

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Spruce Creek South Utilities, Inc. for amendment) of water and wastewater certificates) in Sumter County, Florida.

Docket No. 97/464 - ws

APPLICATION FOR AMENDMENT OF WATER AND WASTEWATER CERTIFICATES

Applicant, SPRUCE CREEK SOUTH UTILITIES, INC., ("Spruce Creek" or "Utility") by and through its undersigned attorneys, and pursuant to Section 367.045, Florida Statutes, applies to the Florida Public Service Commission for amendment of its water and wastewater certificates to include additional territory in Sumter County, Florida, and in support thereof states:

I.

The full name and address of the Applicant is:

SPRUCE CREEK SOUTH UTILITIES, INC. 17585 Southeast 102nd Avenue Summerfield, Florida 34491

II.

ACK The full name and address of the Applicant's attorney, to whom Aip -- all Orders, notices, directives, correspondence and other communications shall be directed is: (W. 1 __ ..._ C ? ROSE, SUNDSTROM & BENTLEY [AL _____ 2548 Blairstone Pines Drive Tallahassee, Florida 32301 lr. Attn: F. Marshall Deterding L. . . III.

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Spruce Creek was originally organized and began providing water service pursuant to Commission Order No. 20933, issued on 000011477

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March 24, 1989. The Utility applied for authority to provide wastewater service in 1991, and by Order No. 25157, issued on October 3, 1991, the Utility was issued a wastewater certificate. The names and addresses of the corporate officers and directors of Spruce Creek are as follows:

Harvey D. Erp - President/Director Jay A. Thompson - Vice President Brenda Erp - Vice President

The address for these officers and directors is the address given for the Utility in paragraph I.

IV.

Spruce Creek is requesting an extension of territory to provide water and wastewater service to a relatively small commercial development immediately adjacent to the existing Spruce Creek South subdivision. The Utility has designed all systems to accommodate all residential and commercial units contained within the existing Spruce Creek South subdivision and have constructed all necessary improvements in facilities to service the entire subdivision and are currently serving all properties requiring service within that subdivision. There is sufficient unused capacity within the Utility's water and wastewater facilities to service both the demands of the existing water and wastewater service areas at build-out, and to service this adjacent commercial tract, which is in immediate need of such service.

v.

The Utility has the financial and technical ability to provide service to all existing certificated areas as well as to the

proposed additional territory, and that proposed commercial tract territory is in need of immediate service from the Utility.

The Utility has invested net rate bases totalling over \$2,000,000 and is currently providing service to approximately 1,700 residential water customers and 1,000 residential wastewater service customers. In addition, the Utility is also providing both water and wastewater services to several commercial customers within its existing service area. The Utility has constructed the necessary water and wastewater facilities to enable it to serve the entire Spruce Creek subdivision at build-out, including all residential and commercial facilities. The Utility is near build-out of all residential units and serving approximately 60% of all approved commercial uses within the subdivision. The Utility has adequate capacity to meet all of the needs of the Spruce Creek South subdivision (which constitutes its current territory) at build-out currently constructed and in place.

The Utility's water system has an FDEP permitted capacity of approximately 5,400 equivalent residential connections (based upon the ERC factor used in the Utility's tariff). The area proposed for service herein is expected to place a demand of 42,500 GPD or an additional 121 ERCs on the Utility's water system at build-out. Permitted capacity of the existing facilities is 1.9 MGD, and the Utility has existing flows of 1.5 MGD based on the average of the last 12 months max daily flows. Additional max days flows expected from areas within the Utility's existing territory at build-out will add approximately 100,000 max day demand on the system. As

such, the system will still have substantial unused capacity after build-out of the existing territory and after the addition of the new commercial development proposed for inclusion to the Utility's territory herein.

The facilities necessary to serve the Oakland Hills Professional Center are in place and sized to provide such service and are located immediately adjacent thereto. The Utility maintains a system which is well run and has been and continues to be in conformance with all applicable regulatory standards.

The Utility's wastewater system currently has a DEP permitted capacity of 216,000 gallons per day. The average daily flows into the wastewater treatment plant for the peak month within the last year were 156,000 gallons per day. The existing territory is very It is anticipated that when the near build-out at this time. balance of the residential and commercial uses from the existing certificated area are completed, the total flows into the plant during peak seasonal periods will be 171,580 per day of average daily flow. The commercial area proposed for service hereunder is expected to place an additional demand of 14,200 GPD of sewage flow on the system at build-out. As such, the existing system has adequate capacity to meet the build-out needs of both the existing territory and the territory proposed for service herein. The Utility's existing collection facilities are adequately sized and located immediately adjacent to this new area.

VI.

This territorial expansion is undertaken in order to provide water and wastewater service to a commercial tract known as the Oakland Hills Professional Center and described in Exhibit "A" hereto showing township, range and section references. No other water or wastewater utility facilities are in close proximity to the area to offer a reasonable economic alternative to water or wastewater service by the Applicant.

VII.

Based upon a review of the water and wastewater sections of the Local Comprehension Plan approved by the Department of Community Affairs, the Utility and its representatives have concluded that proposed service within this new commercial project is consistent with all sections of the Local Comprehensive Plan, specifically the water and wastewater sections.

VIII.

Evidence that the Utility owns or has a long-term right to utilize the property upon which the Utility's water and wastewater treatment facilities are located to serve the proposed territory are attached hereto as Exhibit *B*.

IX.

Detailed system maps showing the proposed lines, treatment facilities and territory proposed to be served, of a sufficient scale and detail to enable correlation with the description of the territory, have been marked as **Exhibit "C"**. The Utility is not proposing and will not need any expansion of existing wastewater

service areas at build-out. Spruce Creek is currently providing disposal of effluent through use of percolation ponds. As a Florida quality development and under the development orders which authorized development of the Spruce Creek subdivision, Utility is required to utilize spray irrigation to golf courses as a means of effluent disposal when the development reaches build-out and such sources are readily and economically available.

X.

Included herewith as **Exhibit "D"** is a map with a scale of 1" = 200' with the proposed territory plotted thereon by use of metes and bounds and with a defined reference point of beginning.

XI.

The Utility currently has water lines varying in size from 2" to 16" throughout the territory served and that proposed to be served under this Amendment, as well as all wastewater treatment collection facilities required for such service. Those facilities are adequately sized and of sufficient capacity to provide service throughout the existing territory currently included within the Utility's service territory and in that area proposed for extension under this Application.

As previously noted, both the wastewater treatment facilities and water treatment facilities currently in place and in service are more than adequate in size and capacity to meet the build-out needs of the Utility's certificated service territory, including the proposed extension area. Both of the treatment facilities have

adequate capacities to serve the entire needs, including peaks to Spruce Creek South subdivision as well as the existing and proposed commercial areas. A listing of all the DEP construction and operating permits for water and wastewater facilities are attached hereto as Exhibit *E*.

XII.

The additional wastewater collection and water distribution facilities have already been constructed by the developer of the Oakland Hills Professional Center and will not require expenditure of any significant monies by the Utility to provide the service proposed herein. Any minor additional capital costs required of the Utility will be more than offset by the infusion of additional contributions-in-aid-of-construction in conformance with the Utility's tariff and Commission rules. Because no additional capital investment requirements are expected in order to provide service to the proposed area at build-out, there is no impact on the Utility's capital structure resulting from this extension.

No impact on monthly service charges or service availability charges is currently anticipated to result directly from this extension of the Utility's service territory. However, changes in the rates and service availability charges are possible as a result of changes in local, state and federal environmental requirements placed upon both the Utility's water source and treatment facilities, and wastewater treatment and disposal facilities and upon proper allocation of costs to Utility services.

XIII.

This water and wastewater certificate extension application will serve approximately 120 additional water ERCs and 93 additional wastewater ERCs, all of which are commercial office customers too.

XIV.

The original and two copies of proposed sample tariff sheets reflecting the additional service area are attached hereto as Exhibit *F*.

IV.

The original of the Applicant's water and wastewater certificates are attached hereto as Exhibit "G," for amendment after approval of this extension application.

IVI.

An affidavit showing compliance with the provisions of Section 367.045, Florida Statutes, and the necessary compliance with Rule 25-30.030, Florida Administrative Code, is attached hereto as Exhibit "H". In accordance with the requirements of Section 25-30.030(7) Fla. Adm. Code, the Utility is currently in the process of publishing Notice of this Application. Within 30 days of the date of filing this Application, the Applicant will submit proof of such publication to the Commission as Exhibit "I".

XVII.

The numbers of the most recent Commission Orders establishing or amending the Applicant's rates and charges are as follows:

Order No. 20933 - Issued on March 24, 1989, establishing initial water rates

Order No. 25331 - Issued on November 13, 1991, establishing initial sewer rates

XVIII.

Attached hereto as Exhibit "J" is an affidavit that the Utility has tariffs and Annual Reports on file with the Commission.

XIX.

Less than 100 additional wastewater ERCs and between 100 200 additional water ERCs will be served by the territory extension. As such, attached hereto in compliance with the provisions of Section 25-30.020(2)(b), Florida Administrative Code is a check in the amount of \$300.00 which represents the filing fee required for this water and wastewater certificate application.

XX.

The territory requested for service herein is in immediate need of service and as such, the Utility requests that the Commission expedite its approval of this application. That property owner is currently requesting that service be initiated in the coming weeks. In order to avoid a technical violation of the Commission's rule concerning provision of service prior to approval of an extension application, Spruce Creek South Utilities hereby requests that the Commission expedite approval of this application for extension of service territory.

WHEREFORE, the Applicant, Spruce Creek South Utilities, Inc., requests that this Commission issue its Order amending the water and wastewater certificates of the applicant to include the

additional territory currently served by the Utility and described herein.

Respectfully submitted this day of October, 1997, by:

ROSE, SUNDSTROM & BENTLEY, LLP 2548 Blairstone Pines Drive Tallahassee, Florida 32301 (904) 877-6555

F. MARSHALL DETERDING

spruce\4amend.app

SPRUCE CREEK SOUTH UTILITIES, INC.

Legal Description

OAKLAND HILLS

Commence at the S.W. corner of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of Section 1, Township 18 South, Range 23 East; thence N.88°27'07"E., along the South line of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of said Section, a distance of 175.33 feet to a point on the Southwesterly right of way line of U.S. Highway 27-441 (being a 200 foot right of way) and the Point of Beginning. Thence S.41°46'50"E., along said right of way line, a distance of 370.00 feet to a point on the Northerly right of way line of County Road 109; thence S.48°13'10"W., along said right of way line, a distance of 100.41 feet to the Point of curvature of a 350.00 foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35°00'00", a distance of 213.80 feet to the point of tangency; thence continue along said right of way line, S.13°13'10"W., a distance of 120.66 feet; thence departing said right of way line, N41°46'50"W. a distance of 1665.10 feet; thence S.89°51'32"E. a distance of 537.59 feet to a point on the Southwesterly right of way line of said U.S. Highway 27-441; thence S.41°46'50"E., along said right of way line, a distance of 803.42 feet to the Point of Beginning. Said lands being situate in Sumter County, Florida and containing 12.740 acres, more or less.

SPRUCE CREEK SOUTH UTILITIES, INC. Evidence of Utility's Right to Serve

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THIS INSTRUMENT PREPARED BY: ISTINE E. MCCRANIE EVELOPHENT CO. OCALA, INC. S.E. 102nd AVENUE SINGERFIELD, FL 32691

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SPRUCE CREEK SOUTH UTILITIES, INC.,

DOMINIC MARINO and FRANCES J. MARINO,

of the County of

Marion . State of

whose pest-office address is 17585 S.E. 102nd Avenue, Summerfield, FL 32691 Plorida

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Bilinessetip: That said granter, for and in consideration of the sum of TEN (\$10.00) ----- Dollars, and other good and valuable considerations to said granter in hand pold by said grantes, the receipt whereof is hereby acknowledged, has granted, bergeined and sold to the sold grantes, and grantes's heirs, successors and assigns forever. the following described land, situate, lying and being in Suntar County, Florida, to-wit:

WASTEWATER TREATMENT PLANT SITE lying in a portion of the NEW, NW of Section 2, Township 18 South, Range 23 East, being more particularly described as follows:

Begin at the SW corner of NEW of the MWW of Section 2, Township 18 South, Range 23 East; thence North 00007'23" West a distance of 174.25 feet; thence North 89041'29" East a distance of 250.00 feet; thence South 00°07'23" East a dietance of 174.25 feet; thence South 89041'29" West a distance of 250.00 feet to the · Point of Beginning.

All being and lying in Suster County, Florida, containing 1.00 acre more or less.



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and said granter dess hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomseever.

In Minens Wherest, Granter has herounte a	ot greator's hand and safe the day and year first above wri	G Hen.
Signed, septed and delinered in our processes		کے
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STATE OF NEW JERSEY

I HEREBY CERTIFY that on this day before me, an afficer duly qualified to take acknowledgments, personally appeared DOMINIC MARINO and PRANCES J. MARINO, his wife,

e executed the foregoing instrument and acknowledged before me to me known to be the person(s the execution of same. WITNESS my hand and official

JOSEPH LA MAKLO

COUNTY OF PASSAIC

LEASE AGREEMENT

This Lease Agreement made and entered into this 1st day of February, 1990 by and between Spruce Creek Development Company of Ocala, Inc., 7753 S.W. S.R. 200, Ocala, FL 32676, hereinafter referred to as "Lessors" and Spruce Creek South Utilities, 17585 S.E. 102nd Ave., Summerfield, FL 32691, hereinafter referred to as "Lessee".

WITNESSETH:

WHEREAS, "Lessor" is the owner of that certain real property described in paragraph 2 below and the developer of Spruce Creek South, a single family residential subdivision located in Marion County, Florida, and

WHEREAS, "Lessee", is a water utility company certified to provide central water utility service to the homes located in Spruce Creek South by the Public Service Commission of the State of Florida, and

WHEREAS, "Lessee" desires to lease from "Lessor" and "Lessor" agrees to lease to "Lessee" that real property described in paragraph 2 below on which is located a potable water well, chlorinated plant and water storage tank which is owned by "Lessee" based upon the terms, covenants and conditions as provided for herein.

NOW THEREFORE, for and in consideration of the mutual terms, covenants and conditions as described herein and other good and valuable consideration, receipt of which each of the parties—hereto acknowledges receiving from the other. The "Lessor" and the "Lessee" contract and agree as follows:

- 1. LEASE OF THE PREMISES: The "Lessor" hereby leases and lets unto the "Lessee" that real property described in paragraph 2 hereof.
- 2. LEGAL DESCRIPTION:

Tract U, Spruce Creek South III, as recorded in Plat Book 1, Page 144, Public Records of Marion County, Florida

3. USE OF THE PREMISES: The "Lessee", its principles, officers, employees, agents and servants shall have access to and the right to utilize the above described premises for the purposes of providing, supplying and maintaining potable water to the individual residences located in SPRUCE CREEK SOUTH.

- 4. TERM OF LEASE: The term of this lease shall be for ten (10) consecutive years commencing on the date and year first above written in terminating the date and year ten (10) years hence.
- 5. AD-VALORUM TAXES: The "Lessee" shall pay any and all Ad-Valorum taxes assessed to the premises on or before thirty (30) days prior to the taxes becoming delinquent. "Lessee" shall furnish to "Lessor", proof of payment of the aforementioned taxes.
- 6. INSURANCE: The "Lessee" shall, at all times during the term of the Lease, maintain liability insurance coverage on the premises in amounts not less than \$500,000.00 per incident and \$1,000,000.00 per occurrence. "Lessee" shall provide to "Lessor", a copy of the insurance policy and/or Certificate of Insurance coverage evidencing the aforementioned coverage.
- 7. TERMINATION OF LEASE: This Lease Agreement may be terminated by either the "Lessor" or "Lessee" with or without cause upon ninety (90) days notice of its intent to terminate to the other.
- 8. LAW OF GOVERNING: This Lease Agreement shall be governed by and in accordance with the laws of the State of Florida.

WITNESSES:	LESSOR:
	SPRUCE CREEK DEVELOPMENT COMPANY OF OCALA, INC.
	BY:
-	LESSEE:
	SPRUCE CREEK SOUTH UTILITIES
	By:

SPRUCE CREEK SOUTH III

MAKE CHECKS PAYABLE TO

THOMAS OLSON, TAX COLLECTOR P O BOX 970 OCALA. FL. 34478-0970

·2.409.97

4 04/08/96

SPRUCE CREEK SOUTH UTILITIES, INC. System Maps

Original Sent to WAW

EXHIBIT C
ONE COPY OF THESE MAPS WAS PROVIDED
TO THE CLERK AS REQUIRED BY RULE

SPRUCE CREEK SOUTH UTILITIES, INC. Territory Maps

Original Sent to WAW

ONE COPY OF THESE MAPS WAS PROVIDED TO THE CLERK AS REQUIRED BY RULE

SPRUCE CREEK SOUTH UTILITIES, INC.

DEP Construction and Operating Permits



Department of **Environmental Protection**

Lawton Chiles Governor

Central District 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803-3747

Vinsinia S. Watherell Secretary

Spruce Creek South Utilities, Inc. 17585 Southeast 102nd Avenue Summerfield, Florida 34491

Attention: Henry A. Ehlers, As Trustee

Marion County - PW Spruce Creek South Oakland Hills Professional Center [Medical Office Complex at U.S. 27-441 and Leonard Drive] File Number W042-300953 (GPD 14.184)

Dear Mr. Ehlers:

This letter is to advise you that the Department has reviewed your Motice of Intent to Use General Permit as provided in Rule 62-855, Florida Administrative Code (F.A.C.), to construct a water distribution system extension and does not object to your use of such general permit. Please be advised that you are required to abide by all conditions in Rules 62-4.510 through 62-4.540, F.A.C., the general requirements for general permits; and Rule 62-555.410, F.A.C.

A LETTER OF CLEARANCE MUST BE ISSUED BY THE DEPARTMENT TO YOU PRIOR TO YOUR PLACING THIS PROJECT INTO SERVICE OR TOU, THE PERMITTEE, SHALL BE SUBJECT TO APPROPRIATE EMPORCEMENT ACTION. To obtain the clearance letter, the engineer-of-record must submit one set of record drawings, a "Request for a Letter of Release to Place Water Supply System into Service" [DRP Form 62-555.910(9)] (attached to the engineer's copy of this letter), a copy of this letter and satisfactory bacteriological test results (with chlorine residuals indicated) taken on two consecutive days from, or near, the point of connection and the blowoff. Water sample forms must indicate specific recommended sample locations and the file number above.

HOTE TO THE UTILITY: Pursuant to 403.859(6), Florida Statutes, do not provide water service to this project (other than for flushing/testing) until the Department of Environmental Protection has issued a letter of clearance or you, the utility, shall be subject to enforcement action.

Christianne C. Ferraro, P.E.

Program Administrator

Water Pacilities

cc: Joseph C. London, P.E.

Jay A. Thompson

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

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Department of Environmental Protection

Lawton Chiles Governor Central District 3319 Maguire Boulevand, Suite 232 Orlando, Florida 32803-3767

Virginia B. Wetherell Secretary

SPRUCE CREEK SOUTH UTILITIES INC 17585 SE 102HD AVENUE SUNGERFIELD PL 34491

ATTENTION JAY A THOMPSON VICE PRESIDENT

Marion County - CS
Project: Oakland Hills Professional Center
Served by: Spruce Greek South WMTTP
Serving: 9 Nedical Offices
Generating: 0.014 MGD
Pile Number: 201139

Dear Mr. Thompson:

We received your Motice of Intent to Use a General Permit on February 15, 1997.

Pursuant to Rule 62-4 (Part III), Florida Administrative Code, you may not begin construction until thirty (30) days from that date. Please be advised that the construction must conform to the description contained in your Motice of Intent to Use a General Permit and that any deviation therefrom will subject the permittee to enforcement action and possible penalties.

Sincerely,

Christianne C. Ferraro, P.E.

Program Administrator Water Pacilities

DATE: 70h. 21, 1997

دم ccr/dj/ce

cc: Joseph C. London, P.S.

SPRUCE CREEK SOUTH UTILITIES. INC.

WATER

EXHIBIT E

The following is a listing of construction and operating permits issued by the Florida Department of Environmental Protection for the proposed system expansion. All systems have been constructed and have been cleared by both FDER and the Marion County Public Health Department.

Permit No.	Type		Date	<u>Phase</u>
WC42-166472	Construction		8/3/89	Initial Constr.
WD42-164698	Distribution		5/25/89	1
WD42-170398	Distribution		10/13/89	II
WC42-180705	Construction		7/ 8/9 0	Expansion
WC42-180705	Distribution		7/8/90	111
WD42-184576	Distribution		8/3/90	IIIA
WD42-185706	Distribution		8/30/90	IV
WD42-193500	Distribution		3/12/91	V
WD42-201752	Distribution		9/18/91	VI
WD42-211322	Distribution		4/22/92	VIIA
WD42-219646	Distribution		10/19/92	VIIB
WD42-222664	Distribution		12/28/92	Business
WD42-223466	Distribution		1/20/93	VIII
WD42-225646	Distribution		3/3/93	IX
WD42-229940	Distribution		5/4/93	X
WC42-231505	Construction		6/28/93	Expansion
WD42-233991	Distribution	2:	7/21/93	XI
WD42-236608	Distribution		9/14/93	XII
WD42-242232	Distribution		12/20/93	XIII
WD42-244971	Distribution		2/25/94	XIV
WD42-247962	Distribution		4/4/94	XVI
WD42-249409	Distribution		11/30/94	XV
WD42-259580	Distribution		11/17 /94	Business I
WD42-278909	Distribution		11/3/95	Business II

SPRUCE CREEK SOUTH UTILITIES, INC.

WASTEWATER

The following is a listing of construction and operating permits issued by the Florida Department of Environmental Protection for the proposed system expansion. All systems have been constructed and have been cleared by both FDER and the Marion County Public Health Department.

Permit No.	Type	<u>Date</u>	Phase
DC42-192197	Construction	11/4/91	Plant Constr.
CS42-201324	Transmission	11/21/91	VI
CS42-210969	Transmission	4/2/92	VIIA
CS42-218308	Transmission	9/22/92	VIIB
CS42-221831	Transmission	11/2/92	VIII
CS42-225482	Transmission	2/11/93	IX
CS42-229942	Transmission	5/20/93	X
CS42-233990	Transmission	8/9/93	XI
CS42-236607	Transmission	9/29/93	XII
CS42-242240	Transmission	1/24/94	XIII
CS42-244969	Transmission	3/4/94	XIV
DC42-234863	Construction	4/21/94	Plant Expan.
CS42-249497	Transmission	5/3/94	XV
DO42-238826	Operation	6/28/94	Plant Oper.
CS42-259579	Transmission	12/2/94	Business I
CS42-248032	Transmission	5/13/94	XVI
CS42-277265	Transmission	10/6/95	Office Center
CS42-278910	Transmission	11/27/95	Business II

SPRUCE CREEK SOUTH UTILITIES, INC.
Proposed Tariff Sheets

NAME OF COMPANY SPRUCE CREEK SOUTH UTILITIES. INC. WASTEWATER TARIFF

(Continued from Sheet No. 3.6)

Order No.

OAKLAND HILLS

Commence at the S.W. corner of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of Section 1, Township 18 South, Range 23 East; thence N.88°27'07"E., along the South line of the N.E. 1/4 of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of said Section, a distance of 175.33 feet to a point on the Southwesterly right of way line of U.S. Highway 27-441 (being a 200 foot right of way) and the Point of Beginning. Thence S.41°46'50"E., along said right of way line, a distance of 370.00 feet to a point on the Northerly right of way line of County Road 109; thence S.48°13'10"W., along said right of way line, a distance of 100.41 feet to the Point of curvature of a 350.00 foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35°00'00", a distance of 213.80 feet to the point of tangency; thence continue along said right of way line, S.13°13'10"W., a distance of 120.66 feet; thence departing said right of way line, N41°46'50"W. a distance of 1665.10 feet; thence S.89°51'32"E. a distance of 537.59 feet to a point on the Southwesterly right of way line of said U.S. Highway 27-441; thence S.41°46'50"E., along said right of way line, a distance of 803.42 feet to the Point of Beginning. Said lands being situate in Sumter County, Florida and containing 12.740 acres, more or less.

HARVEY D. ERP ISSUING OFFICER

> PRESIDENT TITLE

NAME OF COMPANY SPRUCE CREEK SOUTH UTILITIES. INC WATER TARIFF	*
(Continued from Sheet No. 3.6)	
Order No.	

OAKLAND HILLS

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HARVEY D. ERP ISSUING OFFICER

> PRESIDENT TITLE

SPRUCE CREEK SOUTH UTILITIES, INC. Affidavit of Noticing

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEON

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared LYNN T. SALMON, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of F. Marshall Deterding, attorney for Spruce Creek South Utilities, Inc. and that on October 22, 1997, she did send by certified mail, return receipt requested, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

Lynn T. Salmon

Sworn to and subscribed before me this 22nd day of October, 1997, by Lynn T. Salmon, who is personally known to me.

Print Name Burnwyn S. R. VCU NOTARY PUBLIC

My Commission Exp

4/13/98

EXHIBIT H

NOTICE OF APPLICATION FOR EXTENSION OF SERVICE AREA

Pursuant to the provisions of Section 367.045, Florida Statutes, and the provisions of Florida Public Service Commission Rule 25-30.030, Notice is hereby given by Spruce Creek South Utilities, Inc., 17585 Southeast 102nd Avenue, Summerfield, Florida 34491, of its Application to extend its service area to provide water and sewer service to the following described lands in Sumter County, Florida:

Commence at the S.W. corner of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of Section 1, Township 18 South, Range 23 East; thence N.88°27'07"E., along the South line of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of said Section, a distance of 175.33 feet to a point on the Southwesterly right of way line of U.S. Highway 27-441 (being a 200 foot right of way) and the Point of Beginning. Thence S.41°46'50"E., along said right of way line, a distance of 370.00 feet to a point on the Northerly right of way line of County Road 109; thence S.48°13'10"W., along said right of way line, a distance of 100.41 feet to the Point of curvature of a 350.00 foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35°00'00", a distance of 213.80 feet to the point of tangency; thence continue along said right of way line, S.13°13'10"W., a distance of 120.56 feet; thence departing said right of way line, N41°46'50"W. a distance of 1655.10 feet; thence S.89°51'32"E. a distance of 537.59 feet to a point on the Southwesterly right of way line of said U.S. Highway 27-441; thence S.41°46'50"E., along said right of way line, a distance of 803.42 feet to the Point of Beginning. Said lands being situate in Sumter County, Florida and containing 12.740 acres, more or less.

Written objections of the above noted extension must be filed with the Director of the Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and a copy provided to F. Marshall Deterding, ROSE, SUNDSTROM & BENTLEY, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, no later than 30 days after the last date this notice was mailed or published whichever is later.

UTILITY NAME

MANAGER

LAKE COUNTY

BRENDENHOOD WATER SYSTEM (MAUGEO) P. O. BOX 294 GRAND ISLAND, FL 32735-0294

GRAND ISLAND, FL 32735-0294

CENTURY ESTATES UTILITIES, INC. (WA725) 325 SOUTH ORLANDO AVENUE WINTER PARK, FL 32789-3660

COVE MATER SYSTEM, INC. (MU782) 30741 GLENN DRIVE TAVARES, FL 32778-5137

CRYSTAL RIVER UTILITIES, INC. (MU766)
P. O. BOX 520247
LONGMOOD, FL 32752-0247

FLORIDA WATER SERVICES CORPORATION (W8227)
P. C. BOX 609520
ORLANDO, FL 32860-9520

HARBOR HILLS UTILITIES, L.P. (MU727) 6538 LAKE GRIFFIN ROAD LADY LAKE, FL 32159-2900

J. SWIDERSKI UTILITIES, INC. (M8543) 9800 U.S. HIGHMAY 441, SUITE 102 LEESBURG, FL 34788-3918

LAKE GROVES UTILITIES, INC. (W8641)
P. O. BOX 915505
LONGMOOD, FL 32791-5505

LAKE UTILITY COMPANY (WS619) 25201 U.S. HIGHWAY 27 LEESBURG, FL 34748-9099

LAKE UTILITY SERVICES, INC. (MJ553) 200 MEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027

LAKE YALE UTILITY COMPANY (LAKE YALE CORPORATION D/B/A) (W6700)
11643 MARTEL COURT
LEESBURG, FL 34788-8103

PAUL E. DAY (904) 357-9466

JOSEPH LINARTAS (407) 644-2804

JAMES C. MCCLENDON, 11 (407) 767-0660

RICHARD BOWLES (407) 260-2214

BRIAN P. ARMSTRONG (407) 880-0058

R.S. MUTCHESON (352) 753-7000

JOE SWIDERSK! (352) 326-8981

MAMPTON P. CONLEY (407) 862-9688

EARL THIELE (352) 326-4170

DON RASMUSSEN (407) 869-1919

LEROY K. NEW (352) 483-1377

UTILITY NAME

MANAGER

FRANK H. NAAS

(941) 646-2904

LAKE COUNTY (continued)

PENNBROOKE UTILITIES, INC. (W8677) 146 HORIZON COURT LAKELAND, FL 33813-1742

PINE MARBOUR WATER UTILITIES (MU635)

P. O. BOX 447

(352) 787-2944

P. O. BOX 447
FRUITLAND PARK, FL 34731-0477

RAINTREE UTILITIES, INC. (MU663)

37731 STATE ROAD 19

(904) 357-3767

UMATILLA, FL 32784-9618

ROUTE 19A MORTH JOINT VENTURE (CENTURY REALTY FUNDS/MASELT (MS577)

P. O. BOX 5252

LAKELAND, FL 33807-5252

RAYMOND MOATS

(941) 647-1581

SHANGRI-LA BY THE LAKE UTILITIES, INC. (W8728)

11654 LONG LAKE DRIVE

SPARTA. NI 49345

WILLIAM E. WERNER
(616) 887-8888

SOUTHLAKE UTILITIES, INC. (W\$638)
P. O. BOX 6209
TALLAHASSEE, FL 32314-6209
ROBERT L. CHAPMAN, 111
(888) 876-3569

SUN COMMUNITIES FINANCE LIMITED PARTNERSHIP (WS755)

JOSE A. DIEZ-ARGUELLES
31700 MIDDLEBELT ROAD, SUITE 145

FARMINGTON HILLS, MI 48334

W.B.8. UTILITIES, INC. (MJ639)

4116 BAIR AVENUE

FRUITLAND PARK, FL 34731-9647

RICHARD E. BAIR

(352) 787-4347

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, LAKE COUNTY 315 WEST MAIN STREET TAVARES, FL 32778-3887

DEP CENTRAL DISTRICT 3319 MAGUIRE BLVD., SUITE 232 ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT 3804 COCONUT PALM DRIVE TAMPA, FL 33618-8318

EAST CENTRAL FLORIDA PLANNING COUNCIL 1011 WYNORE ROAD, SUITE 105 WINTER PARK, FL 32789

MAYOR, CITY OF CLERMONT P. O. BOX 219 CLERMONT, FL 32711

MAYOR, CITY OF EUSTIS P. O. DRAWER 68 EUSTIS, FL 32727-0068

MAYOR, CITY OF FRUITLAND PARK P. O. BOX 158 FRUITLAND PARK, FL 34731-0158

MAYOR, CITY OF GROVELAND 156 SOUTH LAKE AVENUE GROVELAND, FL 34736-2597

MAYOR, CITY OF LEESBURG P. O. BOX 630 LEESRING, FL 32748

UTILITY NAME MANAGER

MAYOR, CITY OF MASCOTTE P. O. BOX 56 MASCOTTE, PL 34753-0056

MAYOR, CITY OF MINNEOLA P. O. BOX 678 MINNEOLA, FL 34755-0678

MAYOR, CITY OF HOUNT DORA P. O. BOX 176 HOUNT DORA, FL 32797-0176

MAYON, CITY OF TAVARES P. O. BOX 1068 TAVARES, FL 32778-1068

MAYOR, CITY OF UMATILLA P. O. BOX 2286 UMATILLA, FL 32784-2286

MAYOR, TOWN OF ASTATULA P. O. BOX 609 ASTATULA, FL 34705-0609

MAYOR, TOWN OF HOWEY-IN-THE-HILLS
P. O. BOX 67
HOWEY-IN-THE-HILLS, FL 34737-0067

HAYOR, TOWN OF LADY LAKE 223 MEST GUAVA STREET LADY LAKE, FL 32159-3735

MAYOR, TOWN OF MONTVERDE P. O. BOX 560008 MONTVERDE, FL 34729-0008

UTILITY NAME MANAGER

ST. JOHNS RIVER WIR MANAGEMENT DISTRICT P.O. BOX 1429 PALATKA, FL 32178-1429

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL C/O THE HOUSE OF REPRESENTATIVES THE CAPITOL TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BOULEYARD TALLAHASSEE, FL 32399-0850

UTILITY NAME

24901 S.E. COUNTY HIGHMAY 42 UMATILLA, FL 32784-9144 MANAGER

(352) 669-3589

MARION COUNTY

A. P. UTILITIES, INC. (MU592)	PHILIP D. MOODS
3925 S.E. 45TH COURT, SUITE E	(352) 694 -7474
OCALA, FL 34480-7431	
BFF CORP. (SU595)	CHARLES DE MENZES
P. O. BOX 5220	(352) 622-4949
OCALA, FL 34478-5220	
C.F.A.T. H2O, INC. (W8719)	CHARLES DE MENZES
P. O. BOX 5220	(352) 622-4949
OCALA, FL 34478-5220	
COUNTYWIDE UTILITY COMPANY (MJ008)	DIRK J. LEEWARD
P. O. BOX 1476	(352) 245-7007
OCALA, FL 34478-1476	
DECCA UTILITIES, A DIVISION OF DECCA (WS465)	JAMES A. BELL
8865 S.W. 104TH LAME	(352) 854-6210
OCALA, FL 34481-8961	
EAGLE SPRINGS UTILITIES, INC. (MU470)	LEONARD (LEN) B. TABOR
P. O. BOX 1975	(352) 351-8800
SILVER SPRINGS, FL 34489-1975	
EAST MARION SANITARY SYSTEMS, INC. (8U535)	JAMES W. BURNS
% FIRST FEDERAL BANK OF OSCEOLA	(407) 846-3000
200 EAST BROADWAY	
KISSIMMEE, FL 34741-5791	
EAST MARION WATER DISTRIBUTION, INC. (MUSSA)	JAMES W. BURNS
% FIRST FEDERAL BANK OF OSCEOLA	(407) 8 46-3000
200 EAST BROADWAY	
KISSINNEE, FL 34741-5791	
FLORIDA WATER SERVICES CORPORATION (WS487)	BRIAN P. ARMSTRONG
P. O. BOX 609520	(407) 880-0058
ORLANDO, FL 32860-9520	
LINADALE WATER COMPANY (MU148)	FAMMIE J. SHIELDS



UTILITY NAME

MANAGER

MARION COUNTY (continued)

LOCH MARBOUR UTILITIES, INC. (W8151) P. O. BOX 2100 OCALA, FL 34478-2100

MARION UTILITIES, INC. (W8160) 710 N.E. 30TH AVENUE OCALA, FL 34470-6460

OCALA OAKS UTILITIES, INC. (WU174) 1343 N.E. 17TH ROAD OCALA, FL 34470-4600

PINE RUN UTILITIES, INC. (MUSS7) 8865 S.W. 104TH LAME OCALA, FL 34481-8961

QUAIL MEADOW UTILITIES, INC. (WJ532) 2477 EAST COMMERCIAL BLVD. FT. LAUDERDALE, FL 33308-4041

RAINBOW SPRINGS UTILITIES, L.C. (W8199)
P. O. BOX 1850
DUNNELLON, FL 34430-1850

RESIDENTIAL MATER SYSTEMS, INC. (MJ570) P. O. BOX 5220 OCALA, FL 34478-5220

S & L UTILITIES, INC. (SU327) P. O. BOX 4186 OCALA, FL 34478-4186

SILVER CITY UTILITIES (MU362) 355 PRINCES STREET KINCARDINE, ONTARIO CAMADA N22 2-7,

SPRUCE CREEK SOUTH UTILITIES, INC. (8U653) 17585 S.E. 102ND AVENUE SUMMERFIELD, FL 34491-6920 JOSEPH C. MCCOUN (352) 732-2100

TIM E. THOMPSON (352) 622-1171

MICHAEL ELLZEY (904) 732-3504

JAMES A. BELL (352) 854-6210

STEPHEN G. MEHALLIS (954) 491-1722

LOWELL D. SMALLRIDGE (352) 489-5264

CHARLES DEMENZES (352) 622-4949

CHARLES FLETCHER, JR. (352) 622-8285 622-7236

DAVID SMALL (519) 396-2658

MARVEY D. ERP (352) 347-3700

UTILITY NAME

MANAGER

MARION COUNTY (continued)

SPRUCE CREEK SOUTH UTILITIES, INC. (WJ591) 17585 S.E. 102ND AVENUE SUMMERFIELD. FL 34491-6920 HARVEY D. ERP (352) 347-3700

STEEPLECHASE UTILITY COMPANY, INC. (W8598) % STONECREST 11053 S.E. 174TH LOOP SUMMERFIELD. FL 34491-8619 L. HALL ROBERTSON, JR. (352) 307-1033

SUN COMMUNITIES OPERATING LIMITED PARTNERSHIP (WS746) ATTN: SADOLE OAK CLUB 31700 MIDDLEBELT ROAD. SUITE 145 JAN CARR (407) 521-9533

FARMINGTON HILLS, MI 48334

SUMSHINE UTILITIES OF CENTRAL FLORIDA, INC. (MU239) 10230 S.E. HIGHMAY 25 BELLEVIEW, FL 34420-5531 JAMES H. HODGES (352) 347-8228

TRADEWINDS UTILITIES, INC. (WE350)
P. O. BOX 5220
OCALA, FL 34478-5220

CHARLES DE MENZES (352) 622-4949

UTILITIES, INC. OF FLORIDA (SU661) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4099 DONALD RASHUSSEN (407) 869-1919

UTILITIES, INC. OF FLORIDA (MJ443) 200 MEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4099 DONALD RASMUSSEN (407) 869-1919

VENTURE ASSOCIATES UTILITIES CORP. (MUS12) 2661 N.W. 60TH AVENUE OCALA, FL 34482-3933

ARTHUR F. TAIT (352) 732-8662

WINDSTREAM UTILITIES COMPANY (MU385)
P. O. BOX 4201
OCALA, FL 34478-4201

SHARON (SHARI) DLOUHY (352) 620-8290

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, MARION COUNTY P. O. BOX 1030 OCALA, FL 32678-1030

DEP CENTRAL DISTRICT 3319 MAGUIRE BLVD., SUITE 232 ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT 3804 COCONUT PALM DRIVE TAMPA, FL 33618-8318

MAYOR, CITY OF BELLEVIEW 5343 S.E. ABSHIER BLVD. BELLEVIEW, FL 34420-3904

MAYOR, CITY OF DUNNELLON 12014 SOUTH WILLIAMS STREET DUNNELLON, FL 34432

MAYOR, CITY OF OCALA P. O. BOX 1270 OCALA, FL 32678-1270

MAYOR, TOWN OF MCINTOSH P. O. BOX 165 MCINTOSH, FL 32664-0165

MAYOR, TOWN OF REDDICK P. O. BOX 203 REDDICK, FL 32686-0203

ROBERT TITTERINGTON, MARION COUNTY 601 S.E. 25TH AVENUE OCALA, FL 34471

- 4 -

UTILITY NAME

MANAGER

S.W. FLORIDA WATER MANAGEMENT DISTRICT 2379 BROAD STREET BROOKSVILLE, FL 34609-6899

ST.JOHNS RIVER WITH MANAGEMENT DISTRICT P.O. BOX 1429 PALATKA, FL 32178-1429

WITHLACOOCHEE REG PLANNING COUNCIL 1241 S.W. 10TH STREET OCALA, FL 34474-2798

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL C/O THE HOUSE OF REPRESENTATIVES THE CAPITOL TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD GAK BOULEVARD TALLAHASSEE, FL 32399-0850



UTILITY NAME

SURFER COUNTY BOS HUNT CONTINENTAL UTILITY, INC. (W8606) (352) 748-0100 50 CONTINENTAL BLVD. WILDWOOD, FL 34785-8147 RICHARD BOWLES CRYSTAL RIVER UTILITIES, INC. (W8768) (407) 260-2214 P. O. BOX 520247 LONGHOOD, FL 32752-0247 N. GARY MORSE LITTLE SUNTER UTILITY COMPANY (W8762) 1100 MAIN STREET LADY LAKE, FL 32159-7719 MAGNOLIA MANOR WATER WORKS (MJ\$47) JOHN H. HOTALING (813) 881 1211 % USA UTILITIES UNIT 2, INC. (RECEIVER P. O. BOX 26572 1AMPA, FL 13461 43/6 HARVEY D. ERP SPRUCE CREEK SOUTH UTILITIES, INC. (9U653) (352) 347-3700 17585 S.E. 102ND AVENUE SUPPLERFIELD, FL 34491-6920 HARVEY D. ERP SPRUCE CREEK SOUTH UTILITIES, INC. (MJ591) (352) 347-3700 17585 S.E. 102ND AVENUE SUMMERFIELD, FL 34491-6920

WILDWOOD ESTATES (EGR ENTERPRISES, INC. D/B/A) (W8664)
5604 HERITAGE BLVD.
WILDWOOD, FL 34785-8132

808 HEMMING (352) 748-4449

MANAGER

UTILITY NAME MANAGER

GOVERNMENTAL AGENCIES

. . .

CLERK, BOARD OF COUNTY COMMISSIONERS, SUNTER COUNTY

SUMTER COUNTY COURTHOUSE
BUSHNELL, FL 33513

DEP SOUTHWEST DISTRICT 3804 COCONUT PALM DRIVE TAMPA, FL 33618-8318

, MAYOR, CITY OF BUSHNELL P. O. BOX 115 BUSHNELL, FL 33513-0115

MAYOR, CITY OF CENTER HILL
P. O. BOX 38
CENTER HILL, FL 33514-0038

MAYOR, CITY OF COLEMAN MEST CENTRAL AVENUE P. O. BOX 456 COLEMAN, FL 33521-0456

MAYOR, CITY OF WEBSTER P. O. BOX 28 WEBSTER, FL 33597-0028

MAYOR, CITY OF WILDWOOD 100 NORTH MAIN STREET WILDWOOD, FL 34785-4047

S.W. FLORIDA WATER MANAGEMENT DISTRICT 2379 BROAD STREET BROOKSVILLE, FL 34609-6899

UTILITY NAME MANAGER

WITHLACOOCHEE PLANNING COUNCIL 1241 S.W. 10TH STREET OCALA, FL 34474-2798

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL C/O THE HOUSE OF REPRESENTATIVES THE CAPITOL TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850 SPRUCE CREEK SOUTH UTILITIES, INC.

Proof of Publication

SPRUCE CREEK SOUTH UTILITIES, INC. Utility Affidavit

AFFIDAVIT

STATE OF FLORIDA (COUNTY OF MALIAL)

DEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared Jay Thompson, vice President of SPRUCE CREEK SOUTH UTILITIES, INC., who after being duly sworn, did depose on oath and say that SPRUCE CREEK SOUTH UTILITIES, INC. does currently have tariffs and annual reports on file with the Plorids Public Service Commission.

FURTHER AFFIANT SAYETH NOT.

Jay Thompson

STATE OF FLORIDA)
COUNTY OF MALON)

The foregoing instrument was acknowledged before me this 29 day of September, 1997, by Jay Thompson, who is parsonally known to me or who has produced identification and who did (did not) take an oath.

Print Name Fabricle Wilners
Notary Public

State of Florida at Large

My Commission Expires: