

Eric Fryson

From: Dana Rudolf [drudolf@sfflaw.com]
Sent: Monday, August 06, 2012 4:41 PM
To: Filings@psc.state.fl.us
Cc: Martin Friedman
Subject: 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

Attachments: NOF (Amended Exhibit E - AOM).pdf

- a) Martin S. Friedman, Esquire
Sundstrom, Friedman & Fumero, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
(407) 830-6331
mfriedman@sfflaw.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. in Brevard County,
Florida
- c) Aquarina Utilities, Inc.
- d) 7 pages
- e) Notice of Filing Amended Exhibit "E."

8/6/2012

DOCUMENT NUMBER-DATE
05364 AUG-6 2012
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to transfer assets and Certificate Nos. 517-W and 450-S of Service Management Systems, Inc. to Aquarina Utilities, Inc., in Brevard County.

Docket No. 110061-WS

NOTICE OF FILING AMENDED EXHIBIT "E" TO THE APPLICATION

Applicant, AQUARINA UTILITIES, INC., by and through its undersigned counsel, hereby gives notice of filing in the above-referenced docket, the Amended Exhibit "E" to the Application.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this 6th day of August, 2012, to:

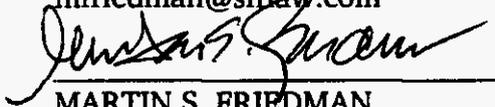
Ralph R. Jaeger, Senior Attorney
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

James I. Minnes
25 Grovehurst Drive
Ottawa, Ontario, Canada K2G

James I. Minnes
208 Osprey Villas Court
Melbourne Beach, FL 32951

Respectfully submitted this 6th day of August, 2012, by:

Sundstrom, Friedman & Fumero, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
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MARTIN S. FRIEDMAN
Florida Bar No.: 0199060
For the Firm

DOCUMENT NUMBER-DATE

05364 AUG-6 2012

FPSC-COMMISSION CLERK

AMENDED
AFFIDAVIT OF MAILING

STATE OF FLORIDA
COUNTY OF SEMINOLE

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared DANA RUDOLF, who, after being duly sworn on oath, did depose of oath and say that she is the secretary of Martin S. Friedman, attorney for Aquarina Utilities, Inc., and that on the 25th of February, 2012, she did send by U.S. Mail a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

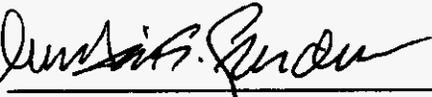
FURTHER AFFIANT SAYETH NAUGHT.



DANA RUDOLF

Sworn and subscribed before me this 10th day of August, 2012, by Dana Rudolf, who is personally known to me.





NOTARY PUBLIC – State of Florida
Print Name: _____
My Commission Expires: _____

EXHIBIT "E"

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

NOTICE IS HEREBY given on the 25th day of February, 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.

BREVARD COUNTY

Aqua Utilities Florida, Inc.
Attn: Troy Rendell
2228 Capital Circle N.E., Suite 1A
Tallahassee, FL 32308-4306

Colony Park Utilities, Inc.
Attn: Michael Abramowitz
6786 Mangrove Drive
Merritt Island, FL 32953-6849

East Central Florida Services, Inc.
Attn: James B. Payne
4550 Deer Park Road
St. Cloud, FL 34773

Farmton Water Resources, LLC
Attn: F. Marshall Deterding
1625 Osteen Maytown Road
Osteen, FL 32764-9632

Northgate Properties, Inc.
Attn: Lester Grooms
3277 First Avenue
Mims, FL 32754-3134

Service Management Systems, Inc.
Attn: Dennis Basile
826 Creel Street
Melbourne, FL 32935-5992

GOVERNMENTAL AGENCIES

Clerk, Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, FL 32781-0999

DEP Central District
3319 Maguire Blvd., Suite 232
Orlando, FL 32803-3767

East Central Florida Planning Council
631 North Wymore Road, Suite 100
Maitland, FL 32751

Mayor, City of Cape Canaveral
Post Office Box 326
Cape Canaveral, FL 32920-0326

Mayor, City of Cocoa
603 Brevard Avenue
Cocoa, FL 32922-7807

Mayor, City of Cocoa Beach
Utilities Director
Post Office Box 322430
Cocoa Beach, FL 32932-2430

Mayor, City of Indian Harbour Beach
2055 South Patrick Drive
Indian Harbour Beach, FL 32937-4447

Mayor, City of Melbourne
900 East Strawbridge Avenue
Melbourne, FL 32901-4739

Mayor, City of Palm Bay
120 Malabar Road, S.E.
Palm Bay, FL 32907-3009

Mayor, City of Rockledge
1600 Huntington Lane
Rockledge, FL 32955-2617

Mayor, City of Satellite Beach
565 Cassia Blvd.
Satellite Beach, FL 32937-3197

Mayor, City of Titusville
Post Office Box 2806
Titusville, FL 32781-2806

Mayor, City of West Melbourne
2285 Minton Road
West Melbourne, FL 32904-4916

Mayor, Town of Indialantic
216 Fifth Avenue
Indialantic, FL 32903-3199

Mayor, Town of Malabar
2725 Malabar Road
Malabar, FL 32950-1427

Mayor, Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, FL 32951-2523

Mayor, Town of Melbourne Village
555 Hammock Road
Melbourne Village, FL 32904-2513

Mayor, Town of Palm Shores
5030 Paul Hurtt Lane
Palm Shores, FL 32940-7200

St. Johns River Wtr. Management District
Post Office Box 1429
Palatka, FL 32178-1429

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