

RAINTREE HARBOR UTILITIES, LLC
P.O. Box 350065
Grand Island, Florida 32735-0065
(352) 459 - 8747

RECEIVED- FPSC
12 NOV - 8 AM 9: 20
COMMISSION
CLERK

November 4, 2012

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

120284-WU

Re: Application for Amendment to Certificate to Extend Service
Raintree Harbor Utilities, LLC
WU 953

Dear Ms Cole:

Attached is the original and four (4) copies of the filing of Raintree Harbor Utilities, LLC's application for approval to amend its Certificate to extend service in Lake County, Florida. Also attached is the required filing fee of \$100.00. Raintree Harbor Utilities, LLC is a Class C utility which is currently providing water service to 116 customers in Lake County, Florida. The property owner of an adjacent parcel of land is requesting service from Raintree Harbor Utilities, LLC. However, this property is outside of the current service territory of Raintree Harbor Utilities, LLC. Therefore, Raintree Harbor Utilities, LLC is requesting an amendment to its current Certificate in order to serve this property owner.

If you have any questions, please feel free to contact me at (352) 602-4170 or via email at gpconnollyjr@gmail.com. Thank you.

Sincerely,

RAINTREE HARBOR UTILITIES, LLC.

Gerard P. Connolly
Gerard P. Connolly Jr., P.E.

Check amount to be deposited for deposit. Please provide deposit information to Records.
Initials of person who forwarded check:
[Signature]

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- TEL _____
- CLK _____

Enclosures

1 - Orig Map Forwarded

NOV 8 2012

DOCUMENT NUMBER-DATE

07536 NOV-8 12

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Raintree Harbor Utilities, LLC.'s Application
For Approval For Amendment of Certificate
To Extend Service for Raintree Harbor Water System
in Lake County, Florida.

120284-WU

**RAINTREE HARBOR UTILITIES, LLC.'s APPLICATION
FOR AMENDMENT TO CERTIFICATE TO EXTEND SERVICE
IN LAKE COUNTY, FLORIDA**

Raintree Harbor Utilities, LLC. ("Buyer"), pursuant to Florida Statutes, Chapter 367, and Rule 25-30.036 of the Florida Administrative Code, hereby files this application for approval for amendment to Certificate of Authorization in Lake County, Florida. In support of the Application, Raintree Harbor Utilities, LLC. submits the following information:

25-30.036 Application for Amendment to Certificate of Authorization to Extend Service.

- (1) This rule applies to any certificated water or wastewater utility that proposes to extend its service territory into an area in which there is no existing water or wastewater system or proposes to delete a portion of its service territory.
- (2) The person(s) or business(es) requesting water or wastewater service have demonstrated to the utility that service is necessary because (1) a private well has been contaminated or gone dry, (2) a septic tank has failed, or (3) service is otherwise not available. Service is not otherwise available for the property owned by Mr. Rodney Dilday. Therefore, subsection 2 applies.
- (3) Each utility proposing to extend its service area (except applications filed pursuant to subsection (2) above, which shall file only (a), (d), (e), (i), (m), (o), (p), (q) and (r) listed below), shall provide the following:
 - (a) The utility's complete name and address :
Raintree Harbor Utilities, LLC.
P.O. Box 350065
Grand Island, FL 32735
(352) 459-8747
gpconnollyjr@gmail.com
 - (d) Evidence that the utility owns the land upon which the utility treatment facilities that will serve the proposed territory are located or a copy of an agreement, such as a 99-year lease, which provides for the continued use of the land. The Commission may consider a written easement or other cost-effective alternative:
Attached is Exhibit A, which is a copy of the deed for the water treatment plant.

-
- (e) A description of the territory proposed to be served, using township, range and section references as specified in subsection 25-30.030(2), F.A.C.;

The following is the legal description of the property to be served:

That part of Government Lots 6 and 7 in Section 28, Township 18 South, Range 26 East in Lake County, Florida, bounded and described as follows: Commence at the Southwest corner of Government Lot 7 and run South 89° 45' 30" East along the South line of said Government Lot 7 a distance of 1,264.65 feet to a point on the Northeasterly right-of-way line of State Road No. 452; said right-of-way being 100 feet in width; said point also being the point of beginning of this description; from said point of beginning, continue South 89° 45' 30" East along the south line of said Government Lot 7 and along the South line of the aforementioned Government Lot 6 a distance of 870 feet, more or less, to a point on the Southwesterly water's edge of Lake Yale; said point hereby designated as point "A"; return to the point of beginning and run North 35° 16' 30" West along said Northeasterly right-of-way line of State Road No. 452 a distance of 150.00 feet; thence North 73° 33' 24" East 749 feet, more or less, to a point on the aforementioned Southwesterly water's edge of Lake Yale; thence, Southeasterly along and with said Southwesterly water's edge of Lake Yale to intersect the aforementioned Point "A". Subject to all easements, rights-of-way and restrictions of record, if any.

-
- (i) One copy of the official county tax assessment map or other map showing township, range, and section, with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning;

Attached is Exhibit B, which is a plat map of the subject property to be added to Raintree Harbor Utilities, LLC's existing service area. Also attached is Exhibit C, which is map of the Raintree Harbor Subdivision Section 1, which is adjacent to the proposed property to be served.

-
- (m) A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, commercial, etc.;

The proposed property will be a single family home. The property owner will obtain a utility easement from an existing Raintree Harbor property owner and will install a single service line to an existing water main located on Lake Yale Drive in the Raintree Harbor Subdivision Section 1.

-
- (o) The original and two copies of sample tariff sheets reflecting the additional service area;

Attached is Exhibit D, which is a copy of the original tariff sheet with legal description of the existing Raintree Harbor Utilities, LLC's service area. Also enclosed is Exhibit E which contains revised tariff sheets showing the addition of the aforementioned property. (In order to save paper, only tariff sheets 3.0 - 3.2 have been included in this filing.)

-
- (p) The applicant's current certificate for possible amendment;

Attached is Exhibit F, which is the first page of the Florida Public Service Commission order granting a Certificate to Raintree Harbor Utilities, LLC.

-
- (q) The number of the most recent order of the Commission establishing or changing the applicant's rates and charges;

The most recent order of the Commission establishing the applicants rates and charges is PSC-08-0483-PAA-WU, issued on 10/01/2008 in Docket No. 070627-WU.

-
- (r) An affidavit that the utility has tariffs and annual reports on file with the Commission;

The utility has tariffs and annual reports on file with the Florida Public Service Commission.

I, Gerard P. Connolly Jr (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

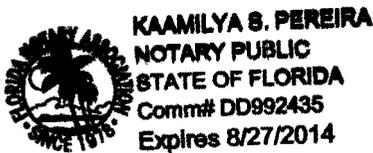
BY: Gerard P. Connolly Jr
Applicants Signature

Gerard P. Connolly Jr.
Applicants Name (Typed)

Applicants Title

Subscribed and sworn to before me this 31st day in the month of October in the year of 2012 by Gerard P. Connolly who is personally known to me or produced identification

N/A
Type of Identification Produced



Kaamilya S. Pereira
Notary Public Signature

Kaamilya S. Pereira
Print Name of Notary Public

* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

EXHIBIT A

WARRANTY DEED FOR RAINTREE HARBOR WATER TREATMENT PLANT



INSTRUMENT #2012049080
 OR BK 4160 PG 370 - 370 (1 PGS)
 DATE: 5/10/2012 4:11:50 PM
 NEIL KELLY, CLERK OF THE CIRCUIT COURT
 LAKE COUNTY
 RECORDING FEES \$10.00 DEED DOC \$420.00

Prepared by and return to:
 Scott A. Gerken
 Attorney at Law
 Stone & Gerken, P.A.
 4850 N. Highway 19A
 Mount Dora, FL 32757
 352-357-0330
 File Number: DT-12-36
 Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This **Warranty Deed** made this **9th** day of **May, 2012** between **Raintree Utilities, Inc., a Florida corporation** whose post office address is **PO Box 1840, Eustis, FL 32727**, grantor, and **Raintree Harbor Utilities, LLC, a Florida limited liability company** whose post office address is **3225 Site to See Avenue, Eustis, FL 32726**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

Tract "C", RAINTREE HARBOR SECTION TWO, according to the map or plat thereof as recorded in Plat Book 32, Page(s) 20, Public Records of Lake County, Florida.

Parcel Identification Number: 33-18-26-046000C00000

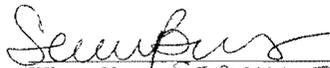
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2011**.

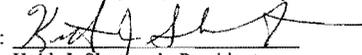
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


 Witness Name: SERENA BURROWS


 Witness Name: Tanya Farmer

Raintree Utilities, Inc., a Florida corporation

By: 
 Keith J. Shamrock, President

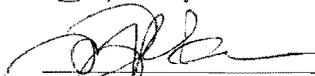
(Corporate Seal)

State of Florida
 County of Lake

The foregoing instrument was acknowledged before me this 9th day of May, 2012 by Keith J. Shamrock of Raintree Utilities, Inc., a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]




 Notary Public

Printed Name: _____

My Commission Expires: _____

*MAP FORWARDED
TO ENG*

EXHIBIT B

**PLAT MAP OF
PROPERTY TO BE
INCLUDED IN
RAINTREE HARBOR
SERVICE TERRITORY**

EXHIBIT D

ORIGINAL TARIFF SHEETS 3.0 – 3.2

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER - 539 -W

COUNTY - LAKE

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-92-0019-FOF-WU	03/10/92	911039-WU	Original Certificate
PSC-00-0843-FCF-WU	04/28/00	000149-WU	Transfer Majority Control
PSC-12-0260-PAA-WU	05/29/12	110302-WU	Transfer of Certificate

(Continued to Sheet No. 3.1)

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

Raintree Harbor Section One

In Section 33, Township 18 South, Range 26 East

That part of the following described property lying northeasterly of County Road No. 452. The West ½ of the Northwest ¼ of the Northwest ¼ and a strip of land 536 feet wide north and south across the north side of the East ½ of the Northwest ¼ of the Northwest ¼ and across the Northeast ¼ of the Northwest ¼ of Section 33, Township 18 South, Range 26 East, lying and being in Lake County, Florida.

Also, Begin 45-1/3 yards north of the Southwest corner of the Northeast ¼ of the Northwest ¼ of Section 33, Township 18 South, Range 26 East; thence west 220 yards, thence north 216 yards, thence east to Lake Yale, thence southerly along Lake Yale to point east of beginning; thence west to beginning, lying and being in Lake County, Florida. Being further described as follows:

From the Northwest corner of the Northwest ¼ of Section 33, Township 18 South, Range 26 East, Lake County, Florida, run South 89° 49'04" East, along the north line of said Northwest ¼ of Section 33 a distance of 1,264.15 feet to the Point of Beginning, said point being on the northeasterly right-of-way line of County Road No. 452; thence, continue South 89° 49'04" East, along said north line a distance of 863.19 feet to a point called Point "A" for reference; thence continue South 89° 49'04" East, along said north line a distance of 507.11 feet, more or less, to the east line of said Northwest ¼ of Section 33; thence southerly along said east line to a point on the south line of the north 536.00 feet of said Northwest ¼ of Section 33; thence North 89° 49'04" West, along said south line a distance of 405 feet, more or less, to the shore line of Lake Yale; thence run southerly along said shore line a distance of 670 feet, more or less, to the south line of the north 1,184.00 feet of said Northwest ¼ of Section 33; thence North 89° 49'04" West, along said south line a distance of 45.97 feet, more or less, to a point called Point "B" for reference, being South 09° 09'00" East, and 1,199.88 feet from aforesaid Point "A"; thence continue North 89° 49'04" West, along said south line a distance of 214.03 feet to the aforesaid northeasterly right-of-way line of County Road No. 452; thence North 35° 17'31" West, along said right-of-way line a distance of 1,453.87 feet to the Point of Beginning. Containing 14.8 acres more or less, not including that portion of Lake Yale.

(Continued to Sheet No. 3.2)

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF

(Continued from Sheet No. 3.1)

DESCRIPTION OF TERRITORY SERVED

Raintree Harbor Section Two

In Section 33, Township 18 South, Range 26 East

Begin at the Northwest corner of the Northwest $\frac{1}{4}$ of Section 33, Township 18 South, Range 26 East, Lake County, Florida, run South $89^{\circ}49'04''$ East, along the north line of said Northwest $\frac{1}{4}$ of Section 33 a distance of 1,141.36 feet to the southwesterly right-of-way line of County Road No. 452; thence South $35^{\circ}17'31''$ East, along said right-of-way line a distance of 1,453.87 feet to a point on the south line of the north 1,184.00 feet of said Northwest $\frac{1}{4}$ of Section 33; thence North $89^{\circ}49'04''$ West, along said south line a distance of 1,322.67 feet to a point on the east line of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 33; thence South $00^{\circ}12'15''$ East, along said east line a distance of 144.68 feet to the south line of said West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33; thence North $89^{\circ}39'54''$ West, along said south line of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33 a distance of 659.65 feet to the west line of said Northwest $\frac{1}{4}$ of Section 33; thence North $00^{\circ}01'15''$ East, along said west line a distance of 1,326.92 feet to the Point of Beginning. Containing 44.62 acres, more or less.

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

EXHIBIT E

**REVISED TARIFF
SHEETS 3.0 – 3.2**

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER - 539 -W

COUNTY - LAKE

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-92-0019-FOF-WU	03/10/92	911039-WU	Original Certificate
PSC-00-0843-FCF-WU	04/28/00	000149-WU	Transfer Majority Control
PSC-12-0260-PAA-WU	05/29/12	110302-WU	Transfer of Certificate
PSC-12			Amendment

(Continued to Sheet No. 3.1)

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF
(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

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Also, Begin 45-1/3 yards north of the Southwest corner of the Northeast ¼ of the Northwest ¼ of Section 33, Township 18 South, Range 26 East; thence west 220 yards, thence north 216 yards, thence east to Lake Yale, thence southerly along Lake Yale to point east of beginning; thence west to beginning, lying and being in Lake County, Florida. Being further described as follows:

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(Continued to Sheet No. 3.2)

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

NAME OF COMPANY: RAINTREE HARBOR UTILITIES, LLC

WATER TARIFF

(Continued from Sheet No. 3.1)

DESCRIPTION OF TERRITORY SERVED

Raintree Harbor Section Two

In Section 33, Township 18 South, Range 26 East

Begin at the Northwest corner of the Northwest $\frac{1}{4}$ of Section 33, Township 18 South, Range 26 East, Lake County, Florida, run South $89^{\circ}49'04''$ East, along the north line of said Northwest $\frac{1}{4}$ of Section 33 a distance of 1,141.36 feet to the southwesterly right-of-way line of County Road No. 452; thence South $35^{\circ}17'31''$ East, along said right-of-way line a distance of 1,453.87 feet to a point on the south line of the north 1,184.00 feet of said Northwest $\frac{1}{4}$ of Section 33; thence North $89^{\circ}49'04''$ West, along said south line a distance of 1,322.67 feet to a point on the east line of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 33; thence South $00^{\circ}12'15''$ East, along said east line a distance of 144.68 feet to the south line of said West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33; thence North $89^{\circ}39'54''$ West, along said south line of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33 a distance of 659.65 feet to the west line of said Northwest $\frac{1}{4}$ of Section 33; thence North $00^{\circ}01'15''$ East, along said west line a distance of 1,326.92 feet to the Point of Beginning. Containing 44.62 acres, more or less.

Also, that part of Government Lots 6 and 7 in Section 28, Township 18 South, Range 26 East in Lake County, Florida, bounded and described as follows: Commence at the Southwest corner of Government Lot 7 and run South $89^{\circ}45'30''$ East along the South line of said Government Lot 7 a distance of 1,264.65 feet to a point on the Northeasterly right-of-way line of State Road No. 452; said right-of-way being 100 feet in width; said point also being the point of beginning of this description; from said point of beginning, continue South $89^{\circ}45'30''$ East along the south line of said Government Lot 7 and along the South line of the aforementioned Government Lot 6 a distance of 870 feet, more or less, to a point on the Southwesterly water's edge of Lake Yale; said point hereby designated as point "A"; return to the point of beginning and run North $35^{\circ}16'30''$ West along said Northeasterly right-of-way line of State Road No. 452 a distance of 150.00 feet; thence North $73^{\circ}33'24''$ East 749 feet, more or less, to a point on the aforementioned Southwesterly water's edge of Lake Yale; thence, Southeasterly along and with said Southwesterly water's edge of Lake Yale to intersect the aforementioned Point "A". Subject to all easements, rights-of-way and restrictions of record, if any.

Gerard P. Connolly
Issuing Officer

Registered Agent
Title

EXHIBIT F

**FIRST PAGE OF
RAINTREE HARBOR
ORDER**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Raintree Utilities, Inc. in Lake County for the transfer of the Bentwood water facilities to the Bentwood Homeowners Association, Inc., and the transfer of the Raintree Harbor water facilities and Certificate No. 539-W to Raintree Harbor Utilities, LLC.

DOCKET NO. 110302-WU
ORDER NO. PSC-12-0260-PAA-WU
ISSUED: May 29, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING NET BOOK VALUE
AND

FINAL ORDER APPROVING THE TRANSFER OF THE BENTWOOD WATER SYSTEM
FROM RAIN TREE UTILITIES, INC. TO BENTWOOD HOMEOWNERS ASSOCIATION,
INC. AND APPROVING THE TRANSFER OF THE RAIN TREE HARBOR WATER
SYSTEM TO RAIN TREE HARBOR UTILITIES, LLC

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein, except for the actions approving the transfer of the Bentwood water system from Raintree Utilities, Inc. to the Bentwood Homeowners Association, Inc., and the transfer of the Raintree Harbor water system to Raintree Harbor Utilities, LLC, are preliminary in nature, and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

Background

Raintree Utilities, Inc. (Raintree, Utility, or seller) is a Class C water utility serving the Raintree Harbor and Bentwood water systems in Lake County. The Raintree Harbor system is built-out with 117 customers. The Bentwood water system is a new development with one customer and 80 vacant lots. The Utility is located in the St. Johns River Water Management District (SJRWMD), which has permanent water restriction rules in place. The Utility's 2011

03412 MAY 23 2012

PSC-12-0260-PAA-WU