

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: March 26, 2009

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Redemann, Walden)
Office of the General Counsel (Klancke)

RE: Docket No. 080540-WS – Application for amendment of Water Certificate No. 106-W and Wastewater Certificate No. 120-S to extend water and wastewater services to certain territory (Haines Creek; Kings Cove; Holiday Haven; East Lake Harris / Friendly Center; 48 Estates; Morningview; Silver Lakes Estates) in Lake County, by Aqua Utilities Florida, Inc.
County: Lake

AGENDA: 04/7/09 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Edgar

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: Place in consecutive order on the agenda.

FILE NAME AND LOCATION: S:\PSC\ECR\WP\080540.RCM.DOC

Case Background

Aqua Utilities Florida, Inc. (Aqua or Utility) is a Class A utility with 82 water and wastewater systems located in sixteen counties throughout Florida. By Order No. 5595, issued December 7, 1972, the Commission granted Certificate No. 106-W to the Utility to serve territory in Lake County and water rates were established in that docket.¹ Aqua provides water

¹ In Docket No. C-72505-W, In re: Application of Southern States Utilities for a certificate to operate its existing water systems in Lake County.

and wastewater service to approximately 2,325 water and 341 wastewater customers in Haines Creek, Kings Cove, Holiday Haven, East Lake Harris/Friendly Center, 48 Estates, Morningview, and Silver Lakes Estates. Currently, Aqua provides services to 30 water and 6 wastewater customers that are outside of its certificated area.

On August 12, 2008, the Utility applied for an amendment application in Lake County for its water and wastewater systems. The proposed area is located in the St. Johns River Water Management District (SJRWMD).

On September 11, 2008, a timely Notice of Objection to the Application for Extension of Service Area was submitted to the Commission on behalf of the City of Leesburg (Leesburg), asserting that the proposed extension of Aqua's service area would result in the impermissible duplication of services in those areas already being served Leesburg. On November 6, 2008, the objection was subsequently withdrawn by Leesburg on the basis that Aqua had amended its application in this matter to exclude areas in which it and Leesburg would be providing duplicate services.

On January 28, 2009, St. John's River Utility, Inc. (St. John's) timely filed an objection in this matter asserting that the proposed territorial expansion impermissibly encroached upon St. John's existing service area and that St. John's had not been provided with sufficient notice with respect to the pendency of Aqua's application for extension of service territory. Aqua representatives subsequently worked with St. John's to ensure that the proposed extension area would be limited to the Utility's existing service area in Holiday Haven. On February 13, 2009, St. John's formally withdrew its letter of objection.

This recommendation addresses the Utility's application for amendment of Water Certificate No. 106-W and Wastewater Certificate No. 120-S to extend water and wastewater services to certain territories in Lake County. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.)

Discussion of Issues

Issue 1: Should Aqua Utilities Florida, Inc. be ordered to show cause, in writing within 21 days, why it should not be fined for its apparent violation of Section 367.045, Florida Statutes?

Recommendation: No, a show cause proceeding should not be initiated. (Klancke)

Staff Analysis: As stated in the case background, Aqua is serving customers outside of its certificated territory. Section 367.045(2), F.S., states in pertinent part: “A utility may not delete or extend its service outside the area described in its certificate of authorization until it has obtained an amended certificate of authorization from the [C]ommission” If a utility is found to have knowingly refused to comply with, or to have willfully violated any provision of Chapter 367, F.S., Section 367.161(2), F.S., authorizes the Commission to assess a penalty of not more than \$5,000 for each offense. By serving customers outside of its certificated territory without obtaining an amended certificate of authorization, the Utility’s act was “willful” within the meaning of Section 367.161, F.S. In Order No. 24306, issued April 1, 1991, in Docket No. 890216-TL, In Re: Investigation Into The Proper Application of Rule 25-14.003, Florida Administrative Code, Relating To Tax Savings Refund For 1988 and 1989 For GTE Florida, Inc., the Commission, having found that the company had not intended to violate the rule, nevertheless found it appropriate to order it to show cause why it should not be fined, stating that “[i]n our view, ‘willful’ implies an intent to do an act, and this is distinct from an intent to violate a statute or rule”; see also Order No. PSC-99-2390-FOF-WU, issued on December 7, 1999, in Docket No. 980543-WU, In Re: Application for amendment of Certificate No. 363-W to add territory in Marion County by Sunshine Utilities of Central Florida, Inc. (finding that the Utility’s apparent violation of Section 367.045, F.S., did not warrant the initiation of a show cause proceeding).

Although Aqua’s failure to obtain an amended certificate of authorization for Water Certificate No. 106-W and Wastewater Certificate No. 120-S from the Commission prior to serving outside of its certificated area is an apparent violation of Section 367.045(2), F.S., according to its application, the Utility erroneously believed that the territory in question was included in its service area. When the error was discovered, Aqua filed the instant application to correct the mistake and include the territory to its service area. The Utility has indicated that throughout this time period, the calculation of the annual regulatory assessment fees (RAFs) for Aqua was inclusive of all these customers.

Staff does not believe that the apparent violation of Section 367.045, F.S., rises in these circumstances to the level which warrants the initiation of a show cause proceeding. Therefore, staff recommends that the Commission not order Aqua to show cause for failure to obtain an amended certificate of authorization prior to serving outside of its certificated territory.

Issue 2: Should the Commission approve the application to amend Certificates 106-W and 120-S in Lake County by Aqua Utilities Florida, Inc.?

Recommendation: Yes, the Commission should approve Aqua's amendment application to extend water and wastewater services to Haines Creek, Kings Cove, Holiday Haven, East Lake Harris/Friendly Center, 48 Estates, Morningview, and Silver Lakes Estates in Lake County. The proposed territory and composite description is described in Attachment A. The resultant order should serve as Aqua's amended certificate and it should be retained by the Utility. The Utility should charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to change by the Commission. In addition, the Utility should be ordered to file revised tariff sheets that incorporate the additional territory within 30 days from the date of the Commission order. (Redemann, Walden)

Staff Analysis: On August 12, 2008, Aqua filed an application for amendment of its certificates. The application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning an application for amendment of certificate. Aqua provides service to the 30 water and 6 wastewater customers that were outside of its certificated area. In addition, for 48 Estates the Utility is adding 51 water lots and in East Lake Harris/Friendly Center, the Utility is adding 52 water lots.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), (f) and (i), Florida Administrative Code (F.A.C.). As discussed in the case background, on September 11, 2008, Leesburg filed a timely objection in this docket asserting that the proposed extension of Aqua's territory located in the Silver Lakes Estates area would result in the impermissible duplication of services on November 6, 2008, this objection was withdrawn by Leesburg on the basis that Aqua had amended its application to exclude those areas which Leesburg is currently serving.

Haines Creek, Kings Cove, Holiday Haven, East Lake Harris/Friendly Center, 48 Estates, Morningview, and Silver Lakes Estates' proposed territory and composite description is described in Attachment A. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, F.A.C. The Utility states that the provision of service will be consistent with the section of the Utility's local comprehensive plan. The Utility has submitted an affidavit consistent with Section 367.045(2)(d), F.S., that it has tariffs and annual reports on file with the Commission.

On January 28, 2009, St. John's timely filed an objection in this matter. Aqua representatives subsequently worked with St. John's to ensure that the proposed extension area would not impermissibly encroach upon St. John's existing service area. On February 13, 2009, St. John's withdrew its letter of objection.

Aqua has seven separate water treatment systems that include Haines Creek, Kings Cove, Holiday Haven, East Lake Harris/Friendly Center, 48 Estates, Morningview, and Silver Lakes Estates. Aqua has two separate wastewater treatment systems that include Kings Cove, Holiday Haven and Morningview.

Aqua has been providing service continuously to customers in the extension area since it acquired the systems in 1998, and thus, the Utility has demonstrated that it has sufficient capacity to serve them. Moreover, the Utility indicated that it has sufficient capacity to serve an additional 2,500 customers. Therefore, there will be no impact on the capacity of the systems. Staff has contacted the Department of Environmental Protection (DEP) and learned that there are no outstanding notices of violation issued for the systems. The Utility utilizes licensed operators to operate the systems. The Utility has indicated that throughout this time period, the calculation of the RAFs for Aqua was inclusive of all of these customers.

Regarding the financial impact of these customers on the Utility, the customers are already being served by Aqua. The application states that this extension area will not have any impact on Aqua's rates or service availability charges. Consequently, staff believes that Aqua has demonstrated the financial and technical ability to provide quality service to these customers.

Based on the above, staff recommends that the Commission approve Aqua Utilities Florida Inc.'s amendment application to extend water and wastewater services to Haines Creek, Kings Cove, Holiday Haven, East Lake Harris/Friendly Center, 48 Estates, Morningview, and Silver Lakes Estates in Lake County. The proposed territory and composite description is described in Attachment A. The resultant order should serve as Aqua Utilities Florida, Inc.'s amended certificate and it should be retained by the Utility. The Utility should charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to change by the Commission. In addition, the Utility should be ordered to file revised tariff sheets that incorporate the additional territory within 30 days from the date of the Commission order.

Docket No. 080540-WS

Date: March 26, 2009

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issues 1 and 2, no further action will be necessary and this docket should be closed. (Klancke)

Staff Analysis: If the Commission approves staff's recommendation in Issues 1 and 2, no further action will be necessary and this docket should be closed.

Aqua Utilities Florida, Inc.
Lake County
Description of Water Territories Added

Haines Creek

Township 19 South, Range 25 East, in Sections 11 and 12

1. Commence From The Northeast Corner of Section 11 And Run 140.4 Feet S89°55'30"W To The Point of Beginning, Thence Run S00°19'35"W A Distance of 724.0 Feet, Thence Run S87°43'15"W A Distance of 370.7 Feet, Thence Run S36°51'7"W A Distance of 505.1 Feet, Thence Run N0°52'9"E A Distance of 1150.8 Feet, Thence Run S89°20'04"E A Distance of 660.1 Feet To The Point of Beginning.

2. Commence From The Northwest Corner of Section 12 And Run S89°18'05"E A Distance of 822.6 Feet To The Point of Beginning, Thence Run S89°39'54"E A Distance of 271.5 Feet To A Point More or Less Located on The Western Shoreline of Haines Creek, Thence Meander Southerly Along Said Shoreline A Distance of 2,072.5 Feet To A Point Located S01°55'41"W A Distance of 1,361.4 Feet From The Point of Beginning, Thence Run S00°58'31"W A Distance of 542.8 Feet, Thence Run N87°21'49"W A Distance of 145.1 Feet, Thence Run Due North A Distance of 1374.3 Feet, Thence Run S89°37'42"E A Distance of 200 Feet, Thence Run Due North A Distance of 523.6 Feet To The Point of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water Service Area

Haines Creek

Township 19 South, Range 25 East, in Sections 11 and 12

1. Begin At The Northwest Corner Of Section 12 Which Will Be Referred To As The Point Of Beginning And Run $S89^{\circ}30'07''E$ A Distance Of 1,094.1 Feet To A Point More Or Less Located On The Western Shoreline Of Haines Creek, Thence Meander Southerly A Distance Of 2,072.5 Feet Along Said Shoreline To A Point Located $S29^{\circ}36'44''E$ A Distance Of 1,572.2 Feet From The Point Of Beginning, Thence Run $S00^{\circ}58'31''W$ A Distance Of 542.8 Feet, Thence Run $N87^{\circ}24'21''W$ A Distance Of 800.2 Feet, Thence Run $N0^{\circ}58'12''E$ A Distance Of 1878.8 Feet To The Point Of Beginning.

2. Commence From The Northeast Corner Of Section 11 And Run $S89^{\circ}55'30''W$ A Distance Of 140.4 Feet To The Point Of Beginning, Thence Run $S0^{\circ}14'11''W$ A Distance Of 1,336.0 Feet, Thence Run $N89^{\circ}3'20''W$ A Distance Of 674.7 Feet, Thence Run $N0^{\circ}51'52''E$ A Distance Of 1,332.7 Feet, Thence Run $S89^{\circ}20'04''E$ A Distance Of 660.1 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Description of Water and Wastewater Territories Added

Kings Cove

Township 19 South, Range 24 East in Section 1

1. Commence From The Southwest Corner Of Section 1 And Run 1272.5 Feet N39°3'27"E To The Point Of Beginning, Thence Run N43°31'15"W A Distance Of 525.4 Feet, Thence Run N8°3'22"W A Distance Of 101.6 Feet, Thence Run N71°51'46"E A Distance Of 55.3 Feet, Thence Run N84°28'49"E A Distance Of 126.1 Feet, Thence Run N61°23'02"E A Distance Of 125.9 Feet, Thence Run N68°27'10"E A Distance Of 91.8 Feet, Thence Run N53°11'32"E A Distance Of 244.3 Feet, Thence Run N30°31'32"E A Distance Of 72.7 Feet, Thence Run S62°40'5"E A Distance Of 97.3 Feet, Thence Run N30°17'48"W A Distance Of 47.0 Feet, Thence Run An Arc Distance Of 101.6 Feet Southwesterly Around A Curve Concave With A Radius Of 50 Feet, Thence Run S08°03'22"W A Distance Of 101.6 Feet, Thence Run S41°29'52"E A Distance Of 185 Feet, Thence Run S48°3'29"W A Distance Of 564.6 feet To The Point Of Beginning.

2. Commence From The Southwest Corner Of Section 1 And Run N50°18'51"E A Distance Of 3444.8 Feet To The Point Of Beginning, Thence Run N0°18'26"E A Distance Of 280.0 Feet, Thence Run N89°53'27"E A Distance Of 200 Feet, Thence Run S00°15'59"W A Distance Of 280.4 Feet, Thence Run Due West A Distance Of 200.2 Feet To The Point Of Beginning.

3. Commence From The Southwest Corner Of Section 1 And Run N66°23'36"E A Distance Of 3,052 Feet To The Point Of Beginning, Thence Run N1°4'8"W A Distance Of 108.6 Feet, Thence Run N64°23'33"W A Distance Of 134.7 Feet, Thence Run S43°22'42"W A Distance Of 115.9 Feet, Thence Run S59°40'36"W A Distance Of 15.8 Feet, Thence Run S71°30'44"W A Distance Of 210.4 Feet, Thence Run N36°24'05"E A Distance Of 353.4 Feet, Thence Run Along The Northern Right Of Way Line Of Twin Palms Road A Distance Of 349.1 Feet, Thence Run S82°39'57"E A Distance Of 813.5 Feet, Thence Run S01°00'18"W A Distance Of 52.4 Feet, Thence Run S88°59'42"E A Distance Of 37.8 Feet, Thence Run N83°43'11"W A Distance Of 337.5 Feet, Thence Run N00°22'49"W A Distance Of 8.3 Feet, Thence Run N82°41'41"W A Distance Of 420.0 Feet, Thence Run S7°18'18"W A Distance Of 100.1 Feet, Thence Run N81°14'29"W A Distance Of 149.9 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water and Wastewater Service Area

Kings Cove

Township 19 South, Range 24 East in Section 1

Commence At The Southeast Corner Of The Southwest 1/4 Of Section 1, Thence Run N89°48'55"W Along The South Line Of Section 1 A Distance Of 1139.11 Feet To The Point Of Beginning, Thence Continue Along The South Line Of Said Section A Distance Of 1,119.9 Feet To The East Right-Of-Way Of Cr-466a, Thence Run Northwesterly Along Said Right-Of-Way 1088.9 Feet, Thence Run N32°47'05"E A Distance Of 336.7 Feet, Thence Run N45°03'33"E A Distance Of 74.5 Feet, Thence Run N58°06'14"E A Distance Of 109.0 Feet, Thence Run S88°57'15"E A Distance Of 59.3 Feet, Thence Run N63°40'52"E A Distance Of 144.7 Feet, Thence Run S85°58'30"E A Distance Of 84.9 Feet, Thence Run N8°3'22"W A Distance Of 101.6 Feet, Thence Run N71°51'46"E A Distance Of 55.3 Feet, Thence Run N84°28'49"E A Distance Of 126.1 Feet, Thence Run N61°23'02"E A Distance Of 125.9 Feet, Thence Run N68°27'10"E A Distance Of 91.8 Feet, Thence Run N53°11'32"E A Distance Of 244.3 Feet, Thence Run N30°31'32"E A Distance Of 72.7 Feet, Thence Run S62°40'5"E A Distance Of 97.3 Feet, Thence Run N26°49'25"E A Distance Of 60.7 Feet, Thence Run N74°24'29"E A Distance Of 14.7 Feet, Thence Run N14°51'09"E A Distance Of 189.6 Feet, Thence Run N56°30'29"E A Distance Of 93.3 Feet, Thence Run N45°55'14"E A Distance Of 273.1 Feet, Thence Run N33°01'33"E A Distance Of 45.2 Feet, Thence Run N65°29'05"E A Distance Of 68.0 Feet, Thence Run N50°45'00"E A Distance Of 331.6 Feet, Thence Run N23°35'36"E A Distance Of 103.9 Feet, Thence Run N73°27'35"E A Distance Of 31.3 Feet, Thence Run N03°04'41"W A Distance Of 179.1 Feet, Thence Run S65°45'50"E A Distance Of 79.9 Feet, Thence Run S83°43'42"E A Distance Of 90.6 Feet, Thence Run N58°20'23"E A Distance Of 71.8 Feet Thence Run N43°18'19"E A Distance Of 63.7 Feet, Thence Run N58°48'18"E A Distance Of 115.5 Feet, Thence Run S89°41'41"E A Distance Of 180.0 Feet, Thence Run S72°34'20"E A Distance Of 179.1 Feet, Thence Run S00°18'19"E A Distance Of 350.6 Feet, Thence Run N89°53'27"E A Distance Of 200 Feet, Thence Run S00°15'59"W A Distance Of 280.4 Feet, Thence Run S25°18'48"E A Distance Of 217.0 Feet, Thence Run S46°17'31"E A Distance Of 193.0 Feet, Thence Run S79°47'31"E A Distance Of 173.0 Feet, Thence Run N41°09'16"E A Distance Of 100.0 Feet, Thence Run S07°02'01"E A Distance Of 461.8 Feet, Thence Run N82°57'59"E A Distance Of 306.0 Feet, Thence Run S07°13'05"E A Distance Of 243.5 Feet, Thence Run S01°00'18"W A Distance Of 52.4 Feet, Thence Run N88°59'42"W A Distance Of 37.8 Feet, Thence Run N83°43'11"W A Distance Of 337.5 Feet, Thence Run N00°22'49"E A Distance Of 8.3 Feet, Thence Run N82°41'41"W A Distance Of 420.0 Feet, Thence Run S7°18'18"W A Distance Of 100.1, Thence Run N81°14'29"W A Distance Of 149.9 Feet, Thence

Run N1°4'8"E A Distance Of 108.6 Feet, Thence Run N64°23'33"W A Distance Of 134.7 Feet, Thence Run S43°22'42"W A Distance Of 115.9 Feet, Thence Run S59°40'36"W A Distance Of 15.8 Feet, Thence Run S71°30'44"W A Distance Of 210.4 Feet, Thence Run S36°24'05"W A Distance Of 28.5 Feet, Thence Run S43°58'19"W A Distance Of 156.0 Feet, Thence Run S0°18'19"W A Distance Of 320 Feet, Thence Run Due West A Distance Of 384.09 Feet, Thence Run S06°48'19"W A Distance Of 113.6 Feet, Thence Run S19°33'19"W A Distance Of 320 Feet, Thence Run S45°18'19"W A Distance Of 200 Feet, Thence Run S00°11'04"W A Distance Of 110.0 Feet, Thence Run Due West A Distance Of 90 Feet, Thence Run S00°11'04"W A Distance Of 114.7 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Description of Water and Wastewater Territories Added

Holiday Haven

Township 15 South, Range 28 East in Section 38

Commence From The Northwest Corner Of Section 38 And Run S0°57'16"E A Distance Of 2,293.5 Feet Along The West Boundary Line Of Said Section 38 To The Northern Boundary Line Of State Road 40, Thence Run N88°38'49" A Distance Of 1,959.6 Feet Along The Northern Boundary Line Of Said Road To The Point Of Beginning, Thence Run N0°57'1"W A Distance Of 201 Feet, Thence Run N89°41'02"E A Distance Of 300.6 Feet, Thence Run S01°57'33"E A Distance Of 195.5 Feet, Thence Run S88°38'49"W A Distance Of 314.2 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water and Wastewater Service Area

Holiday Haven

Township 15 South, Range 28 East in Section 30 And 38

Commence From The Northwest Corner Of Section 38 And Run S0°57'16"E A Distance Of 2,293.5 Feet Along The West Boundary Line Of Said Section 38 To The Northern Boundary Line Of State Road 40, Thence Run N88°38'49"E A Distance Of 1,959.6 Feet Along The Northern Boundary Line Of Said Road To The Point Of Beginning, Thence Run N88°38'49"E A Distance Of 314.2 Feet, Thence Run N00°34'33"W A Distance Of 900.5 Feet, Thence Run N89°10'17"E A Distance Of 2,273.1 Feet, Thence Run N00°19'16"E A Distance Of 200.9 Feet, Thence Run S86°57'45"W A Distance Of 373.7 Feet, Thence Run N00°17'03"W A Distance Of 1,033.8 Feet, Thence Run N84°25'15"W A Distance Of 336.8 Feet, Thence Run N66°33'16"W A Distance Of 145.6 Feet, Thence Run S88°46'50"W A Distance Of 1,413.3 Feet, Thence Run S01°03'54"E A Distance Of 872.6 Feet, Thence Run S89°05'04"W A Distance Of 810.4 Feet, Thence Run N00°18'53"E A Distance Of 759.1 Feet, Thence Run Due West A Distance Of 262.8 Feet, Thence Run S0°6'11"E A Distance Of 653.2 Feet, Thence Run Due West A Distance Of 169.4 Feet, Thence Run S00°01'36"W A Distance Of 117.0 Feet, Thence Run S89°22'27"W A Distance Of 129.2 Feet, Thence Run Due South A Distance Of 702.0 Feet, Thence Run Due East A Distance Of 376.6 Feet, Thence Run S01°00'30"E A Distance Of 432.9 Feet, Thence Run N88°38'49"E A Distance Of 649.8 Feet, Thence Run S00°57'01"E A Distance Of 201.0 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Description of Water Territories Added

East Lake Harris/Friendly Center

Township 20 South, Range 26 East in Sections 20 and 29

1. Commence From The Southwest Corner Of Section 20 And Run S89°31'13"E A Distance Of 2033.2 Feet To The Point Of Beginning, Thence Run N0°23'21"E A Distance Of 705.2 Feet, Thence Run S89°21'17"E A Distance Of 1222.2 Feet, Thence Run S0°4'38"E A Distance Of 200.2 Feet, Thence Run Due East A Distance Of 594.4 Feet To A Point More Or Less Located On The East Right-Of-Way Of County Road 561, Thence Run S28°52'46"W A Distance Of 2039.4 Feet Along The East Right-Of-Way Of Said Road, Thence Run N89°42'05"W A Distance Of 328.6 Feet, Thence Run N0°33'27"E A Distance Of 950.5 Feet, Thence Run N89°30'58"W A Distance Of 592.2 Feet, Thence Run N0°2'11"E A Distance Of 40 Feet, Thence Run N89°56'46"E A Distance Of 325.3 Feet, Thence Run N1°3'39"E A Distance Of 296.6 Feet, Thence Run N89°29'16"W A Distance Of 258.6 Feet To The Point Of Beginning.

2. Commence At The Southwest Corner Of Section 20 And Run N70°15'07"E A Distance Of 2,783.3 Feet To The Point Of Beginning, Thence Run N00°18'37"W A Distance Of 636.7 Feet, Thence Run N80°12'23"E A Distance Of 1,374.3 Feet, Thence Run S01°11'39"W A Distance Of 569.5 Feet, Thence Run N88°51'26"W A Distance Of 915.5 Feet, Thence Run S52°30'53"W A Distance Of 534.0 Feet To The Point Of Beginning.

Less And Except The Following Area;

Commence From The Northwest Corner Of Section 29 And Run S70°36'38"W A Distance Of 2803.8 Feet To The Point Of Beginning, Thence Run N00°50'16"E A Distance Of 269.6 Feet, Thence Run S61°43'0"E A Distance Of 255.0 Feet, Thence Run S28°24'38"W A Distance Of 150.0 Feet, Thence Run S61°43'00"E A Distance Of 78.7 Feet, Thence Run S29°02'31"W A Distance Of 75.1 Feet, Thence Run N65°06'07"W A Distance Of 208.5 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water Service Area

East Lake Harris/Friendly Center

Township 20 South, Range 26 East in Sections 20 and 29

Commence From The Southwest Corner Of Section 20 And Run N77°16'06"E A Distance Of 1,137.4 Feet To The Point Of Beginning, Thence Run S89°30'20"E A Distance Of 763.5 Feet, Thence Run N0°31'19"E A Distance Of 600 Feet, Thence Run Due East A Distance Of 230 Feet, Thence Run Due North A Distance Of 100 Feet, Thence Run N89°36'29"E A Distance Of 513.4 Feet, Thence Run N0°18'37"W A Distance Of 636.7 Feet, Thence Run N79°58'44"E A Distance Of 1375.0 Feet, Thence Run S1°14'36"W A Distance Of 1,178.3 Feet, Thence Run S28°52'46"W A Distance Of 2,749.0', Thence Run S0°20'10"W A Distance Of 271 Feet, Thence Run N89°15'26"W A Distance Of 724.9 Feet, Thence Run N0°19'32"E A Distance Of 723.9 Feet, Thence Run N89°31'51"W A Distance Of 1243.1 Feet, Thence Run N0°32'54"E A Distance Of 597.4 Feet, Thence Run S89°26'43"E A Distance Of 1302.8 Feet, Thence Run N0°25'34"E A Distance Of 64.4 Feet, Thence Run N89°24'30"W A Distance Of 858.2 Feet, Thence Run N0°18'7"E A Distance Of 888.9 Feet To The Point Of Beginning.

Less And Except The Following Area;

Commence From The Northwest Corner Of Section 29 And Run S70°36'38"W A Distance Of 2803.8 Feet To The Point Of Beginning, Thence Run N00°50'16"E A Distance Of 269.6 Feet, Thence Run S61°43'0"E A Distance Of 255.0 Feet, Thence Run S28°24'38"W A Distance Of 150.0 Feet, Thence Run S61°43'00"E A Distance Of 78.7 Feet, Thence Run S29°02'31"W A Distance Of 75.1 Feet, Thence Run N65°06'07"W A Distance Of 208.5 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Description of Water Territories Added

48 Estates

Township 19 South, Range 25 East in Sections 12 and 13

1. Begin At The Southwest Corner Of Section 12 And Run N01°18'13"E A Distance Of 1,018.7 Feet, Thence Run S89°22'42"E A Distance Of 64.9 Feet To A Point Located On The Shore Line Of Lake Amanda, Thence Run S28°21'20"E A Distance Of 91.4 Feet, Thence Run S58°16'57"E A Distance Of 116.2 Feet, Thence Run N87°45'39"E A Distance Of 100.0 Feet, Thence Run S01°07'18"W A Distance Of 55.0 Feet, Thence Run S89°22'41"E A Distance Of 100.0 Feet, Thence Run N01°07'19"E A Distance Of 140.0 Feet, Thence Run S88°52'41"E A Distance Of 37.4 Feet, Thence Run S03°03'02" W A Distance Of 281.1 Feet, Thence Run S21°40'34"W A Distance Of 53.7 Feet, Thence Run S01°05'58"W A Distance Of 135.0 Feet, Thence Run S89°21'29"E A Distance Of 48.0 Feet, Thence Run Due South A Distance Of 105.0 Feet, Thence Run S89°21'20"E A Distance Of 200.0 Feet, Thence Run N01°06'20"E A Distance Of 97.5 Feet, Thence Run S89°15'33"E A Distance Of 379.9 Feet, Thence Run Due South A Distance Of 189.0 Feet, Thence Run N89°58'34"W A Distance Of 71.5 Feet, Thence Run S01°06'17"W A Distance Of 180.0 Feet, Thence Run S47°49'35"E A Distance Of 180.0 Feet, Thence Run N89°37'12"W A Distance Of 1,149.4 Feet To The Point Of Beginning.

2. Commence At The Southwest Corner Of Section 12 And Run N81°33'16"E A Distance Of 2,298.1 Feet To The Point Of Beginning, Thence Run Due North A Distance Of 181.8 Feet, Thence Run S88°55'44"E A Distance Of 100.0 Feet, Thence Run Due North A Distance Of 111.6 Feet, Thence Run N89°40'47"W A Distance Of 95.2 Feet, Thence Run Due North A Distance Of 98.3 Feet, Thence Run Due East A Distance Of 183.3 Feet, Thence Run Due North A Distance Of 129.8 Feet, Thence Run N88°41'40"E A Distance Of 38.8 Feet, Thence Run S00°43'23"W A Distance Of 521.0 Feet, Thence Run Due West A Distance Of 220.7 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water Service Area

48 Estates

Township 19 South, Range 25 East in Sections 12 and 13

Commence At The Southwest Corner Of Section 12 And Run N01°18'13"E A Distance Of 1,018.7 Feet, Thence Run S89°22'42"E A Distance Of 64.9 Feet, Thence Run S28°21'20"E A Distance Of 91.4 Feet, Thence Run S58°16'57"E A Distance Of 116.2 Feet, Thence Run N87°45'39"E A Distance Of 100.2 Feet, Thence Run S01°07'18"W A Distance Of 55.0 Feet, Thence Run S89°22'41"E A Distance Of 100.0 Feet, Thence Run N01°07'19"E A Distance Of 140.0 Feet, Thence Run S89°26'23"E A Distance Of 956.1 Feet, Thence Run N00°56'10"E A Distance Of 115.6 Feet, Thence Run S89°39'51"E A Distance Of 1,291.7 Feet, Thence Run Due South A Distance Of 200.0 Feet, Thence Run S88°41'40"W A Distance Of 181.3 Feet, Thence Run S00°43'23"W A Distance Of 521.0 Feet, Thence Run Due West A Distance Of 327.2 Feet, Thence Run S01°46'48"W A Distance Of 749.2 Feet, Thence Run N89°35'13"W A Distance Of 785.5 Feet, Thence Run N16°03'00"W A Distance Of 274.2 Feet, Thence Run N47°49'35"W A Distance Of 171.7 Feet, Thence Run N89°37'12"W A Distance Of 1,149.4 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Description of Water and Wastewater Territory Added

Morningview

Township 20 South, Range 24 East in Section 2

Commence From The Northwest Corner Of Section 2 And Run S21°58'19"E A Distance Of 2845.1 Feet To The Point Of Beginning, Thence Run S0°43'42"E A Distance Of 439.5 Feet, Thence Run S87°57'56"E A Distance Of 1,252.0 Feet To A Point Located On The Western Shoreline Of Lake Harris, Thence Meander Northernly Along Said Shoreline 468.4 Feet, Thence Run S88°37'11"W A Distance Of 1,153.4 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water and Wastewater Service Area

Morningview

Township 20 South, Range 24 East in Section 2

Commence At The Northwest Corner of Said Section 2 And Run S12°27'6"E A Distance of 3136.4 Feet To The Point of Beginning, Thence Run N00°11'30"E A Distance of 637.9 Feet, Thence Run S89°25'33"E A Distance of 102.1 Feet, Thence Run N0°37'23"E A Distance of 351.1 Feet, Thence Run S88°26'17"E A Distance of 339.2 Feet, Thence Run N0°34'38"W A Distance of 240.7 Feet, Thence Run N88°46'46"E A Distance of 730.2 Feet To A Point Located On The Western Shoreline of Lake Harris, Thence Meander Southerly Along Said Shoreline A Distance Of 1,370.4 Feet More or Less To A Point Located S87°53'32"E A Distance of 1639.5 Feet From The Point Of Beginning, Thence Run N87°53'32"W A Distance Of 1639.5 Feet To The Point of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Water Service Area Added

Silver Lake Estates\Western Shores

Township 19 South, Range 25 East in Sections 10, 11 and 12

1. Commence From The Southeast Corner Of Section 10 And Run 2009.1 Feet N27°52'29"W To The Point Of Beginning, Thence Run N0°33'28"E A Distance Of 352.7 Feet, Thence Run N89°20'24"W A Distance Of 755.6 Feet, Thence Run S0°2'1"W A Distance Of 366 Feet, Thence Run S89°38'34"E A Distance Of 752.4 Feet To The Point Of Beginning.

2. Commence From The Southwest Corner Of Section 11 And Run N40°34'47"E A Distance Of 1725 Feet To The Point Of Beginning, Thence Run N0°49'58"E A Distance Of 165 Feet, Thence Run N80°40'43"E A Distance Of 46.3 Feet, Thence Run S29°47'14"E A Distance Of 201 Feet, Thence Run N89°14'32"W A Distance Of 148 Feet To The Point Of Beginning.

3. Commence From The Southeast Corner Of Section 12 And Run N9°42'56"W A Distance Of 1,047.7 Feet To Establish The Point Of Beginning, Thence Run N86°35'45"W A Distance Of 347.5 Feet, Thence Run N01°03'21"E A Distance Of 62.6 Feet, Thence Run S89°31'20"E A Distance Of 347.5 Feet, Thence Run S01°09'02"W A Distance Of 90.1 Feet To The Point Of Beginning.

Aqua Utilities Florida, Inc.
Lake County
Composite Water Service Area

Silver Lakes Estates/Western Shores

Township 19 South, Range 25 East in Sections 1, 10, 11, 12, 14 and 15 and Township 19 South, Range 26 East in Sections 7 and 8.

Commence At The Northeast Corner Of Section 11 And Run S0°41'54"W A Distance Of 1327.7 Feet To The Point Of Beginning, Thence Run S0°35'53"W A Distance Of 551.0 Feet, Thence Run S87°25'33"E A Distance Of 708.4 Feet, Thence Run N1°2'19"E A Distance Of 542.4 Feet, Thence Run Due East A Distance Of 120.0 Feet To The Shoreline Of Haines Creek, Thence Meander Easterly Along The Shoreline Of Haines Creek/Lake Eustis A Distance Of 11,368.4 Feet To A Point Located S 21°13'04" W A Distance Of 2,886.9 Feet From The NW Corner Of Section 8, Thence Run S89°56'16"W A Distance Of 1,075.7 Feet, Thence Run N1°8'21"E A Distance Of 3,775.9 Feet, Thence Run Due West A Distance Of 185 Feet, Thence Run N00°20'06"E A Distance Of 42.0 Feet, Thence Run S88°52'12"W A Distance Of 33.9 Feet, Thence Run S01°09'02"W A Distance Of 90.1 Feet, Thence Run N86°35'45"W A Distance Of 347.5 Feet, Thence Run N01°03'21"E A Distance Of 62.6 Feet, Thence Run N89°39'54"W A Distance Of 4,803.4 Feet, Thence Run Due North A Distance Of 202.0 Feet, Thence Run S89°50'18"W A Distance Of 2,212.8 Feet, Thence Run S1°4'45"W A Distance Of 1,294.1 Feet, Thence Run S89°29'20"W A Distance Of 1,668.1 Feet, Thence Run S0°56'37"W A Distance Of 3,937.1, Thence Run N89°48'10"W A Distance Of 1,319.7 Feet, Thence Run S1°01'27"W A Distance Of 334.6 Feet, Thence Run N89°15'52"W A Distance Of 666.3 Feet, Thence Run N1°02'17"E A Distance Of 327.0 Feet, Thence Run N88°33'36"W A Distance 653.1 Feet, Thence Run Due North A Distance Of 1,325.3 Feet, Thence Run N88°32'43"W A Distance Of 84.7 Feet, Thence Run N0°27'58"W A Distance Of 315.6 Feet, Thence Run N85°12'56"E A Distance Of 397.6 Feet, Thence Run S1°49'46"E A Distance Of 190.9 Feet, Thence Run S87°39'52"E A Distance Of 99.6 Feet, Thence Run Due South A Distance Of 162.4 Feet, Thence Run S89°07'39"E A Distance Of 934.3 Feet, Thence Run N0°34'47"E A Distance Of 1,977.0 Feet, Thence Run N89°31'53"W A Distance Of 2,039.9, Thence Run N0°02'23"E A Distance Of 359.4 Feet, Thence Run N64°47'35"W A Distance Of 658.7 Feet, Thence Run N0°48'35"E A Distance Of 724.2 Feet, Thence Run S89°19'51"E A Distance Of 460.7 Feet, Thence Run N12°5'35"E A Distance Of 407.8 Feet, Thence Run S89°22'45"E A Distance Of 122.2 Feet, Thence Run N0°44'7"E A Distance Of 266.7 Feet, Thence Run S89°20'24"E A Distance Of 273.3 Feet, Thence Run N0°21"E A Distance Of 800.0 Feet, Thence Run S89°20'24"E A Distance Of 755.6 Feet, Thence Run S0°14'45"W A Distance Of 800.3 Feet, Thence Run S89°0'51"E A Distance Of 987.0 Feet, Thence Run S89°31'33"E A Distance Of 1073.7 Feet, Thence Run N0°49'58"E A Distance Of 165.0 Feet, Thence Run N80°40'43"E A Distance Of 46.3 Feet, Thence Run S29°47'14"E A Distance Of 201.0 Feet, Thence Run S89°14'33"E A Distance Of 62.7 Feet, Thence Run N1°18'0"E A Distance Of 1325.0 Feet, Thence Run S89°11'30"E A Distance Of 1,336.6 Feet, Thence Run N1°00'57"E A Distance Of 1,337.6 Feet, Thence Run S89°20'17"E A Distance Of 2,632.5 Feet To The Point Of Beginning. Also, That Portion Located In The Southwest 1/4 Of Section 1 South And West Of Haines Creek.

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Aqua Utilities Florida, Inc.
pursuant to
Certificate Number 106-W

to provide water service in Lake 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>
5573	11/03/72	C-72497-W	Original Certificate
5595	12/07/72	C-72505-W	Original Certificate
5666	03/06/73	C-72651-W	Original Certificate
6801	07/25/75	750327-W (AP)	Original Certificate
6928	09/30/75	750367-W	Original Certificate
8075	12/02/77	770578-W (TC)	Transfer/Amendment
8076	12/02/77	770577-W (TC)	Transfer/Amendment
8144	01/25/78	770579-W (TC)	Transfer/Amendment
8299	05/05/78	780057-WS (TC)	Transfer/Amendment
9483	08/05/80	791043-W	Transfer/Amendment
9635	11/14/80	800192-WS (AP)	Original Certificate
9688	12/10/80	791043-W (TC)	Amendatory
9988	05/05/81	780278-WS (TC)	Transfer/Amendment
10109	06/29/81	800636-WS (TC)	Transfer/Amendment
10109-A	07/31/81	800636-WS (MC)	Amendatory
14115	02/21/85	840304-WS	Original Certificate
15295	10/25/85	850695-WU	Amendment
19575	06/27/88	870633-WS	Transfer Certificate
20647	01/24/89	881011-WU	Transfer/Amendment
20869	03/09/89	880605-WS	Transfer/Amendment
21636	07/31/89	890348-WU	Transfer/Amendment
23378	08/21/90	900106-WS	Transfer/Amendment
23459	09/11/90	900227-WU	Amendment
23505	09/18/90	900556-WU	Amendment
23656	10/23/90	891320-WU	Amendment
23852	12/10/90	900556-WU	Affirm Amendment
24230	03/12/91	900702-WU	Amendment
PSC-93-0754-FOF-WU	05/18/93	921044-WU	Amendment
PSC-93-0754A-FOF-WU	06/07/93	921044-WU	Amendatory
PSC-93-1150-FOF-WU	08/09/93	930129-WU	Amendment

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Aqua Utilities Florida, Inc.
pursuant to
Certificate Number 106-W

PSC-93-1306-FOF-WU	09/08/93	930129-WU	Amendment
PSC-95-0268-FOF-WS	02/28/95	940091-WS	Transfer/Amendment
PSC-96-0131-FOF-WS	01/29/96	950231-WS	Amendment
PSC-96-0432-FOF-WU	03/28/96	950880-WU	Transfer/Amendment
PSC-96-1409-FOF-WU	11/20/96	960716-WU	Transfer Cert.
PSC-97-0375-FOF-WU	04/07/97	960793-WU	Transfer/Amendment
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer Maj. Control
PSC-99-2115-PAA-WS	10/25/99	981779-WS	Transfer Cert.
PSC-02-1427-FOF-WU	10/18/02	990054-WU	Amendment/Deletion
PSC-03-0627-FOF-WU	05/23/03	021142-WU	Amendment
PSC-03-1235-FOF-WU	11/03/03	021137-WU	Amendment
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer Cert.
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorg./Name Change
PSC-07-0963-PAA-WU	12/04/07	070361-WU	Amendment
PSC-07-0968-PAA-WU	12/05/07	070362-WU	Amendment
PSC-09-0038-PAA-WS	01/20/09	070739-WS	Transfer/Amendment
*	*	080540-WU	Amendment

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

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Aqua Utilities Florida, Inc.
pursuant to
Certificate Number 120-S

to provide wastewater service in Lake 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, canceled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
6142	05/14/74	73521-WS	Original Certificate
8299	05/05/78	780057-WS (TC)	Transfer of Certificate
9635	11/14/80	800192-WS (AP)	Original Certificate
10109	06/29/81	800636-WS (TC)	Transfer/Amendment
10109-A	07/31/81	800636-WS (MC)	Amendatory
14115	02/21/85	840304-WS	Original Certificate
19575	06/27/88	870633-WS	Transfer of Certificate
20869	03/09/89	880605-WS	Transfer/Amendment
23378	08/21/90	900106-WS	Transfer/Amendment
PSC-95-0268-FOF-WS	02/28/95	940091-WS	Transfer/Amendment
PSC-96-0131-FOF-WS	01/29/96	950231-WS	Amendment
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorg./Name Change
PSC-09-0038-PAA-WS	01/20/09	070739-WS	Transfer/Amendment
*	*	080540-WU	Amendment

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