## ORIGINAL

Rutledge, Ecenia, Purnell \& Hoffman<br>PROFESSIONAL ASSOCIATION attorneys and counselors at law

STEPHEN A. ECENIA
RICHARD M. ELLIS
KENNETH A HOFFMAN
THOMAS W. KONRAD
MICHAEL G. MAID
MARTIN P. MCDONNELL
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

October 3, 2003

Ms. Blanca Bayo, Director

Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Re: Docket No. 03-0921-WS
In re: Joint Application for Acknowledgment of Sale of Osceola County Land and Facilities to Osceola County and Cancellation of Certificate Nos. 66-W and 289-S

Dear Ms. Bayo:
Enclosed for filing in the above referenced docket is the original and five copies of a revised Exhibit F to be substituted for the exhibit that was included with the Joint Application filed on September 19, 2003. This revised Exhibit is submitted at the request of staff to remedy the erroneous identification of the purchaser on the original Exhibit. Please acknowledge receipt of this revision by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.


Sincerely,
S.StephenTMenton


DOCUMENT NLMEST-CAT:

# APPLICATION FOR TRANSFER TO GOVERNMENTAL AUTHORITY <br> (Pursuant to Section 367.071(4)(a), Florida Statutes) <br> TO: Director, Division of the Commission Clerk \& Administrative Services Florida Public Service Commission $\mathbf{2 5 4 0}$ Shumard Oak Blyd. Tallahassee, Florida $32399-0850$ 

The undersigned hereby makes application for the approval of the transfer of all of the facilities operated under Water Certificate No. 066-W and Wastewater Certificate No. 289-S located in Osceola County, Florida, and submits the following:

## PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the seller (utility):

Florida Water Services Corporation
Name of Utility
(407) 598-4100 (407) 598-4241

Phone No.
Fax No.
1000 Color Place
Office Street Address

| Apopka | Florida | 32703 |
| :--- | :--- | :--- |
| City | State | Zip Code |

PO Box 609520, Orlando, Florida, 32860-9520
Mailing address if different from street address
www.florida-water.com
Internet address if applicable

PSC/ECR 012 (Rev. 2/91)

1:9631 OCT-6\%
FPGC-COF:MSSIOACLERK
B) The name, address and telephone number of a representative of the utility to contact concerning this application:

| Kenneth A. Hoffman, Esq. and/or J. Stephen Menton, Esq. | (850) 681-6788 |
| :--- | :--- |
| Name | Phone No. |
| Rutledge, Ecenia, Purnell \& Hoffman, P.A., PO Box 551 |  |
| Mailing Address |  |


| Tallahassee | Florida | 32302-0551 |
| :--- | :--- | :--- |
| City | State | Zip Code |

C) The full name, address and telephone number of the governmental authority:

Osceola County
Name of Utility

> (407) 343-2330 (407) 343-2353

Phone No. Fax No.

## 1 Courthouse Square

Suite 4200

## Office street address

| Kissimmee | Florida | 34741 |
| :--- | :--- | :--- |
| City | State | Zip Code |

## N/A

Mailing address if different from street address
www.osceola.org/
Internet address if applicable
D) The name, address and telephone number of a representative of the governmental authority to contact concerning this application:

Brian P. Armstrong of Nabors, Giblin and Nickerson (850) 224-4070
Name
Phone No.
1500 Mahan Drive
Suite 200
Street address

| Tallahassee | Florida | 32308 |
| :--- | :--- | :--- |
| City | State | Zip Code |

## PART II FINANCIAL INFORMATION

A) Exhibit _ A - A copy of the contract pursuant to Rules 25-30.037(4)(c) and (d), Florida Administrative Code.
B) Exhibit B - A statement regarding the disposition of customer deposits and the accumulated interest thereon.
C) Exhibit C - A statement regarding the disposition of any outstanding regulatory assessment fees, fines or refunds owed.
D) Exhibit D - A statement that the buyer (governmental authority) obtained from the utility or the Commission the utility's most recent available income and expense statement, balance sheet and statement of rate base for regulatory purposes and contributions-in-aid-of-construction.
E) Indicate the date on which the buyer proposes to take official action to acquire the utility:

Osceola County will take over operations on or about December 8, 2003.
If only a portion of the utility's facilities is being transferred, a revised territory description and map of the utility's remaining territory must be provided, as discussed in PART III, below.

IF THE UTILITY'S ENTIRE FACILITIES ARE BEING TRANSFERRED, PLEASE DISREGARD PART III OF THIS APPLICATION FORM.

## PART III CERTIFICATION

## A) TERRITORY DESCRIPTION

Exhibit N/A - An accurate description of the utility's revised territory. If the water and wastewater territory is different, provide separate descriptions.

Note: Use the Survey of Public Lands method (township, range, section, and quarter section), if possible, or a metes and bounds description. Give the subdivision or project name. The description should NOT refer to land grants or plat books, but may use geographic boundaries (i.e., road right-of-ways, railroads, rivers, creeks, etc). The object is to make the description as brief, but as accurate as possible.

## B) TERRITORY MAPS

Exhibit N/A - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as $1^{\prime \prime}=200^{\prime}$ or $1^{\prime \prime}=400^{\prime}$ on which the remaining territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

## C) TARIFF SHEETS

Exhibit N/A - The original and two copies of tariff sheet(s) revised to show correct service territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (Pages 11-12.) Sample tariff sheets are attached. (Pages 13-16.)

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

## BY:



Tony Isaac
Applicant's Name (Typed)
Vice President, Customer Services
Applicant's Title *

Subscribed and sworn to before me this $\qquad$ $26^{4 /}$ day of

September, $\qquad$ , 2003 by $\qquad$ who is personally known to me $\qquad$ or produced identification $\qquad$ _.
(Type of Identification Produced)


Print, Type or Stamp Commissioned Name of Notary Public

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


## EXHIBIT A

See Petition, at Paragraph 8

## EXHIBIT B

The deposits of Florida Water's customers in Osceola County currently remain with Florida Water and will be transferred with the individual customer accounts, less any unpaid balances, upon commencement of operations by Osceola County.

## EXHIBIT C

All regulatory assessment fees for Florida Water have been paid in full. There are no fines or refunds owed.

## EXHBIT D

Osceola County obtained the most recently available income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction applicable to the land and facilities transferred by Florida Water to Osceola County.

