

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: August 2, 2007

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Brady, Redemann)
Office of the General Counsel (Fleming)

RE: Docket No. 060726-WS – Application for certificates to provide water and wastewater service in Glades County and water service in Highlands County by Silver Lake Utilities, Inc.
Counties: Glades, Highlands

AGENDA: 08/14/07 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Skop

CRITICAL DATES: 08/14/07 – (Statutory deadline waived by utility until this date.)

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\060726.RCM.DOC

Case Background

On November 3, 2006, Silver Lake Utilities, Inc. (Silver Lake or applicant) filed an application for an original water certificate in Highlands and Glades Counties and an original wastewater certificate in Glades County. The applicant's proposed service territory consists of approximately 350,000 acres, distributed about equally between Highlands and Glades Counties. The territory is located in the South Florida Water Management District, part of which is considered a water supply problem area.

The proposed service territory is almost exclusively owned by Lykes Bros. Inc. (LBI). For over 60 years, LBI has used the property primarily for cattle ranching; citrus, timber, and sugar cane production; employee housing; and recreation facilities. According to the application, LBI's ranching and farming operations will continue, with expansion of those activities anticipated. Currently LBI is providing water service throughout its land holdings without compensation. Upon the establishment of rates and charges, Silver Lake intends to lease LBI's existing well sites and water facilities and begin providing potable water service to existing customers for compensation. Wastewater service will continue to be by septic system.

In addition to serving LBI's existing customers, the applicant intends to lease land from LBI in southern Glades County upon which it will construct the treatment facilities necessary to provide central water and wastewater service to LBI's proposed Muse Village development as well as to the existing West Glades School campus. Muse Village is a proposed residential development that will initially consist of approximately 3,500 residential units and 75,000 square feet of office space constructed over 1,273 acres. Development is expected to begin in 2008 and reach full build-out within 15 to 20 years. At build-out, Muse Village may consist of 7,000 residential units constructed over 3,000 to 4,000 acres. As the need arises, the applicant also anticipates leasing additional well sites from LBI from which it will provide raw and treated bulk water services to customers upon request.

On December 29, 2006, Silver Lake filed a Motion for Rule Variance from the strict requirements of Rule 25-30.033(1)(l), Florida Administrative Code (F.A.C.), which is the requirement to file "[a] description of the territory to be served, using township, range, and section references as specified in subsection 25-30.030(2), F.A.C." The Commission granted the applicant's motion in Order No. PSC-07-0328-PAA-WS, issued April 16, 2007, which became effective and final upon the issuance of Order No. PSC-07-0416-CO-WS on May 11, 2007.

Pursuant to Section 367.031, Florida Statutes, the Commission shall grant or deny an application for a certificate of authorization within 90 days after the official filing date of the completed application. Silver Lake's application was deemed complete on May 11, 2007, when the order granting the rule variance became effective and final. However, due to scheduling conflicts, the applicant waived the statutory deadline until August 14, 2007, making that the date by which Silver Lake's application for original certificates must be granted or denied.

This recommendation addresses Silver Lake's application for original water and wastewater certificates. The Commission has jurisdiction pursuant to Sections 367.031 and 367.045, Florida Statutes. Additional time is needed for staff to complete its review of the utility's proposed rates and charges. A recommendation addressing rates and charges will be brought to a subsequent agenda.

Discussion of Issues

Issue 1: Should Silver Lake Utilities, Inc.'s application for water and wastewater certificates be granted?

Recommendation: Yes. Silver Lake Utilities, Inc. should be granted Certificate Nos. 636-W and 546-S to serve the territory described in Attachment A effective the date of the Commission's vote. The resultant order should serve as the applicant's water and wastewater certificates and it should be retained by the applicant as such. Within 90 days from the date of the order approving certificates, the applicant should submit executed and recorded lease agreements. (Brady, Redemann, Fleming)

Staff Analysis: On November 3, 2006, Silver Lake filed an application for an original certificate to provide water service in Highlands and Glades Counties and an original certificate to provide wastewater service in Glades county. The application is in compliance with the governing statutes, Sections 367.031 and 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for original certificates.

Pursuant to Section 367.171(7), Florida Statutes, the Commission has exclusive jurisdiction over utility systems which transverse county boundaries, whether the counties involved are jurisdictional or nonjurisdictional. Therefore, water service across Highlands and Glades Counties is jurisdictional. Although Silver Lake eventually intends to provide wastewater service in Highlands County, initially it will only be providing wastewater service in Glades County, which is a nonjurisdictional County. Nevertheless, the Commission has determined that its jurisdiction over one service that crosses county boundaries also involves jurisdiction over the other service, even when the other service does not initially traverse county boundaries. To do otherwise would subject the utility to dual regulation by the Commission and a County.¹

Notice. The application contains proof of compliance with the noticing provisions of Rule 25-30.030, F.A.C. On December 4, 2006, an objection was filed by an existing landowner. On January 25, 2007, legal staff responded to the objection by describing the application and providing the Commission's website for additional information. In its letter, legal staff requested to be informed by February 26, 2007, should the landowner intend to pursue the objection and request formal hearing. No further objections from the landowner, or any other entity, have been received by the Commission and the time for filing such has expired.

Territory. Adequate territory maps have been provided as prescribed by Rule 25-30.033(1)(n), F.A.C. Staff has verified that the territory maps represent the applicant's proposed territory. As noted in the Case Background, the Commission granted the applicant's Motion for Rule Variance from the strict requirements of Rule 25-30.033(1)(l), F.A.C., in Order No. PSC-07-0328-PAA-WS. The resulting description of the proposed service territory is appended to this memorandum as Attachment A.

¹ Order No. PSC-00-0575-PAA-WS, issued March 22, 2000, in Docket No. 970657-WS, In re: Application for certificates to operate water and wastewater facilities in Charlotte and DeSoto Counties by Lake Suzy Utilities, Inc.

Proof of Ownership. Rule 25-30.033(1)(j), F.A.C., requires evidence in the form of a warranty deed that the utility owns the land upon which the utility treatment facilities are or will be located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. The application contains copies of two unexecuted, long-term leases. One for the existing water facilities in Highlands and Glades Counties, and one for proposed water and wastewater facilities to serve the Muse Village development and the West Glades School campus in southern Glades County. The application indicates that the leases will be executed upon approval of the application. Staff recommends that within 90 days from the date of the order approving the certificates the applicant should be required to submit executed and recorded lease agreements. It should be noted that acceptance of the leases will fulfill the requirement to show long-term access to the land on which water and wastewater facilities are currently located and on which future facilities will be located. It does not reflect a determination as to the prudence of the costs of these leases.

Consistency with Comprehensive Plans. Pursuant to Rule 25-30.033(1)(f), F.A.C., the application contains a statement that the provision of water and wastewater services in the proposed service territory, including use of existing and proposed facilities, will be consistent with the water and wastewater sections of the local Comprehensive Plans for both Glades and Highlands Counties, as approved by the Department of Community Affairs (DCA). Pursuant to a memorandum of understanding with the DCA, on December 19, 2006, the DCA filed its comments on Silver Lake's application.

In its response, the DCA noted it did not have any concerns with the proposed potable water and wastewater service for the Muse Village development; for the West Glades School campus; or for other areas of Glades County that are designated for urban development. However, the DCA noted that the application contained service areas within Glades and Highlands Counties zoned for agricultural use on Future Land Use Maps. The DCA was concerned about including these large agricultural zones in an application for water service. According to the DCA, the inclusion of these areas ahead of appropriate designations in the local Comprehensive Plans could lead to premature development pressure and urban sprawl.

At staff's request, the applicant responded to the DCA's comments on January 25, 2007. The applicant noted that, in the agricultural zones of concern to the DCA, it is only proposing to take over LBI's existing facilities. These facilities consist of 22 existing wells providing water service to approximately 228 ERCs dispersed throughout the 350,000 acre proposed service territory. In its response, the applicant also noted two cases where the Commission has determined that granting a water certificate does not impede local government control over development.²

Pursuant to Section 367.045(5)(b), Florida Statutes, the Commission need not consider whether the issuance of a certificate of authorization is inconsistent with the local comprehensive plan of a county or municipality unless a timely objection to the notice of filing is received.

² Order No. PSC-04-0980-FOF-WU, issued October 8, 2004, in Docket No. 021256-WU, In Re: Application for certificate to provide water service in Volusia and Brevard Counties by Farmton Water Resources LLC., and Order No. PSC-92-0104-FOF-WU, issued March 27, 1992, in Docket No. 910114-WU, In Re: Application for water certificate in Brevard, Orange and Osceola Counties by East Central Florida Services, Inc.

While DCA has indicated concern about service to agricultural areas, it appears unlikely that these areas will be developed beyond current densities for some time. In support of this assumption is the fact that Silver Lake has not requested a wastewater certificate for Highlands County. In addition, staff notes that neither Highlands nor Glades Counties objected to the application. In the event that pressure for higher density development does occur outside designated urban areas, staff concurs with the applicant's statement that granting a water certificate does not impede local government control over development through mechanisms such as zoning and construction permits.

Public Interest. Rule 25-30.033(1)(e), F.A.C., requires that the applicant provide a statement showing its financial and technical ability to provide service, the need for service, and the steps the applicant has taken to determine if there are any other utilities in the area that could potentially provide service. Silver Lake is a Florida Corporation incorporated on January 4, 2006, and is wholly owned by LBI, the affiliated land owner. The application indicates that, through its sole shareholder, Silver Lake has ample financial backing to ensure safe, efficient, and sufficient provision of water and wastewater service to the proposed service territory, as well as to provide for expansion needed to meet all future needs. Staff has reviewed the financial statements of LBI, which appear to show adequate resources to support the applicant during the initial years of construction and operation.

Regarding technical ability, the application indicates that LBI currently operates all the existing utility facilities and has all the appropriate licenses. According to the application, Silver Lake will continue to employ the operations, maintenance, and technical advisory personnel necessary to ensure continued, efficient provision of water service to the various customers of the utility, and to meet future and expanding needs anticipated for water and wastewater service within the proposed territory.

Regarding need, the application notes that the applicant is assuming the responsibility for maintaining the existing water system currently being operated by LBI. In addition, the application contains a request for service by West Glades School Campus as soon as central facilities are available. Finally, the application indicates that the affiliated developer intends to construct the Muse Village Development which will need water and wastewater facilities commencing in 2008, which will initially consist of 3,500 residential units plus 75,000 square feet of office space.

The applicant has reviewed local plants and facilities and found no other existing entity within the area currently able to provide the water and wastewater services proposed by Silver Lake, or who could potentially provide such services. The application further states that, due to its close working relationship with the related landowner, Silver Lake is in a unique position to coordinate the orderly growth of services as and when needed and will have a greater variety and quantity of available and contiguous sources of water supply than any other alternative.

The applicant understands that it must maintain its books and records according to the National Association of Regulatory Utility Commissioners Uniform System of Accounts. The applicant also understands the requirement to file annual reports and pay regulatory assessment fees by March 31 for the previous year. In addition, the applicant is aware that it may not change

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its rates, serve outside its certificated territory, or sell the utility without prior Commission approval.

Based on the above information, staff believes it is in the public interest to grant the applicant's request for original water and wastewater certificates. Accordingly, staff recommends that Silver Lake Utilities, Inc. be granted Certificate Nos. 636-W and 546-S to serve the territory described in Attachment A effective the date of the Commission's vote. The resultant order should serve as Silver Lake's water and wastewater certificates and it should be retained by the applicant as such. Within 90 days from the date of the order approving certificates, the applicant should submit executed and recorded lease agreements.

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Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open pending the establishment of initial rates and charges. (Fleming)

Staff Analysis: The docket should remain open pending the establishment of initial rates and charges.

SILVER LAKE UTILITIES, INC.

DESCRIPTION OF TERRITORY SERVED

Water and Wastewater Service Area

Glades and Highlands Counties

HIGHLANDS COUNTY, FLORIDA - WATER

Township 35 South, Range 31 East

Section 34; All lying south of the center line of Istokpoga Canal
Section 35; All
Section 36; All lying south and east of the center line of Istokpoga Canal

Township 35 South, Range 32 East

Sections 29, 30, 31; All lying south and east of the center line of Istokpoga Canal
Section 32; All
Section 33; All lying west of Kissimmee River
Section 34, 35; All lying south and west of Kissimmee River

Township 36 South, Range 31 East

Section 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 34, 36; All
Section 33; The NW ¼ of the NW ¼ and the N ½ of the SW ¼ of the NW ¼
And all of the Unsurveyed part of Township 36 South, Range 31 East lying east of the waters of Lake Istokpoga

Township 36 South, Range 32 East

Section 1, 2; All lying south and west of Kissimmee River
Section 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35; All

Township 36 South, Range 33 East

Section 6; All of the West ¼ lying south and west of Canal C-38
Section 7; The SW ¼ and the West ½ of the NW ¼
Section 17; The SW ¼ lying south and west of the CSX R.R. ROW
Section 18; The West ½ and the SE ¼ lying south and west of the CSX R.R. ROW
Section 19, 30; All
Section 20; The West ½ of the West ½ lying south and west of the CSX R.R. ROW and the West ½ of the East ½ of the West ½ lying south and west of the CSX R.R. ROW and the South ½ of the South ½ of the SE ¼ lying south of the Kissimmee River
Section 29; All lying south of the Kissimmee River

HIGHLANDS COUNTY, FLORIDA – WATER (continued)

Township 37 South, Range 31 East

Section 5; The South 1/2
Section 8; All
Section 25; The East 1/2
Section 36; The East 1/2

Township 37 South, Range 32 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 37 South, Range 33 East

Section 19; All
Section 30; The North 1/4

Township 38 South, Range 31 East

Section 25, 26; All lying south and west of the C-40 Canal ROW, less and except the West 138' thereof.

Less and except those lands owned by the South Florida Water Management District.

GLADES COUNTY, FLORIDA – WATER

Township 38 South, Range 32 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 39 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 39 South, Range 32 East

Section 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33; All

Township 40 South, Range 28 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 40 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36; All
Section 29; All less and except the North $\frac{3}{4}$ of the West $\frac{1}{4}$
Section 30; All less and except the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$

Township 40 South, Range 30 East

Section 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All
Section 4; The East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the South $\frac{1}{2}$ less and except the North $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$
Section 5; The South $\frac{3}{4}$ lying east of US Hwy. 27 less and except the East $\frac{3}{4}$ of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the NE $\frac{1}{4}$

Township 40 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 40 South, Range 32 East

Section 5, 6, 7, 8, 17, 18, 19; All
Section 16; The South $\frac{1}{2}$ and the South 189.42' of the North $\frac{1}{2}$

GLADES COUNTY, FLORIDA – WATER (continued)

Township 40 South, Range 32 East, continued

Section 20; All less and except the SE ¼ of the SE ¼ of the SE ¼ and less the South ¾ of the SW ¼ of the SE ¼

Section 21; The North ¾ of the NE ¼ of the SW ¼ and the North ½ less and except the SW ¼ of the SE ¼ of the NE ¼ and less the South ½ of the SW ¼ of the SE ¼ lying SE'ly of the east ROW line of the Red Barn Rd.

Section 29; Begin at the NW corner of said Section and run thence N 89° 32' 28" E 810.47', thence run S 02° 34' 55" W 2119.61', thence run N 78° 29' 58" W 750' MOL to the West line of said Section, thence run N'ly along said West line to the point of Beginning.

Section 30; All lying north of the south line of the L-50 Tie Back Levee

Township 41 South, Range 28 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 30 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 28, 29, 30, 31, 32, 33; All

Section 25, 26; All lying north of the north line of the SCFE R.R. ROW

Section 27; All less and except the South ¼ lying east of the west ROW line of US Hwy. 27

Township 41 South, Range 32 East

Section 4, 9, 16, 21, 28; All lying West of the 1918 Merriam Meander Line of Lake Okeechobee

Section 5, 6, 7, 8, 17, 18, 19, 20, 29; All

Section 30, 31, 32, 33; All lying north of the north line of the SCFE R.R. ROW

Township 42 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30; All

Section 23; All less the East 292' of the NE ¼ of the NE ¼

Section 24; The S ¾ of the West ½ of the West 1/2

Section 26; The North ½ less and except the SE ¼ of the NE ¼

Section 27; All less and except the South ½ of the SW ¼ and less the South ½ of the SE ¼

Section 28; All less and except the South ½ of the SE ¼

GLADES COUNTY, FLORIDA – WATER (continued)

Township 42 South, Range 30 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18; All

Section 13; All lying north of the SR 78 ROW less and except the SW 1/4 of the NW 1/4

Section 14; The North 1/2

Section 15; All lying north of the SR 78 ROW less and except the East 1/2 of the East 1/2 of the NE 1/4 of the SE 1/4 and less the West 170' of the SW 1/4 of the SW 1/4

Section 16; The West 1/2 of the NE 1/4 of the SW 1/4 of the SE 1/4 and the North 3/4 less and except the NE 1/4 of the SW 1/4 and less the East 1/2 of the NW 1/4 of the SW 1/4

Township 42 South, Range 31 East

Section 4; The North 1/2

Section 5; The North 1/2 and the North 3/4 of the West 1/2 of the NE 1/4 of the SW 1/4 and the North 3/4 of the NW 1/4 of the SW 1/4 and the South 1/2 of the SW 1/4 of the NW 1/4 of the SW 1/4 and the NW 1/4 of the SW 1/4 of the SW 1/4

Section 6; All

Section 7; The North 1/2 of the NW 1/4

Township 42 South, Range 32 East

Section 4; All lying north of the north line of the SCFE R.R. ROW

Less and except those lands owned by the Board of Trustees of The Internal Improvement Trust Fund of The State of Florida.

GLADES COUNTY, FLORIDA - WASTEWATER

Township 42 South, Range 29 East

PARCEL # 1:

A parcel of land lying within Section 20 and 21, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows: Commence at the South one-quarter corner of said Section 20 and run N89°59'17"E, along the South line of the Southeast one-quarter of said Section 20, a distance of 50.00 feet to the East right-of-way line of State Road 720; Thence N00°11'19"E, along said right-of-way line, a distance of 1010.44 feet to a point on the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20 and the Point of Beginning of the parcel of land herein described; Thence continue N00°11'19"E, along said right-of-way line, a distance of 1653.69 feet to the Southerly right-of-way line for Pollywog Crossover SW; Thence continue N00°11'19"E, along the East right-of-way line of State Road 720, a distance of 30.95 feet; Thence N00°09'44"E, along the East right-of-way line of State Road 720, a distance of 32.20 feet to a point on the Northerly right-of-way line for Pollywog Crossover SW. Thence along said Northerly right-of-way line for Pollywog Crossover SW the following courses, S88°17'12"E a distance of 89.92 feet, S88°59'41"E a distance of 2316.32 feet and S35°02'55"E a distance of 30.10 feet to a point on the South line of the Northeast one-quarter of said Section 20; Thence S89°10'04"E a distance of 185.91 feet to the Southeast corner of the Northeast one-quarter of said Section 20; Thence S89°20'09"E, along the South line of the Northwest one-quarter of Section 21 a distance of 665.93 feet; Thence S00°08'18"W a distance of 449.44 feet to the Northerly right-of-way line of Pollywog Crossover SW; Thence S00°08'18"W a distance of 66.48 feet to the Southerly right-of-way line of Pollywog Crossover SW; Thence S00°08'18"W a distance of 814.51 feet; Thence S89°07'43"E a distance of 665.78 feet; Thence S89°07'43"E a distance of 665.78 feet; Thence N00°09'14"E a distance of 1061.14 feet to the Southerly right-of-way line of Pollywog Crossover SW; Thence N00°09'14"E a distance of 53.91 feet to the Northerly right-of-way line of Pollywog Crossover SW; Thence along said Northerly right-of-way line of Pollywog Crossover SW the following courses, N82°22'23"E a distance of 84.31 feet, N88°14'28"E a distance of 116.49 feet and S86°26'58"E a distance of 394.22 feet to the beginning of a curve to the right; Thence along the arc of the curved right-of-way line, (said curve being curved concave to the Southwest, having a central angle of 86°36'33" and a radius of 130.00 feet, and having a chord length of 178.33 feet and a chord bearing of S43°08'41"E), a distance of 196.51 feet to the end of the curve; Thence S00°09'35"W, along the Easterly right-of-way line of Pollywog Crossover SW, a distance of 58.17 feet; Thence S89°50'06"E a distance of 205.03 feet; Thence S00°09'54"W, a distance of 226.23 feet; Thence S37°58'27"W, along a line that is parallel with (and 1320.00 feet Northwest of, as measured perpendicular to) the Northwesterly right-of-way line of State Road 29, a distance of 1301.66 feet to a point on the North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21; Thence N89°04'36"W, along the North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21, a distance of 2119.83 feet to a point on the West line of the Southwest one-quarter of said Section 21; Thence N89°41'44"W, along the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20, a distance of 2610.91 feet to the Point of Beginning.

GLADES COUNTY, FLORIDA – WASTEWATER (continued)

PARCEL # 2:

A parcel of land lying within Sections 15, 16, 17, 21 and 22, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows: Commence at the North one-quarter corner of Section 20, Township 42 South, Range 29 East, and run S89°16'30"E, along the North line of the Northeast one-quarter of said Section 20, a distance of 50.00 feet to a point on the East right-of-way line of State Road 720 and the Point of Beginning of the parcel of land herein described; Thence N00°23'09"E, along said right-of-way line, a distance of 2237.05 feet; Thence S89°24'27"E, along the South line of the North 435.00 feet of the Southeast one-quarter of said Section 17, a distance of 795.01 feet; Thence N00°23'09"E, along the East line of the West 845.00 feet of the Southeast one-quarter of said Section 17, a distance of 435.00 feet to a point on the North line of the Southeast one-quarter of said Section 17; Thence S89°24'27"E a distance of 1818.61 feet to the Northeast corner of the Southeast one-quarter of said Section 17 (also being the Northwest corner of the Southwest one-quarter of said Section 16); Thence S89°36'11"E a distance of 2657.76 feet to the center of said Section 16; Thence S89°28'28"E a distance of 2661.85 feet to the Northeast corner of the Southeast one-quarter of said Section 16 (also being the Northwest corner of the Southwest one-quarter of said Section 15); Thence S87°03'37"E a distance of 2647.46 feet to the center of said Section 15; Thence S87°03'37"E, along the North line of the Southeast one-quarter of said Section 15, a distance of 1100.14 feet to a point on the Northwesterly right-of-way line of State Road 29; Thence S37°58'27"W, along said Northwesterly right-of-way line, a distance of 1669.60 feet to a point that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15; Thence N87°13'21"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 14.49 feet; Thence N87°11'20"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 59.81 feet to a point on the East line of the Southwest one-quarter of said Section 15; Thence N87°11'20"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 1540.35 feet to a point that is 1320.00 feet Northwest of (as measured perpendicular to) the Northwesterly right-of-way line of State Road 29; Thence S37°58'27"W, along a line that is parallel with (and 1320.00 feet Northwest of, as measured perpendicular to) the Northwesterly right-of-way line of State Road 29, a distance of 1565.72 feet to a point on the South line of the Southwest one-quarter of said Section 15; Thence continue S37°58'27"W a distance of 249.39 feet to a point on the East line of the Northeast one-quarter of said Section 21; Thence continue S37°58'27"W a distance of 2288.71 feet a distance of 1162.10 feet; Thence S00°09'27"W a distance of 334.56 feet; Thence N89°23'56"W a distance of 99.41 feet to a point on the East line of the Northwest one-quarter of said Section 21; Thence N89°23'29"W a distance of 1997.94 feet to a point on the East line of the West one-quarter of the Northwest one-quarter of said Section 21; Thence N00°07'39"E, along the East line of the West one-quarter of the Northwest one-quarter of said Section 21 a distance of 2327.66 feet to the Northeast corner of the West one-quarter of the Northwest one-quarter of said Section 21; Thence N89°46'54"W a distance of 666.32 feet to the Northeast corner of Section 20, Township 42 South, Range 29 East; Thence N89°16'30"W, along the South line of the Southeast one-quarter of said Section 17 and the North line of said Official Records Book 216, Page 879, a distance of 2607.31 feet to the Point of Beginning.

GLADES COUNTY, FLORIDA – WASTEWATER (continued)

PARCEL #3:

A parcel of land lying in Sections 20, 21, 28 and 29, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows:

Commence at the North one-quarter corner of said Section 29 and run N89°59'17"E, along the North line of said Section 29, a distance of 50.00 feet to the East Right-Of-Way line of State Road No. 720 and the Point-Of-Beginning of the parcel of land herein described; Thence N00°11'19"E, along said East Right-Of-Way line of State Road No. 720, a distance of 1010.58 feet to a point on the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20; Thence S89°41'44"E, along said North line of the South three-eighths (3/8) of the Southeast one-quarter of Section 20, a distance of 2610.91 feet to the East line of said Section 20; Thence S89°04'36"E, along North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21, a distance of 2119.83 feet to a point that is 1320.00 feet, measured at perpendicular angles, from the Northwesterly Right-of-Way of State Road No. 29; Thence S37°58'27"W, parallel with and 1320.00 feet from said Northwesterly Right-of-Way line of State Road 29, a distance of 4602.48 feet to the South line of the Northeast quarter of said Section 29; Thence N89°51'24"W, along said South line of the Northeast quarter of said Section 29, a distance of 645.38 feet to the East line of the West one-half of the Southeast one-quarter of said Section 29; Thence S00°29'46"W, along said East line of the West one-half of the Southeast one-quarter of said Section 29, a distance of 2598.21 feet to the North Right-Of-Way line of State Road No. S-731; Thence N89°40'36"W, along said North Right-Of-Way line of State Road No. S-731, a distance of 1243.85 feet to the said East Right-of-Way line of State Road 720; Thence N00°06'28"E, along said East Right-Of-Way line of State Road 720, a distance of 100.00 feet; Thence S89°40'36"E a distance of 224.69 feet; Thence N00°29'11"E a distance of 311.50 feet; Thence N89°40'36"W a distance of 226.75 feet to the said East Right-Of-Way line of State Road 720; Thence N00°06'28"E, along said East Right-Of-Way line of State Road 720, a distance of 3513.22 feet; Thence S89°56'03"E a distance of 1271.21 feet; Thence N00°31'38"E, a distance of 333.06 feet; Thence continue N00°31'38"E a distance of 666.11 feet; Thence continue N00°31'38"E, a distance of 333.05 feet; Thence S89°59'17"W a distance of 1280.97 feet to the Point-Of-Beginning.

GLADES COUNTY, FLORIDA – WASTEWATER (continued)

West Glades Elementary School

The Northeast 1/4 of Section 20, and the West 1/4 of the Northwest 1/4 of Section 21, Township 42 South, Range 29 East, Glades County, Florida.

This Parcel being more particularly described as follows: Commencing at the north quarter of said Section 20, said quarter corner being an 80 penny spike located near the center line of the existing 19 foot wide pavement of County Road No. 731; thence S. 89° 15' 49" E. along the north line of said Section 20, a distance of 50.00 feet to an intersection with the easterly Right-of-Way line of said County Road No. 731 and the Point of Beginning of this description; thence continuing S. 89° 15' 49" E along said north line of Section 20, a distance of 2607.22 feet to a lightwood post marking the northeast corner of said Section 20; thence S. 89° 45' 20" E. along the northerly line of said Section 21, a distance of 666.34 feet to the quarter-quarter-quarter corner; thence S. 0° 06' 27" W. along the quarter-quarter-quarter line, a distance of 2660.52 feet to an intersection with the east-west quarter Section line; thence N. 89° 19' 15" W. along said quarter line, a distance of 665.97 feet to a lightwood post marking the quarter corner; thence N. 89° 08' 51" W. along the east-west quarter line of said Section 20, a distance of 185.25 feet to an intersection with the northerly Right-of-Way line of said Pollywog Crossover Road; thence N. 35° 02' 55" W. along said northerly Right-of-Way line, a distance of 31.18 feet; thence N. 88° 59' 41" W. continuing along said Right-of-Way line, a distance of 2316.32 feet; thence N. 88° 17' 12" W. a distance of 89.92 feet to an intersection with the said easterly Right-of-Way line of County Road No. 731; thence N. 0° 10' 39" E. along said Right-of-Way line, a distance of 2617.40 feet to the said Point of Beginning of this description.

And the following:

Section 15; The south half lying westerly of SR 29 ROW

Section 16; The south half

Section 21; All lying westerly of SR 29 less the east half of the NW 1/4 of SW 1/4 and less SE 1/4 of SW 1/4 of NE 1/4 and less the east half of the NW 1/4 of SE 1/4 and less the east 3/4 of the east half of SW 1/4 of SE 1/4 and less the south half of SE 1/4 of SW 1/4 of NW 1/4 and less the south half of SW 1/4 of SE 1/4 of NW 1/4 and less the west half of NE 1/4 of SW 1/4

Section 22; all lying westerly of SR 29 ROW

Section 28; The north half lying westerly of SR 29 ROW

FLORIDA PUBLIC SERVICE COMMISSION

authorizes

Silver Lake Utilities, Inc.
pursuant to
Certificate Number 636-W

to provide water service in Glades and Highlands Counties in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
*	*	060726-WS	Original Certificate

***Order Number and date to be provided at time of issuance.**

FLORIDA PUBLIC SERVICE COMMISSION

authorizes

Silver Lake Utilities, Inc.
pursuant to
Certificate Number 546-S

to provide wastewater service in Glades County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
*	*	060726-WS	Original Certificate

***Order Number and date to be provided at time of issuance.**