and take  
~~acknowledgments, personally appeared Reginald Burge, on behalf of the Buyer, who,~~  
after being duly sworn on oath, did depose on oath and say that he is the Secretary of the  
Buyer, and that on the 1<sup>st</sup> day of March, 2011, he did send by first class U.S. Mail a  
copy of the Notice attached hereto to each of the Utility's customers.

FURTHER AFFIANT SAYETH NAUGHT.



Reginald Burge  
Printed Name: Reginald Burge

Sworn and subscribed to before me this 11 day of March 2011, by Reginald  
Burge on behalf of the Utility, who is personally known to me.



Gloria J. Polizzi  
NOTARY PUBLIC - State of Florida  
Print Name: Gloria J. Polizzi  
My Commission Expires: 9-30-2014

EXHIBIT "F"

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

NOTICE IS HEREBY given on the 1st day of March, 2011, pursuant to Section 367.071, Florida Statutes, of the Application for Transfer of the Utility Assets of Service Management Systems, Inc., and Certificate Nos. 517-W and 450-S to Aquarina Utilities, Inc., providing water and wastewater service to the following described territory in Brevard County, Florida:

**WATER SERVICE AREA**

A PORTION OF SECTIONS 25, 35 AND 36 TOWNSHIP 29 SOUTH, RANGE 38 EAST, SECTION 31, TOWNSHIP 29 SOUTH, RANGE 39 EAST, SECTION 1, TOWNSHIP 30 SOUTH, RANGE 38 EAST AND SECTION 6, TOWNSHIP 30 SOUTH, RANGE 39 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 25 AND RUN N00°19'34"W ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1327.58 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 25; THENCE RUN S88°30'24"E ALONG NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SECTION 25 A DISTANCE OF 2634 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN; THENCE RUN SOUTHERLY ALONG SAID MEAN HIGH WATER LINE THROUGH SAID SECTIONS 25, 36, 31 AND 6 A DISTANCE OF 12127 FEET MORE OR LESS TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 6; THENCE RUN N88°48'45"W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 6 A DISTANCE OF 1524 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE INDIAN RIVER; THENCE RUN NORTHERLY ALONG THE MEAN HIGH WATER LINE OF THE INDIAN RIVER AND MULLET CREEK 16336 FEET MORE OR LESS TO THE NORTH LINE OF SAID SECTION 35; THENCE RUN S88°22'47"E ALONG THE NORTH LINE OF SECTION 35 A DISTANCE OF 982 FEET MORE OR LESS TO THE POINT OF BEGINNING.

**WASTEWATER SERVICE AREA**

A PORTION OF SECTIONS 25, 26, 35 AND 36 TOWNSHIP 29 SOUTH, RANGE 38 EAST, AND SECTION 31, TOWNSHIP 29 SOUTH, RANGE 39 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE WEST 1/4 CORNER OF SAID SECTION 25 AND RUN N00°18'50"W ALONG THE WEST LINE OF SAID SECTION 25 A DISTANCE OF 1340.83 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF SAID SECTION 25; THENCE RUN S88°31'07"E ALONG NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF SECTION 25 A DISTANCE OF 1351 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN; THENCE RUN SOUTHERLY ALONG SAID

MEAN HIGH WATER LINE THROUGH SAID SECTIONS 25, 36, AND 31 A DISTANCE OF 9203 FEET MORE OR LESS TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 36; THENCE RUN N88°23'42"W ALONG SAID LINE AND THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 36 A DISTANCE OF 790 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE INDIAN RIVER; THENCE RUN NORTHERLY ALONG THE MEAN HIGH WATER LINE OF THE INDIAN RIVER AND MULLET CREEK 8315 FEET MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 26; THENCE RUN S88°22'47"E ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 982 FEET TO THE COMMON CORNER OF SAID SECTIONS 25, 26, 35 AND 36; THENCE RUN ALONG THE WEST LINE OF SAID SECTION 25 N00°19'34"W 1327.58 TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 3 OF SAID SECTION 26; THENCE RUN N88°30'25"W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 1276 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF MULLET CREEK; THENCE RUN NORTHERLY ALONG THE MEAN HIGH WATER LINE OF MULLET CREEK 1903 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 26; THENCE RUN S88°31'12"E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 26 A DISTANCE OF 2431 MORE OR LESS 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, 766 N. Sun Drive, Suite 4030, Lake Mary, Florida 32746. The objection must state the grounds for the objection with particularity.

AQUARINA UTILITIES, INC.