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tcrabb@radeylaw.com

November 23, 2022

Via Electronic Filing

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Application for Amendment of Certificate – Water Certificate No. 405-W,
Wastewater Certificate No. 342-S; Tradewinds Utilities, Inc.

Dear Commission Clerk:

Attached please find an Application for Amendment of Certificate relating to Water Certificate No. 405-W and Wastewater Certificate No. 342-S of Tradewinds Utilities, Inc. A filing fee in the amount of \$200.00 will be separately hand delivered to the Office of Commission Clerk.

Sincerely,

/s/ Thomas A. Crabb

Thomas A. Crabb
Susan F. Clark
Attorneys for Applicant
Tradewinds Utilities, Inc.

**APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION, QUICK TAKE EXTENSION, OR DELETION)**

**(Pursuant to Section 367.045, Florida Statutes, and
Rule 25-30.036, Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for amendment of Water Certificate No. 405-W and/or Wastewater Certificate No. 342-S to add or delete territory located in Marion County, Florida, and submits the following information:

Please check the type of amendment being requested. Based upon the type of amendment requested, please complete the following parts of the application. Where specific items are listed, only those items need to be completed under that part.

- Extension: Complete Parts I, II, V, and VI
- Quick Take: Complete Parts I, II (only items B-1, 2, 4, 6 and D-1, 2, 3), III, V, and VI
- Deletion: Complete Parts I, II (only items D-1, 2, 3), IV, V, and VI

PART I APPLICANT INFORMATION

A) Contact Information for Utility. The utility's certificated name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Tradewinds Utilities, Inc.
Utility Name

12601 SE Sunset Harbor Rd
Office Street Address

| | | |
|------------------|-----------|--------------|
| <u>Weirsdale</u> | <u>FL</u> | <u>32195</u> |
| City | State | Zip Code |

N/A
Mailing Address (if different from Street Address)

| | | |
|--|-------|----------------|
| City | State | Zip Code |
| (352) 843-7790 | | (352) 732-4366 |
| Phone Number | | Fax Number |
| 59-2323148 | | |
| Federal Employer Identification Number | | |
| charlie@altfo.com | | |
| E-Mail Address | | |
| None | | |
| Website Address | | |

B) The contact information of the authorized representative to contact concerning this application:

| | | |
|---|-------|----------------|
| Thomas A. Crabb, Esq. and Susan F. Clark, Esq. / Radey Law Firm | | |
| Name | | |
| 301 South Bronough Street, Suite 200 | | |
| Mailing Address | | |
| Tallahassee | FL | 32301 |
| City | State | Zip Code |
| (850) 425-6654 | | (850) 425-6694 |
| Phone Number | | Fax Number |
| tcrabb@radeylaw.com; sclark@radeylaw.com; sturner@radeylaw.com; dgueltzow@radeylaw.com | | |
| E-Mail Address | | |

PART II

TERRITORY AMENDMENT

Part II should be completed as follows based upon the type of amendment requested.

Extension: Complete all items under Part II

Quick Take Extension: Only need to complete items B-1, 2, 4, 6 and D-1, 2, 3.

Deletion: Only need to complete items D-1, 2, 3.

A) NEED FOR SERVICE IN THE PROPOSED AREA

- 1) Exhibit N/A - The number of customers currently being served and proposed to be served, by customer class and meter size, including a description of the types of customers anticipated to be served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, commercial.

N/A

- 2) Exhibit N/A - Provide a copy of all requests from service from property owners or developers in areas not currently served.

- 3) Exhibit N/A - Provide a copy of the current land use designation of the proposed service territory as described in the local comprehensive plan at the time the application is filed. If the proposed development will require a revision to the comprehensive plan, describe the steps taken and to be taken to facilitate those changes, including changes needed to address the proposed need for service.

- 4) Exhibit N/A - Provide a statement of any known land use restrictions, such as environmental restrictions imposed by governmental authorities.

N/A

B) TERRITORY DESCRIPTION, MAPS, FACILITIES, AND TECHNICAL ABILITY

- 1) Exhibit N/A - If the utility is planning to build a new water or wastewater treatment plant to serve the proposed territory, provide documentation of the utility's right to access and continued use of the land upon which the new utility treatment facilities that will serve the proposed territory will be located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded lease such as a 99-year lease, or recorded easement. The applicant may submit an unrecorded copy of the instrument granting the utility's right to access and continued use of the land upon which the utility treatment facilities are or will be located, provided the applicant files a recorded copy within the time prescribed in the order granting the amendment to the certification of authorization.

- 2) Exhibit A - Provide a legal description of the territory proposed to be served in the format prescribed in Rule 25-30.029, F.A.C. In addition, if the extension of territory is adjacent to existing territory, provide one complete legal description of the resulting territory including both existing and expanded portions.
- 3) Exhibit N/A - Provide a detailed system map showing the proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided in B-1 above. If the territory to be served is adjacent to the utility's existing territory, provide a complete map showing both existing and expanded territories. The map shall be of sufficient scale and detail to enable correlation with the description of the territory.
- 4) Exhibit B - Provide an 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, consistent with the legal description provided in B-1 above.
- 5) Exhibit N/A - Provide a statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.

N/A

- 6) Exhibit C - Provide a copy of all current permits issued by the Department of Environmental Protection (DEP) and by the water management district.
- 7) Exhibit N/A - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary water quality standards report.
- 8) Exhibit N/A - Provide a copy of all correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past five years.

C) FINANCIAL ABILITY

- 1) Exhibit N/A - Provide a detailed statement regarding the proposed method of financing the construction and the projected impact on the utility's capital structure.

N/A

- 2) Exhibit N/A - Provide a statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

N/A

D) PROPOSED TARIFF AND RATE INFORMATION

- 1) Exhibit D - Provide a tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.036, F.A.C., for information about water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

- 2) Exhibit see below - Provide the number of the most recent order of the Commission establishing or changing the applicant's rates and charges.

The last Commission Order revising rates is Order No. PSC-11-0385-PAA-WS in 2011. Since then, rates have been changed via applications for price index rate adjustments.

- 3) Exhibit E - An affidavit that the utility has tariffs and annual reports on file with the Commission.

PART III QUICK TAKE EXTENSION ADDITIONAL INFORMATION

- A) Exhibit see below - Provide a written statement that the proposed new territory includes a maximum of 25 equivalent residential connections within such territory at the time the territory is at buildout. In addition, the statement should include 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, or commercial.

The proposed new territory includes a maximum of 25 equivalent residential connections within such territory at the time the territory is at buildout. The types of customers to be served by the extension are a mix of single and multifamily homes and commercial.

- B) Exhibit see below - Provide a written statement that upon investigation:

- 1) There is no other utility in the area of the proposed territory that is willing and capable of providing reasonably adequate service to the new territory.

Upon investigation, there is no other utility in the area of the proposed territory that is willing and capable of providing reasonably adequate service to the new territory.

- 2) The person(s) or business(es) requesting water or wastewater service have demonstrated to the utility that service is necessary because: (Check all that apply)
- (a) a private well has been contaminated or gone dry ,
 - (b) a septic tank has failed , or
 - (c) service is otherwise not available .

PART IV TERRITORY DELETION ADDITIONAL INFORMATION

- A) Exhibit N/A - Provide a statement specifying the reasons for the proposed deletion of territory.

N/A

- B) Exhibit N/A - Provide a legal description of the territory proposed to be deleted in the format prescribed in Rule 25-30.029, F.A.C., along with a complete legal description of the remaining territory.

- C) Exhibit N/A - Provide a detailed system map with the territory proposed to be deleted and retained plotted thereon, consistent with the legal description provided in B above. The map shall show the existing lines and treatment facilities in the area retained and shall be of sufficient scale and detail to enable correlation with the description of the territory.
- D) Exhibit N/A - Provide an 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 territory proposed to be deleted plotted thereon, consistent with the legal description provided in B above.
- E) Exhibit N/A - Provide a description of the number of current active connections within the territory to be deleted, as well as the number of connections retained. For each active connection in the area to be deleted, if any, the statement must detail the effect of the proposed deletion on the ability of those customers to receive water and wastewater services, including alternative source(s) of service.

N/A

PART V NOTICING REQUIREMENTS

Exhibit F - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART VI SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY:



Applicant's Signature

Charles deMenzes on behalf of Tradewinds Utilities, Inc.

Applicant's Name (Printed)

President

Applicant's Title

11-15-12

Date

EXHIBIT A

Legal Descriptions of Territory:

Legal description of the territory proposed to be served in the format described in Rule 25-30.029, F.A.C.

Expansion to the water territory

SERVICE AREA DESCRIPTION: NW PARCEL

A parcel of land located in the NW 1/4 of the SW 1/4 of Section 34, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NE corner of the SW 1/4 of the NW 1/4 of said Section 34; thence run South for 1,980.99 feet; thence West for 350.10 feet to the POINT OF BEGINNING; thence South 00°01'51" East for 206.26 feet; thence North 89°39'27" West for 962.16 feet to the East right of way of NE 25th Avenue; thence North 00°26'51" East along said right of way for 200.00 feet; thence leaving said right of way, run North 89°58'09" East for 960.47 feet back to the Point of Beginning. Containing 4.5 acres, more or less.

SERVICE AREA DESCRIPTION: SW PARCEL

A parcel of land located in the W 1/2 of the SW 1/4 of Section 34, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NE corner of the SW 1/4 of the NW 1/4 of said Section 34; thence run South for thence South for 2,456.42 feet; thence West for 870.12 feet to the POINT OF BEGINNING; thence South 00°19'52" East for 260.38 feet; thence South 89°40'08" West for 444.39 feet to the East right of way of NE 25th Avenue; thence North 00°17'21" West along said right of way for 260.38 feet; thence leaving said right of way, run North 89°40'08" East for 444.20 feet back to the Point of Beginning. Containing 2.7 acres, more or less.

SERVICE AREA DESCRIPTION: NE PARCEL

A parcel of land located in the SW 1/4 of the NW 1/4 of Section 35, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NW corner of Tract "E" of Countryside Estates First Addition thence East for 232.55 feet to the East right of way of NE 36th Avenue; thence North along said right of way for 171.95 feet to a point on POINT OF BEGINNING; thence continue North along said right of way for 443.75 feet to the North right of way of NE 43rd Place; thence East along said right of way for 240.00 feet; thence leaving said right of way, run North for 200.00 feet to the South right of

way of NE 44th Street; thence run East along said right of way for 120.00 feet; thence leaving said right of way, run South for 200.00 feet to the North right of way of NE 43rd Place; thence East along said right of way for 120.00 feet; thence leaving said right of way, run North for 100.00 feet; thence East for 180.00 feet; thence South for 543.75 feet; thence West for 660.00 feet back to the Point of Beginning. Containing 7.7 acres, more or less.

SERVICE AREA DESCRIPTION: SE PARCEL

A parcel of land located in the SW 1/4 of Section 35, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NW corner of Tract "E" of Countryside Estates First Addition thence East for 232.55 feet to the East right of way of NE 36th Avenue; thence South along said right of way for 1,011.60 feet to the POINT OF BEGINNING; thence leaving said right of way, run South 89°50'02" East for 1,550.98 feet to the West right of way of a railroad; thence South 17°07'38" East along said right of way for 246.74 feet; thence leaving said right of way, run North 89°58'40" West for 1,169.59 feet; thence South 00°06'58" West for 226.25 feet; thence North 89°53'21" West for 30.00 feet; thence South 00°06'58" West for 250.00 feet; thence North 89°53'22" West for 426.17 feet to the East right of way of NE 36th Avenue; thence North 00°14'51" East along said right of way for 715.21 feet back to the Point of Beginning. Containing 13.5 acres, more or less.

Expansion to the wastewater territory

SERVICE AREA DESCRIPTION: NE PARCEL

A parcel of land located in the SW 1/4 of the NW 1/4 of Section 35, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NW corner of Tract "E" of Countryside Estates First Addition thence East for 232.55 feet to the East right of way of NE 36th Avenue; thence North along said right of way for 171.95 feet to a point on POINT OF BEGINNING; thence continue North along said right of way for 443.75 feet to the North right of way of NE 43rd Place; thence East along said right of way for 240.00 feet; thence leaving said right of way, run North for 200.00 feet to the South right of way of NE 44th Street; thence run East along said right of way for 120.00 feet; thence leaving said right of way, run South for 200.00 feet to the North right of way of NE 43rd Place; thence East along said right of way for 120.00 feet; thence leaving said right of way, run North for 100.00 feet; thence East for 180.00 feet; thence South for 543.75 feet; thence West for 660.00 feet back to the Point of Beginning. Containing 7.7 acres, more or less.

SERVICE AREA DESCRIPTION: SE PARCEL

A parcel of land located in the SW 1/4 of Section 35, T-14-S, R-22-E, Marion County Florida, having bearings based upon Geodetic North and being more particularly described as follows:

Commencing at the NW corner of Tract "E" of Countryside Estates First Addition thence East for

232.55 feet to the East right of way of NE 36th Avenue; thence South along said right of way for 1,011.60 feet to the POINT OF BEGINNING; thence leaving said right of way, run South 89°50'02" East for 1,550.98 feet to the West right of way of a railroad; thence South 17°07'38" East along said right of way for 246.74 feet; thence leaving said right of way, run North 89°58'40" West for 1,169.59 feet; thence South 00°06'58" West for 226.25 feet; thence North 89°53'21" West for 30.00 feet; thence South 00°06'58" West for 250.00 feet; thence North 89°53'22" West for 426.17 feet to the East right of way of NE 36th Avenue; thence North 00°14'51" East along said right of way for 715.21 feet back to the Point of Beginning. Containing 13.5 acres, more or less.

Complete legal description of the resulting territory including both existing and expanded portions

Water Territory

A parcel of land being located in Sections 34 and 35 of Township 14 South, Range 22 East, Marion County, Florida, and being more particularly described as follows:

Beginning at the NE corner of the SW ¼ of the NW ¼ of said Section 34, thence run South 89 degrees 54 minutes 33 seconds East for 1322.12 feet; thence South 89 degrees 53 minutes 43 seconds East for 1984.96 feet; thence North 89 degrees 58 minutes 41 seconds East for 621.65 feet; thence South 47 degrees 11 minutes 17 seconds East for 97.77 feet; thence South 00 degrees 00 minutes 00 seconds West for 720.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 240.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 200.00 feet; thence South 90 degrees 00 minutes 00 seconds East for 120.00 feet; thence South 00 degrees 00 minutes 00 seconds West for 200.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 120.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 100.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 180.00 feet; thence South 00 degrees 00 minutes 00 seconds East for 667.20 feet; thence North 90 degrees 00 minutes 00 seconds East for 578.01 feet; thence South 16 degrees 55 minutes 17 seconds East for 1359.25 feet; thence North 89 degrees 58 minutes 40 seconds West for 1169.60 feet; thence South 00 degrees 06 minutes 58 seconds West for 226.25 feet; thence North 89 degrees 53 minutes 21 seconds West for 30.00 feet; thence South 00 degrees 06 minutes 59 seconds West for 250.00 feet; thence North 89 degrees 53 minutes 22 seconds West for 426.17 feet; thence North 00 degrees 22 minutes 34 seconds East for 476.09 feet; thence North 00 degrees 00 minutes 23 seconds West for 302.64 feet; thence South 83 degrees 11 minutes 48 seconds West for 10.07 feet; thence North 00 degrees 00 minutes 00 seconds East for 217.49 feet; thence South 90 degrees 00 minutes 00 seconds East for 10.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 60.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 190.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 140.00 feet; thence North 90 degrees 00 minutes 00 seconds West for 200.00 feet; thence North 00 degrees 00 minutes 00 seconds West for 302.58 feet; thence North 89 degrees 52 minutes 35 seconds West for 2641.90 feet; thence North 00 degrees 46 minutes 27 seconds East for 304.60 feet; thence North 89 degrees 52 minutes 47 seconds West for 2666.15 feet; thence South 00 degrees 26 minutes 51 seconds West for 661.47 feet; thence North 90 degrees 00 minutes 00 seconds East for 960.47 feet; thence South 00 degrees 01 minutes 51 seconds East for 205.75 feet; thence North 89 degrees 39 minutes 27 seconds West for 962.16 feet; thence South 00 degrees 26 minutes 51 seconds West

for 277.50 feet; thence North 89 degrees 40 minutes 08 seconds East for 444.20 feet; thence South 00 degrees 19 minutes 52 seconds East for 260.38 feet; thence South 89 degrees 40 minutes 08 seconds West for 444.39 feet; thence South 01 degrees 33 minutes 13 seconds East for 518.37 feet; thence North 89 degrees 58 minutes 09 seconds East for 615.86 feet; thence South 00 degrees 01 minutes 51 seconds East for 105.03 feet; thence North 89 degrees 58 minutes 09 seconds East for 666.22 feet; thence South 00 degrees 01 minutes 51 seconds East for 584.21 feet; thence South 89 degrees 27 minutes 30 seconds West for 1101.64 feet; thence North 00 degrees 28 minutes 47 seconds East for 185.00 feet; thence North 89 degrees 42 minutes 51 seconds West for 265.43 feet; thence North 00 degrees 17 minutes 09 seconds East for 3751.15 feet; thence South 89 degrees 59 minutes 58 seconds East for 1361.32 feet back to the Point of Beginning. Said parcel contains 267 acres, more or less.

Wastewater Territory

A parcel of land being located in Sections 34 and 35 of Township 14 South, Range 22 East, Marion County, Florida, and being more particularly described as follows:

Beginning at the NE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 34, thence run South 89 degrees 54 minutes 33 seconds East for 1322.12 feet; thence South 00 degrees 01 minutes 01 seconds East for 963.07 feet; thence South 89 degrees 56 minutes 18 seconds East for 2678.04 feet; thence North 00 degrees 00 minutes 00 seconds West for 176.12 feet; thence North 90 degrees 00 minutes 00 seconds East for 240.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 200.00 feet; thence South 90 degrees 00 minutes 00 seconds East for 120.00 feet; thence South 00 degrees 00 minutes 00 seconds West for 200.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 120.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 100.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 180.00 feet; thence South 00 degrees 00 minutes 00 seconds East for 667.20 feet; thence North 90 degrees 00 minutes 00 seconds East for 578.01 feet; thence South 16 degrees 55 minutes 17 seconds East for 1359.25 feet; thence North 89 degrees 58 minutes 40 seconds West for 1169.60 feet; thence South 00 degrees 06 minutes 58 seconds West for 226.25 feet; thence North 89 degrees 53 minutes 21 seconds West for 30.00 feet; thence South 00 degrees 06 minutes 59 seconds West for 250.00 feet; thence North 89 degrees 53 minutes 22 seconds West for 426.17 feet; thence North 00 degrees 22 minutes 34 seconds East for 476.09 feet; thence North 00 degrees 00 minutes 23 seconds West for 302.64 feet; thence South 83 degrees 11 minutes 48 seconds West for 10.07 feet; thence North 00 degrees 00 minutes 00 seconds East for 217.49 feet; thence South 90 degrees 00 minutes 00 seconds East for 10.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 60.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 190.00 feet; thence North 00 degrees 00 minutes 00 seconds East for 140.00 feet; thence North 90 degrees 00 minutes 00 seconds West for 200.00 feet; thence North 00 degrees 00 minutes 00 seconds West for 302.58 feet; thence North 89 degrees 52 minutes 35 seconds West for 2641.90 feet; thence North 00 degrees 46 minutes 27 seconds East for 304.60 feet; thence North 89 degrees 52 minutes 47 seconds West for 2666.15 feet; thence South 00 degrees 26 minutes 51 seconds West for 1138.97 feet; thence South 00 degrees 17 minutes 22 seconds East for 260.38 feet; thence South 01 degrees 33 minutes 13 seconds East for 518.37 feet; thence North 89 degrees 58 minutes 09 seconds East for 615.86 feet; thence South 00 degrees 01 minutes 51 seconds East for 105.03 feet; thence North 89 degrees 58 minutes 09

seconds East for 666.22 feet; thence South 00 degrees 01 minutes 51 seconds East for 584.21 feet; thence South 89 degrees 27 minutes 30 seconds West for 1101.64 feet; thence North 00 degrees 28 minutes 47 seconds East for 185.00 feet; thence North 89 degrees 42 minutes 51 seconds West for 265.43 feet; thence North 00 degrees 17 minutes 09 seconds East for 3751.15 feet; thence South 89 degrees 59 minutes 58 seconds East for 1361.32 feet back to the Point of Beginning. Said parcel contains 201 acres, more or less.

EXHIBIT B

Map of Proposed Territory:

Map showing township, range, and section, with the proposed territory plotted thereon

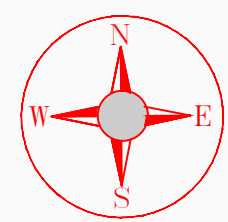
TRADEWINDS SERVICE TERRITORY MAP

FL T14S R22E

33

34

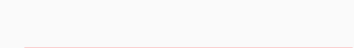
35



SCALE: 1" = 400'



**TRADEWINDS
PROPOSED TERRITORY**



**PUBLIC LAND SURVEY/
SECTION LINES**

03

02

WASTEWATER

TRADEWINDS SERVICE TERRITORY MAP

FL T14S R22E

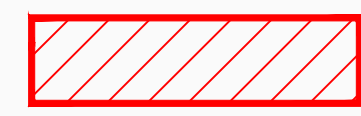
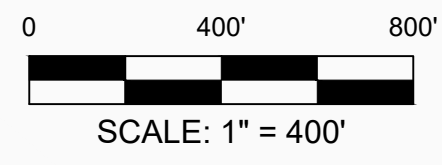
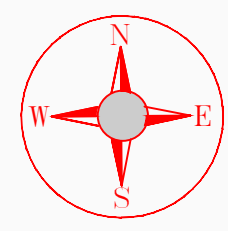
33

34

35

03

02



**TRADEWINDS
PROPOSED TERRITORY**



**PUBLIC LAND SURVEY/
SECTION LINES**

WATER

EXHIBIT C

Current Permits issued by the Department of Environmental Protection (“DEP”) and by the water management district:

- The utility’s former wastewater treatment facility (DEP permit number FLA010699 expired December 21, 2020) has been decommissioned and the system connected to Marion County Utilities through a bulk service agreement.
- Attached is a copy of the consumptive use permit issued by the St. Johns River Water Management District.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 2995-6

DATE ISSUED: February 27, 2015

PROJECT NAME: Tradewinds Utilities Inc

A PERMIT AUTHORIZING:

The District authorizes, as limited by the attached conditions, the continued use of 48.00 million gallons per year (mgy) (0.132 million gallons per day (mgd) (annual average)) of groundwater from the Upper Floridan aquifer for public supply use (includes household, water utility uses and unaccounted for losses) for an estimated population of 1,220 people in 2035.

LOCATION:

Site: Tradewinds
Marion County

SECTION(S): 34

TOWNSHIP(S): 14S

RANGE(S): 22E

ISSUED TO:

Tradewinds Utilities Inc
PO Box 5220
Ocala, FL 34478-5220

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated February 27, 2015

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory, Engineering and Environmental Services

By:



Scott Laidlaw
Bureau Chief

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 2995-6
Tradewinds Utilities Inc,
DATE ISSUED: February 27, 2015

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not significantly and adversely impact wetlands, lakes, rivers, or springs. If significant adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.
11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.
13. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to a violation of state water quality standards (existing at the time of permit issuance) in receiving waters of the state, as set forth in Chapters 62-3, 62-4, 62-302, 62-520, and 62-550, F.A.C., including any anti-degradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3), and Rule 62-302.300, F.A.C., and any special standards for Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C. If violations occur, the District shall revoke the permit, in whole or in part, to curtail or abate the violations, unless the violations associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.
14. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
15. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
16. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.
17. All submittals made to demonstrate compliance with this permit must include CUP number 2995-6, labeled on the submittal. Submittals should be made on-line at floridaswater.com/permitting whenever possible.

18. This permit will expire February 27, 2035.
19. Maximum annual groundwater withdrawals from the Upper Floridan aquifer for public supply use (including water utility and unaccounted for losses) must not exceed 48.00 million gallons.
20. The permittee must measure the quantity of groundwater withdrawn from wells 1 (Station ID 19078), 2 (Station ID 19079), and 3 (Station ID 19080), as listed in the application, through the use of recording totalizing flowmeters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.
21. Total withdrawal from groundwater wells 1 (Station ID 19078), 2 (Station ID 19079), and 3 (Station ID 19080), must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Water Use Pumpage Report Form (EN-50). The reporting dates each year will be as follows:

| | |
|------------------|-----------------|
| Reporting Period | Report Due Date |
| January – June | July 31 |
| July – December | January 31. |
22. The permittee must have all flow meters checked for accuracy at least once every 10 years, specifically before April 30 2024, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. Flow Meter Accuracy Report Form (EN-51) must be submitted to the District within 10 days of the inspection/calibration.
23. The permittee must maintain all flowmeters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
24. The permittee shall meter all service connections and other uses through the use of recording totalizing flow meters.
25. The permittee must implement the Water Conservation Plan submitted to the District, dated 07-24-2014, in accordance with the schedule contained therein.
26. If, at any time within permit duration, it becomes practical, economically feasible and permissible under applicable state and federal statutes or regulations promulgated thereunder, the District may require the permittee to make reclaimed water available for use at a permissible application site.
27. The permittee must submit to the District, an updated copy of the Public Service Commission's (PSC) approved service area map, within 30 days of receipt from the PSC.
28. A comprehensive water audit of the potable distribution system must be conducted annually. The audit period shall be January 1st through December 31st of each year. The results of the water audit must be submitted to the District by February 15th of the year following the audit period.
29. If the unaccounted for water losses are 10% or greater, as identified in the annual water audit, implementation of the leak detection and repair program must continue until the unaccounted for water losses are reduced below 10%.

EXHIBIT D

Tariff:

Tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C.

STATE OF FLORIDA

COMMISSIONERS:
GARY F. CLARK, CHAIRMAN
ART GRAHAM
ANDREW GILES FAY
MIKE LA ROSA
GABRIELLA PASSIDOMO



DIVISION OF ECONOMICS
JUDY HARLOW
DIRECTOR
(850) 413-6410

Public Service Commission

September 9, 2021

Mr. Charles de Menzes
Tradewinds Utilities, Inc.
Post Office Box 5220
Ocala, FL 34478-5220

WS-2021-0066

Re: Application for 2021 Price Index Rate Adjustment for Tradewinds Utilities, Inc. for water & wastewater in Marion County.

Dear Mr. de Menzes:

The following tariff sheets have been approved effective September 1, 2021:

Water Tariff

Sixth Revised Sheet No. 12.0
Sixth Revised Sheet No. 13.0

Wastewater Tariff

Sixth Revised Sheet No. 12.0
Sixth Revised Sheet No. 13.0

Please incorporate these tariff sheets into the approved tariffs on file at the utility's office. If you have any questions, please contact Malissa Bennett at (850) 413-6822 at our office.

Sincerely,

A handwritten signature in cursive script that reads "Judy D. Harlow".

Judy Harlow
Director

JH:js
Enclosures

GENERAL SERVICE

RATE SCHEDULE (GS)

AVAILABILITY - Available throughout the area served by the Company.
APPLICABILITY - For water service to all Customers for which no other schedule applies.
LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
BILLING PERIOD - Monthly

RATE -

| <u>Meter Sizes</u> | <u>Base Facility Charge</u> |
|--------------------|-----------------------------|
| 5/8" x 3/4" | \$ 10.30 |
| 1" | \$ 25.75 |
| 1 1/2" | \$ 51.50 |
| 2" | \$ 82.40 |
| 3" | \$ 164.80 |
| 4" | \$ 257.50 |
| 6" | \$ 515.00 |
| 8" | \$ 824.00 |

Charge per 1,000 gallons \$ 4.15

MINIMUM CHARGE - Base Facility Charge
TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.

EFFECTIVE DATE - September 1, 2021

TYPE OF FILING - 2021 Price Index

WS-2021-0066

CHARLES deMENZES
ISSUING OFFICER

PRESIDENT
TITLE

RESIDENTIAL SERVICE

RATE SCHEDULE (RS)

AVAILABILITY – Available throughout the area served by the Company.

APPLICABILITY – For water service for all purposes in private residences and individually metered apartment units.

LIMITATIONS – Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD – Monthly

RATE –

| <u>Meter Sizes</u> | <u>Base Facility Charge</u> |
|--------------------------|-----------------------------|
| 5/8" x 3/4" | \$ 10.30 |
| 1" | \$ 25.75 |
| 1 1/2" | \$ 51.50 |
| 2" | \$ 82.40 |
| 3" | \$ 164.80 |
| 4" | \$ 257.50 |
| 6" | \$ 515.00 |
| 8" | \$ 824.00 |
| Charge per 1,000 gallons | |
| 0 – 5,000 gallons | \$ 3.45 |
| 5,001 – 10,000 gallons | \$ 5.20 |
| Over 10,000 gallons | \$ 6.51 |

MINIMUM CHARGE – Base Facility Charge

TERMS OF PAYMENT – Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.

EFFECTIVE DATE – September 1, 2021

TYPE OF FILING – 2021 Price Index

GENERAL SERVICE

RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For wastewater service to all Customers for which no other schedule applies.
- LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly

RATE -

| <u>Meter Sizes</u> | <u>Base Facility Charge</u> |
|--------------------------|-----------------------------|
| 5/8" x 3/4" | \$ 24.07 |
| 1" | \$ 60.18 |
| 1 1/2" | \$ 120.35 |
| 2" | \$ 192.56 |
| 3" | \$ 385.12 |
| 4" | \$ 601.75 |
| 6" | \$ 1,203.50 |
| 8" | \$ 1,925.60 |
| Charge per 1,000 gallons | \$ 7.71 |

- MINIMUM CHARGE - Base Facility Charge
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - September 1, 2021

TYPE OF FILING - 2021 Price Index

RESIDENTIAL SERVICE

RATE SCHEDULE (RS)

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD - Monthly

RATE -

| <u>Meter Sizes</u> | <u>Base Facility Charge</u> |
|---|-----------------------------|
| All Meter Sizes | \$ 24.07 |
| Charge per 1,000 gallons 10,000 gallon cap | \$ 6.43 |

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - September 1, 2021

TYPE OF FILING - 2021 Price Index

WS-2021-0066

CHARLES deMENZES
ISSUING OFFICER

PRESIDENT
TITLE

EXHIBIT E

Affidavit regarding tariffs and annual reports

AFFIDAVIT OF CHARLES deMENZES

STATE OF FLORIDA

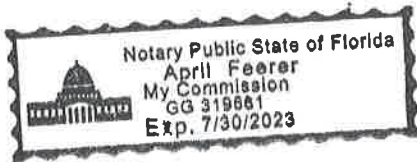
COUNTY OF MARION

BEFORE ME, the undersigned authority, personally appeared, Charles deMenzes, who, upon being duly sworn, deposes and says:

1. My name is Charles deMenzes. I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the facts stated herein.
 2. I am the President of Tradewinds Utilities, Inc.
 3. Tradewinds Utilities, Inc. has tariffs and annual reports on file with the Commission.
- FURTHER AFFIANT SAYETH NAUGHT.


CHARLES DEMENZES

Sworn to and subscribed before me by means of [] physical presence or [] online notarization, this 15th day of November, 2022 by Charles deMenzes, who [] is personally known to me or who [] has produced FL DL D ... 271-0 as identification.



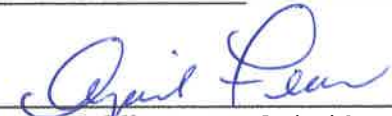

Notary Public, State of Florida
Printed Name:
My Commission Expires:

EXHIBIT F

Proposed Notice of Application:

As soon as the Notice is approved by Commission Staff, Applicant will send the Notice to all applicable customers, governmental entities, and utilities, and will then file affidavits of noticing and publication as required by Rule 25-30.030, F.A.C.

**NOTICE OF APPLICATION FOR AMENDMENT TO CERTIFICATE
OF AUTHORIZATION TO EXTEND SERVICE AREA**

DOCKET NO. 2022_____

**APPLICATION OF TRADEWINDS UTILITIES, INC. FOR AMENDMENT OF
WATER CERTIFICATE NO. 405-W AND WASTEWATER CERTIFICATE NO. 342-S
IN MARION COUNTY**

DATE OF NOTICE — ____/____/____

Tradewinds Utilities, Inc. has filed with the Florida Public Service Commission an Application for Amendment of Water Certificate No. 405-W and Wastewater Certificate No. 342-S to extend its service area, pursuant to Section 367.045, Florida Statutes, and Rule 25-30.036, Florida Administrative Code.

Tradewinds Utilities is not requesting a change to its rates, classifications, charges, or rules and regulations by this Application. Therefore current rates will not be affected. The Tradewinds Utilities water and wastewater systems provide service to Tradewinds Village, Countryside Estates, Pearl Britain Plaza, Pearl Britain Estates, part of the George S. Mayo Subdivision and the surrounding community in Marion County, Florida.

The following is a simplified legal description of the requested area of the extension to Tradewinds Utilities, Inc.'s approved service area. For the full legal description, please contact Tradewinds Utilities at the contact information below.

SIMPLIFIED LEGAL DESCRIPTION OF THE PROPOSED SERVICE AREA EXTENSION

NW PARCEL (extension of the water territory only to this parcel): A parcel of land located in the Northwest 1/4 of the Southwest 1/4 of Section 34, Township 14 South, Range 22 East, Marion County Florida. Street Name Affected by this Service Area Extension: NE 25th Ave.

SW PARCEL (extension of the water territory only to this parcel): A parcel of land located in the West 1/2 of the Southwest 1/4 of Section 34, Township 14 South, Range 22 East, Marion County Florida. Street Name Affected by this Service Area Extension: NE 25th Ave.

NE PARCEL (extension of the water and wastewater territories to this parcel): A parcel of land located in the Southwest 1/4 of the Northwest 1/4 of Section 35, Township 14 South, Range 22 East, Marion County Florida. Street Names Affected by this Service Area Extension: NE 36th Ave., NE 42nd Lane, NE 43rd Place.

SE PARCEL (extension of the water and wastewater territories to this parcel): A parcel of land located in the Southwest 1/4 of Section 35, Township 14 South, Range 22 East, Marion County Florida. Street Name Affected by this Service Area Extension: NE 36th Ave.

For more information concerning this Notice, please contact the Utility at the address below:

Tradewinds Utilities, Inc.
12601 SE Sunset Harbor Road
Weirsdale, FL 32195
Phone: (352) 843-7790, Fax: (352) 732-4366
Email: charlie@altfo.com

Any objection to the application must be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later.