

Dorothy Menasco

From: ThomasM@gtlaw.com
Sent: Wednesday, December 14, 2011 3:14 PM
To: Filings@psc.state.fl.us
Cc: jordan_ruben@mhchomes.com; kelly.jr@leg.state.fl.us; jrichards@pascocountyfl.net; mdavis@bmlaw.com; Melissa Jones-Alexis; Caroline Klancke; Patti Daniel
Subject: Docket No. 110022-WS - Equity LifeStyle Properties, Inc., HV Utility - Motion to Dismiss
Attachments: 511614834_v_1_2011.12.14 - Ltr and Motion to Dismiss.PDF

Attachments: 511614834.pdf

Docket No.:

Docket No. 110022-WS - Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., HV Utility Systems, L.L.C.

Person Filing:

Michael G. Cooke
Greenberg Traurig, P.A.
625 Twiggs Street, Suite 100
Tampa, FL 33602
Telephone: 813-318-5700
Facsimile: 813-318-5900
CookeM@gtlaw.com

Filed on behalf of:

Equity LifeStyle Properties, Inc.

Total number of pages (including this e-mail):

Sixteen (16)

Description:

Motion to Dismiss

Peg

Margaret "Peg" Thomas
Admin Assistant to Tampa Managing Shareholder - David Weinstein
Legal Assistant to Lew Snyder and John Wirthlin
Greenberg Traurig, P.A. | 625 E. Twiggs St., Ste 100 | Tampa, FL 33602
Tel 813.318.5730 | Fax 813.318.5900
thomasm@gtlaw.com | www.gtlaw.com



Albany · Amsterdam · Atlanta · Austin · Boston · Chicago · Dallas · Delaware · Denver · Fort Lauderdale · Houston · Las Vegas · London* · Los Angeles · Miami · New Jersey · New York · Orange County · Orlando · Palm Beach County · Philadelphia · Phoenix · Sacramento · San Francisco · Shanghai · Silicon Valley · Tallahassee · Tampa · Tysons Corner · Washington, D.C. · White Plains

* Operates as Greenberg Traurig Maher LLP
Strategic Alliances with Independent Law Firms
Milan · Rome

12/14/2011

DOCUMENT NUMBER 08956 DEC 14 08 30 PM '11
FPSC-COMMISSION CLERK

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate such information. Pursuant to IRS Circular 230, any tax advice in this email may not be used to avoid tax penalties or to promote, market or recommend any matter herein.



Michael G. Cooke
Tel: 813-318-5700
CookeM@gtlaw.com

December 14, 2011

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 110022-WS — Application for certificate to operate water utility in Pasco County by Equity LifeStyle Properties, Inc., HV Utility

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Equity LifeStyle Properties' Motion to Dismiss.

Thank you for your assistance with this filing and please do not hesitate to contact me if you have any questions.

Sincerely,

Michael G. Cooke

MGC/mmt
Enclosure

- ALBANY
- AMSTERDAM
- ATLANTA
- AUSTIN
- BOSTON
- CHICAGO
- DALLAS
- DELAWARE
- DENVER
- FORT LAUDERDALE
- HOUSTON
- LAS VEGAS
- LONDON*
- LOS ANGELES
- MIAMI
- MILAN**
- NEW JERSEY
- NEW YORK
- ORANGE COUNTY
- ORLANDO
- PALM BEACH COUNTY
- PHILADELPHIA
- PHOENIX
- ROME**
- SACRAMENTO
- SAN FRANCISCO
- SHANGHAI
- SILICON VALLEY
- TALLAHASSEE
- TAMPA
- TYSONS CORNER
- WASHINGTON, D.C
- WHITE PLAINS
- ZURICH**

GREENBERG TRAURIG, P.A. ■ ATTORNEYS AT LAW ■ WWW.GTLAW.COM
Courthouse Plaza ■ Suite 100 ■ 625 East Twiggs Street ■ Tampa, FL 33602 ■ Tel 813-318-5700 ■ Fax 813-318-5705

RECEIVED BY MAIL ROOM

0895605614 =

FPSC-COMMISSION CLERK

*OPERATES AS GREENBERG TRAURIG MAHER LLP
**STRATEGIC ALLIANCE

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

Application for certificate to operate water
utility in Pasco County by HV Utility Systems,
L.L.C.

Docket No. 110022-WS

Filed December 14, 2011

MOTION TO DISMISS

Pursuant to Rule 28-106.204(2), Fla. Admin. Code, Equity LifeStyle Properties ("ELS"), by and through its counsel, hereby files¹ this Motion to Dismiss each Objection to the Proposed Utility and Petition For Formal Administrative Hearing ("Objections") filed on July 13, 2011, by, respectively, Pasco County ("County") and The City of New Port Richey ("City") (collectively, the "Joint Petitioners").² In support of this Motion, ELS states as follows:

BACKGROUND

1. ELS filed its Application for Certificate to Operate Water Utility ("Application") in Pasco County by HV Utility Systems, L.L.C., in this proceeding on January 7, 2011.

2. On June 10, 2011, in accordance with section 367.045(1)(a), Fla. Stat., ELS, forwarded by U.S. mail to both Pasco County and the City of New Port Richey a copy of the Notice of Application that had been approved for use by Commission staff. The notice was dated June 10, 2011, and it specifically stated that any objection must be filed with the Commission within thirty days from the date of the notice.

3. In addition, pursuant to 25-30.030, F.A.C., on June 11, 2011, ELS caused to be published in a newspaper of general circulation in the area served (the *Pasco Times*) a copy of the Notice of Application. The notice was dated June 11, 2011, and it specifically stated that any objection must be filed with the Commission within thirty days from the date of the notice.

4. Copies of the Affidavit of Mailing and Affidavit of Publication that were filed in this docket are attached as Exhibit A.

5. On July 13, 2011, the Joint Petitioners filed at the Commission Objections to the Application and requested an administrative hearing pursuant to sections 120.569 and 120.57, Fla. Stat.

¹ Concurrent with the filing of this Motion, ELS has filed a third, unopposed motion for an extension of time to file a motion to dismiss. ELS has requested that the deadline for filing its motion to dismiss be extended to March 15, 2012. ELS is filing the instant motion out of an abundance of caution, but requests that it not be acted upon until the third motion for extension of time has been ruled upon. If the motion for extension of time is granted, ELS will withdraw the instant motion to dismiss and will refile, as necessary, within the timeframe of any extension granted.

² The County and City each filed on its own behalf a separate Objection, but they are substantially similar and raise the same issues.

DOCUMENT NUMBER DATE
08956 DEC 14 =
FPA 5218940C
FPSC-COMMISSION CLERK

6. On July 28, 2011, ELS filed an unopposed motion to extend the time to file a motion to dismiss from August 2, 2011, to September 15, 2011. On August 5, 2011, the Prehearing Officer granted ELS' motion for an extension of time to file its motion to dismiss until September 15, 2011. On September 14, 2011, ELS filed a second unopposed motion to extend time to file a motion to dismiss from September 15, 2011, to December 15, 2011. On September 21, 2011, the Prehearing Officer granted ELS' motion for extension of time to file its motion to dismiss until December 15, 2011.

7. Although the parties have met informally and are discussing potential resolution of the issues raised in the Objections, ELS does not want to be construed as having waived its right to file a motion to dismiss the Objection. Therefore, as noted in footnote 1, above, ELS has filed this motion as a precaution and requests that it not be acted upon until a ruling on the third motion for extension of time has been made.

THE PETITIONS WERE NOT TIMELY FILED AND MUST BE DISMISSED

As noted above, pursuant to 367.045, Fla. Stat., and 25-30.030, F.A.C., ELS mailed the Notice of Application to the Joint Petitioners and published the Notice of Application on June 10, 2011, and June 11, 2011, respectively. Section 367.045(3), Fla. Stat., states that:

If, within 30 days after the last day that notice was mailed or published by the applicant, whichever is later, the commission does not *receive* written objection to the notice, the commission may dispose of the application without hearing. (Emphasis added.)

Therefore, as provided in 367.045(3), Fla. Stat., the Joint Petitioners had until July 11, 2011, to file at the Commission an objection and request a hearing. The Joint Petitioners did not comply with this deadline.

Section 120.569(2)(c), Fla. Stat., which governs the right to an administrative hearing specifically provides that a "petition shall be dismissed if ... it has been untimely filed." It has been held that an agency is required to dismiss the petition with prejudice if it is filed even one day late. *Cann v. Department of Children and Family Services*, 813 So.2d 237 (Fla. 2nd DCA 2002).

WHEREFORE, ELS respectfully requests that the Objections and requests for hearing be dismissed with prejudice.

DATED this 14th day of December 2011.

By: s/ Michael G. Cooke _____
Michael G. Cooke
(Fla. Bar No. 0979457)
Ruden McClosky
401 E. Jackson St., Suite 2700
Tampa, FL 33606
Telephone: (813) 222-6685
Facsimile: (813) 314-6985
michael.cooke@ruden.com

**CERTIFICATE OF SERVICE
DOCKET NO. 110022-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery and/or U.S. Mail this 14th day of December, 2011, to the following:

HV Utility Systems, L.L.C.
Jordon Ruben
5100 W. Lemon Street, Suite 308
Tampa, FL 33609
jordan_ruben@mhchomes.com

Office of the Public Counsel (11h)
J.R. Kelly/Stephen C. Reilly
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32393-1400
KELLYJR@leg.state.fl.us

Pasco County
Joseph D. Richards, Esquire
Senior Assistant County Attorney
7530 Little Rd, Suite 340
New Port Richey, Florida 34654-5598
jrichards@pascocountyfl.net

City of New Port Richey
Michael Davis, Esquire
City Attorney, City of New Port Richey
Bryant Miller Olive
One Tampa City Center
201 North Franklin Street, Suite 2700
Tampa, Florida 33602
mdavis@bmlaw.com

Public Service Commission
Carolyn Klanche, Esquire
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850
cklancke@psc.state.fl.us

s/ Michael G. Cooke
Michael G. Cooke

Exhibit "A"



RECEIVED-FPSC

11 JUN 27 PM 3:30

COMMISSION
CLERK

401 EAST JACKSON STREET
SUITE 2700
TAMPA, FLORIDA 33602

(813) 222-6685
FAX: (813) 314-0985
MICHAEL.COOKE@RUDEN.COM

June 27, 2011

Ann Cole, Clerk
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Via Hand Delivery

Re: Docket No. 110022-WS – Application for certificate to operate water utility in Pasco
County by Equity LifeStyle Properties, Inc., HV Utility

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket are:

1. Affidavit of Mailing which evidences that the Notice of Application has been sent by U.S. Mail to each of the utilities and governmental authorities identified on the service list.
2. Affidavit of Publication from Pasco Times which evidences the Notice of Application was published in a paper of general circulation.

Sincerely,

Michael G. Cooke

MGC/mbf
Enclosures

RM:8010243:1

FT. LAUDERDALE • MIAMI • NAPLES • ORLANDO • PORT ST. LUCIE • TALLAHASSEE • TAMPA • WEST PALM BEACH

DOCUMENT NUMBER-DATE
04426 JUN 27 =
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to operate water)
utility in Pasco County by Equity Lifestyle)
Properties, Inc., Hacienda Village)

Docket No. 110022-WS

AFFIDAVIT

STATE OF: FLORIDA
COUNTY OF: LEON

BEFORE ME personally appeared Maggie B. Freedman, who being duly sworn,
deposes and says:

1. On June 10, 2011, under my direction, supervision and control, a Notice of Application was sent by U.S. Mail to each of the utilities and governmental authorities identified on the service list provided to me by the Commission Staff for this purpose; and
2. A copy of the Notice is appended hereto as Attachment 1.
3. A copy of the service list referred to in paragraph 1 hereinabove is appended hereto as Attachment 2.

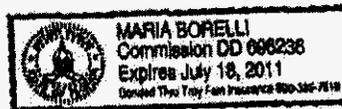
FURTHER AFFIANT SAYS NOT.

Maggie B. Freedman
Maggie B. Freedman
Legal Assistant

Sworn to and subscribed before me this 27th day of June 2011.

Personally known:
Produced identification: _____
Type of identification produced: _____

Maria Borelli
Notary Public
My Commission Expires:



DOCUMENT NUMBER-DATE
04426 JUN 27 =
FPSC-COMMISSION CLERK

APPLICATION FOR ORIGINAL CERTIFICATE
(FOR A PROPOSED OR EXISTING SYSTEM REQUESTING
INITIAL RATES AND CHARGES)

(Section 367.045, Florida Statutes)

LEGAL NOTICE

Notice is hereby given on June 10, 2011, pursuant to Section 367.045, Florida Statutes, of the application of HV Utility Systems, L.L.C., to operate a water utility to provide service to the following described territory in Pasco County, Florida.

A PARCEL OF LAND LYING AND BEING IN THE SOUTH ONE HALF OF SECTION 3, TOWNSHIP 26 SOUTH, RANGE 16 EAST, SAID LANDS LYING AND BEING IN PASCO COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE N89°38'46"W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 3 A DISTANCE OF 1780.46 FEET; THENCE N00°29'16"E A DISTANCE OF 398.00 FEET; THENCE N89°32'38"W A DISTANCE OF 308.26 FEET TO THE EAST RIGHT OF WAY LINE OF ROWAN ROAD; THENCE N18°44'48"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 165.39 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 830.00 FEET AND A CENTRAL ANGLE OF 08°31'42"; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 123.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N27°16'30"W A DISTANCE OF 366.71 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE S89°34'20"E A DISTANCE OF 3248.57 FEET TO THE WEST LINE OF CYPRESS KNOLLS SUBDIVISION AS RECORDED IN PLAT BOOK 15, PAGE 46 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE S00°26'03"W ALONG SAID WEST LINE OF CYPRESS KNOLLS SUBDIVISION A DISTANCE OF 988.85 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 3; THENCE N89°38'46"W ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 3 A DISTANCE OF 886.26 FEET TO THE POINT OF BEGINNING. CONTAINS 66.55 ACRES MORE OR LESS.

Any objection to the said application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

DOCUMENT NUMBER DATE

04426 JUN 27 =

FPSC-COMMISSION CLERK

Hacienda Village

**HV Utility Systems, L.L.C.
c/o Equity Lifestyle Properties, Inc.
Hacienda Village Mobile Home Park
7107 Gibraltar Avenue
New Port Richey, Florida 33637**

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
04/15/2011 - 06/13/2011**

<u>UTILITY NAME</u>	<u>MANAGER</u>
<u>PASCO COUNTY</u>	
ALLEN LAFORTUNE AND OTIS FONDER (WU556) 36645 SUNSHINE ROAD ZEPHYRHILLS, FL 33541-1182	ALLEN LAFORTUNE (813) 782-6929
AQUA UTILITIES FLORIDA, INC. (WS883) 2228 CAPITAL CIRCLE N.E., SUITE 1A TALLAHASSEE, FL 32308-4306	TROY RENDELL (850) 575-8500
CRESTRIDGE UTILITY CORPORATION (WU049) 4804 MILE STRETCH DRIVE HOLIDAY, FL 34690-4338	JUDY RIVETTE (727) 937-6275
HOLIDAY GARDENS UTILITIES, INC. (WU109) 4804 MILE STRETCH DRIVE HOLIDAY, FL 34690-4358	JUDY RIVETTE (727) 937-6275
HV UTILITY SYSTEMS, L.L.C. (SU866) % EQUITY LIFESTYLE PROPERTIES, INC. TWO NORTH RIVERSIDE PLAZA, SUITE 800 CHICAGO, IL 60606-2682	KENNETH KROOT (312) 279-1652
KEMPLE WATER COMPANY (WU132) 37502 MARCLIFF TERRACE ZEPHYRHILLS, FL 33541-8451	RICHARD KEMPLE (813) 782-2972
L W V UTILITIES, INC. (WU135) 7552 CONGRESS STREET, SUITE 4 NEW PORT RICHEY, FL 34653-1106	JAMES C. WEEKS (727) 849-9389
LABRADOR UTILITIES, INC. (WS851) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027	PATRICK C. FLYNN (407) 869-1919 EXT 1359
MAD HATTER UTILITY, INC. (WS155) 2348 RADEN DRIVE LAND O' LAKES, FL 34639-5136	LARRY G. DELUCENAY (813) 949-2167 OR -5977
NI FLORIDA, LLC (SU915) 10913 METRONOME HOUSTON, TX 77043-2201	MARSHA RULE (850) 681-6788
ORANGELAND WATER SUPPLY (WU179) 2109 OVERVIEW DRIVE NEW PORT RICHEY, FL 34655-4131	FRED J. SNELL (727) 372-8330

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
04/15/2011 - 06/13/2011**

<u>UTILITY NAME</u>	<u>PASCO COUNTY</u>	<u>MANAGER</u>
ORANGEWOOD LAKES SERVICES, INC. (WS180) 7602 CONGRESS STREET, SUITE 4 NEW PORT RICHEY, FL 34653-1107		ALFRED G. HEILER (727) 849-9555
PARADISE LAKES UTILITY, L.L.C. (WS446) 2348 RADEN DRIVE LAND O' LAKES, FL 34639-5136		JANICE L. DELUCENAY (813) 949-2167
SILVER FOX UTILITY COMPANY LLC D/B/A TIMBERWOOD UTILITIES (WS896) 4436 BRYNWOOD DRIVE NAPLES, FL 34119-8412		DAVID BOLLINGER (239) 593-6749
UTILITIES, INC. OF FLORIDA (WU372) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027		PATRICK C. FLYNN (407) 869-1919 EXT 1359
UTILITIES, INC. OF FLORIDA (SU640) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027		PATRICK C. FLYNN (407) 869-1919 EXT 1359

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
04/15/2011 - 06/13/2011**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, PASCO COUNTY
38053 LIVE OAK AVENUE
DADE CITY, FL 33525

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

MAYOR, CITY OF DADE CITY
P. O. BOX 1355
DADE CITY, FL 33526-1355

MAYOR, CITY OF NEW PORT RICHEY
5919 MAIN STREET
NEW PORT RICHEY, FL 34652

MAYOR, CITY OF PORT RICHEY
ATTN: CITY CLERK
6333 RIDGE ROAD
PORT RICHEY, FL 33668-6746

MAYOR, CITY OF SAN ANTONIO
32819 PENNSYLVANIA AVENUE
P. O. BOX 75
SAN ANTONIO, FL 33576-0075

MAYOR, CITY OF ST. LEO
P. O. BOX 2479
ST. LEO, FL 33574-2479

MAYOR, CITY OF ZEPHYRHILLS
5335 8TH STREET
ZEPHYRHILLS, FL 33540-5133

MIKE WELLS, PASCO COUNTY PROPERTY APPRAISER
14236 6TH STREET, SUITE 101
P. O. BOX 401
DADE CITY, FL 33526-0401

PASCO COUNTY ADMIN., 7530 LITTLE ROAD
PUBLIC WORKS UTILITY BUILDING
NEW PORT RICHEY, FL 34654

S.W. FLORIDA WATER MANAGEMENT DISTRICT
2379 BROAD STREET
BROOKSVILLE, FL 34609-6899

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
04/15/2011 - 06/13/2011**

UTILITY NAME

GOVERNMENTAL AGENCIES

MANAGER

TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTRE BLVD., SUITE 100
PINELLAS PARK, FL 33782

**LIST OF WATER AND WASTEWATER UTILITIES IN PASCO COUNTY
(VALID FOR 60 DAYS)
04/15/2011 - 06/13/2011**

UTILITY NAME

STATE OFFICIALS

MANAGER

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

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

PASCO TIMES

An Edition of the St. Petersburg Times

Published Daily

Port Richey, Pasco County, Florida

STATE OF FLORIDA COUNTY OF PASCO:

Before the undersigned authority personally appeared Lori Showen who on oath says that she is Legal Clerk of the Pasco Times a daily newspaper published at Port Richey, in Pasco County, Florida; that the attached copy of advertisement, being a Legal in the matter of RE: Application for artificate

_____ in the _____ Court was published in said newspaper in the issues of June 11, 2011

Affiant further says the said Pasco Times is a newspaper published at Port Richey, in said Pasco County, Florida, and that the said newspaper has heretofore been continuously published in said Pasco County, Florida, each day and has been entered as second class mail matter at the post office in Port Richey in said Pasco County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

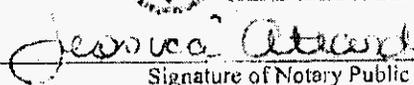


Signature of Affiant

Sworn to and subscribed before me this 11th day of June, 2011



JESSICA ATTARD
MY COMMISSION # EE 078485
EXPIRES: March 28, 2015
Blessed Thee, Sweet Mother, Goddess



Signature of Notary Public

Personally known X or produced identification _____

Type of identification produced _____

APPLICATION FOR ORIGINAL CERTIFICATE
(FOR A PROPOSED OR EXISTING SYSTEM REQUIRING INITIAL RATES AND CHARGES)
(Section 367.046, Florida Statutes)
LEGAL NOTICE

Notice is hereby given on June 10, 2011, pursuant to Section 367.046, Florida Statutes, of the application of MW Utility Systems, L.L.C., to operate a water utility to be made service to the following described territory in Pasco County, Florida:

A PARCEL OF LAND LYING AND BEING IN THE SOUTH ONE HALF OF SECTION 2, TOWNSHIP 26 SOUTH, RANGE 16 EAST, SAID LANDS LYING AND BEING IN PASCO COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 2; SAID POINT BEING THE POINT OF BEGINNING OF THE NEARBY DESCRIBED PARCEL; THENCE N87°10'00"W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 2 A DISTANCE OF 1788.00 FEET; THENCE N00°30'18"E A DISTANCE OF 308.50 FEET; THENCE S89°17'20"W A DISTANCE OF 308.25 FEET TO THE EAST RIGHT OF WAY LINE OF POWAN ROAD; THENCE N15°44'48"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 166.10 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 834.00 FEET AND A CENTRAL ANGLE OF 92°31'42"; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 120.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N27°16'10"W A DISTANCE OF 547.11 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE S05°34'20"E A DISTANCE OF 1288.00 FEET TO THE WEST LINE OF CYPRESS RHOLES SUBDIVISION AS RECORDED IN PLAT BOOK 15, PAGE 48 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE S00°00'00"W ALONG SAID WEST LINE OF CYPRESS RHOLES SUBDIVISION A DISTANCE OF 984.00 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 2; THENCE N89°10'42"W ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 2 A DISTANCE OF 842.76 FEET TO THE POINT OF BEGINNING, CONTAINING MORE OR LESS.

Any objection to the said application must be made in writing and filed with the office of the Pasco County Clerk, Florida, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32305-0850, within thirty (30) days from the date of this notice. At the same time, a copy of this objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds of the objection with particularity.

MW Utility Systems, L.L.C.
c/o Equity Lifestyle Properties, Inc.
Hacienda Village Mobile Home Park
7307 Gibraltar Avenue
New Port Richey, Florida 33637
(727) 466-6444 (N/11/11)