

# Holland & Knight

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Holland & Knight LLP | www.hklaw.com

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11 JUN 30 PM 3:18

D. Bruce May, Jr.  
(850) 425-5607  
bruce.may@hklaw.com

COMMISSION  
CLERK

June 30, 2011

*Via Hand Delivery*

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

**Re: Docket No. 110019-WS, Aqua Utilities Florida, Inc.'s application for original certificate for an existing wastewater system, request for initial rates and charges for Harbor Hills Utilities, L.P.'s wastewater system, amendment of wastewater Certificate No. 120-S, in Lake County, to include Harbor Hills Utilities, L.P.'s wastewater service area; and application for approval of transfer of Harbor Hills Utilities, L.P.'s water system to Aqua Utilities Florida, Inc., amendment of Aqua Utilities Florida, Inc.'s water Certificate No. 106-W, in Lake County, to include Harbor Hills Utilities, L.P.'s water service territory, and cancellation of Harbor Hills Utilities, L.P.'s water Certificate No. 522-W.**

Dear Ms. Cole:

On behalf of Aqua Utilities Florida, Inc. ("AUF" or "Company"), set forth below is AUF's response to the Staff's letter dated May 31, 2011, wherein Staff identified certain deficiencies and requested additional information in connection with the water and wastewater applications in the above referenced docket.

**Water Application**  
**Rule 25-30.037(2), Florida Administrative Code (F.A.C.)**  
**Deficiencies**

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
RAD \_\_\_\_\_  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
CLK \_\_\_\_\_

*oversized*  
*1*  
*It 2 maps*  
*fwd*  
1. **Noticing.** Pursuant to Rule 25-30.030(1), F.A.C., when a utility applies for a sale, assignment, or transfer of its certificate of authorization, it shall provide notice of its application in the manner and to the entities described by the rule. Pursuant to Rule 25-30.030(4)(a) and (d), F.A.C., the notice shall include the date it is given and a statement that any objections must be filed with the Commission no later than 30 days after the date of the latest notice. The original notice given to the list of utilities and governmental

DOCUMENT NUMBER-DATE

Atlanta | Bethesda | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York  
Northern Virginia | Orlando | Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach

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authorities, to customers, and published pursuant to Rule 25-30.030(5), (6), and (7), F.A.C., respectively, did not provide the correct date of notice. As a result, AUF voluntarily renoticed the application. It appears that the second notice also contained an incorrect date. Please provide a third notice pursuant to Rule 25-30.030(5), (6), and (7), F.A.C., in the manner required by Rule 25-30.030(4), F.A.C. Note that the original list of utilities and governmental authorities provided by staff has expired and a new list must be obtained. Staff recommends that a copy of the third notice be provided to staff for review prior to noticing.

**RESPONSE:**

Pursuant to Staff's request, AUF obtained an updated list of utilities and governmental authorities from Staff on June 16, 2011 ("Updated List"). Third revised notices, approved by the Commission staff, were issued on June 22, 2011. Attached and included in Composite Attachment "1" are copies of the notices (a) mailed to the entities appearing on the Updated List, (b) mailed to the existing water customers of Harbor Hills Utilities, L.P.'s water system and (c) published in newspaper of local circulation

**2. Noticing Affidavits.** Rule 25-30.030(8), F.A.C., requires that the affidavits of the notices described in the rule be accompanied by a copy of the notice that was given. Please submit affidavits of the third noticing required pursuant to Item 1, above, accompanied by a copy of the notice that is given. The affidavit of the notice to the list of utilities and governmental authorities must also attach a copy of the list to which the notice was given.

**RESPONSE:**

The required noticing affidavits are attached and included in Composite Attachment "1".

**3. Proof of ownership.** Pursuant to Rule 25-30.037(2)(q), F.A.C., evidence is required that the utility owns, or has long-term access to, the land on which the utility treatment facilities are located. Although the transfer of the water system is not intended to occur until after Commission approval, please provide an unexecuted copy of the document intended to convey the continued use of the land under the water treatment facilities from the seller to the buyer.

**RESPONSE:**

AUF is in the process of gathering and reviewing the appropriate unexecuted closing documents requested. This data will be provided at a later date, once the documents have been gathered and reviewed.

**Wastewater Application  
Rules 25-30.033(1) and 25-30.036(3), F.A.C.  
Deficiencies**

**4. Noticing.** Pursuant to Rule 25-30.030(1), F.A.C., when a utility applies for a certificate of authorization, it shall provide notice of its application in the manner and to the entities described by the rule. Pursuant to Rule 25-30.030(4)(a) and (d), F.A.C., the notice shall include the date it is given and a statement that any objections must be filed with the Commission no later than 30 days after the date of the latest notice. The original notice given to the list of utilities and governmental authorities, to customers, and published pursuant to Rule 25-30.030(5), (6), and (7), F.A.C., respectively, did not provide the correct date of notice. As a result, AUF voluntarily renoticed the application. It appears that the second notice also contained an incorrect date. Please provide a third notice pursuant to Rule 25-30.030(5), (6), and (7), F.A.C., in the manner required by Rule 25-30.030(4), F.A.C. Note that the original list of utilities and governmental authorities provided by staff has expired and a new list must be obtained. Staff recommends that a copy of the third notice be provided to staff for review prior to noticing.

**RESPONSE:**

Pursuant to Staff's request, AUF obtained an updated list of utilities and governmental authorities from Staff on June 16, 2011 ("Updated List"). Third revised notices, approved by the Commission staff, were issued on June 22, 2011. Attached and included in Composite Attachment "1" are copies of the notices (a) mailed to the entities appearing on the Updated List, (b) mailed to the existing wastewater customers of Harbor Hills Utilities, L.P.'s wastewater system and (c) published in newspaper of local circulation.

**5. Noticing Affidavits.** Rule 25-30.030(8), F.A.C., requires that the affidavits of the notices described in the rule be accompanied by a copy of the notice that was given. Please submit affidavits of the third noticing required pursuant to Item 4, above, accompanied by a copy of the notice that is given. The affidavit of the notice to the list of utilities and governmental authorities must also attach a copy of the list to which the notice was given.

**RESPONSE:**

The required noticing affidavits are attached and included in Composite Attachment "1".

**6. Proof of ownership.** Pursuant to Rules 25-30.033(1)(j) and 25-30.036(3)(d), F.A.C., evidence is required that the utility owns, or has long-term access to, the land upon which the utility treatment facilities are located. Although, the certification and transfer of the wastewater system is pending Commission approval, please provide an executed copy of the document intended to convey the continued use of the land under

the wastewater treatment facilities from the seller to the buyer. In addition, the legal description shown in Exhibit F to the wastewater application does not appear to describe the land under the wastewater treatment facilities, as it is identical to the legal description provided for the water treatment facilities.

**RESPONSE:**

The requested proof of ownership for the Harbor Hills Utilities L.P.'s wastewater land is appended as Attachment "2". AUF is in the process of gathering and reviewing the appropriate unexecuted closing documents requested. This data will be provided at a later date, once the documents have been gathered and reviewed.

**Additional Information**

**7. Wastewater Revenue Requirements.** Please describe in detail the basis used and/or documents relied upon for the annual wastewater growth projections through the year 2014.

**RESPONSE:**

The wastewater growth projections are based on data received from the current utility owner, who is also the developer for the service area. The current owner/developer indicated that there is additional territory inside the current development of 88 future homes for water/sewer service. For the projections, it was assumed these 88 additional new homes (connections) would occur over the next seven years. The proposed initial rates were calculated at 80% build out in year six.

**8. System Maps.** Please provide water and wastewater system maps showing which lots have existing connections and which lots are vacant.

**RESPONSE:**

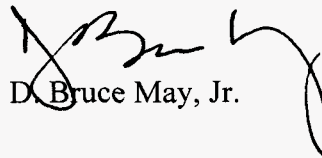
The requested system maps indicating the lots and existing connections are appended hereto as Composite Attachment "3".

\* \* \*

Please acknowledge receipt of this filing by stamping the extra copy of this letter “filed” and returning the copy to me. Thank you for your assistance.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "D. Bruce May, Jr.", with a stylized flourish at the end.

D. Bruce May, Jr.

DBM:kjg

Enclosures

cc: Patti Daniel, Bureau of Certification, Economics & Tariffs  
Christopher Luning, Esq., Aqua America, Inc.  
Troy Rendell, Aqua Utilities Florida, Inc.

# COMPOSITE ATTACHMENT 1

DOCUMENT NUMBER-DATE

04512 JUN 30 =

FPSC-COMMISSION CLERK

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA  
COUNTY OF LAKE

In re: Aqua Utilities Florida, Inc.'s Application )  
for Approval of Transfer of Harbor Hills Utilities )  
L.P. Water System and Amendment of Certificate )  
In Lake County, FL )  
\_\_\_\_\_ )

Docket No. 110019-WS

Filed: June 25, 2011

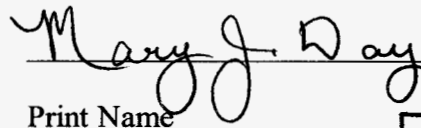
Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally, appeared Judy Wallingford, who after being duly sworn on oath, did depose on oath and say that she is the acting President and Chief Operating Officer of Aqua Utilities Florida, Inc., and that on June 22, 2011 she did send by regular U.S. Mail, a copy of the notice attached hereto to each water customer of Harbor Hills' water utility in Lake County, Florida.

FURTHER AFFIANT SAYETH NAUGHT:

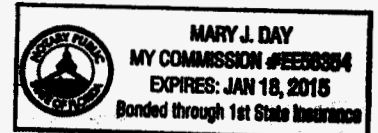
  
\_\_\_\_\_  
JUDY WALLINGFORD

Sworn to and subscribed before me this 22 day of June, 2011, by Judy Wallingford, who is personally known to me.

STATE OF FLORIDA  
COUNTY OF LAKE

  
\_\_\_\_\_  
Print Name

NOTARY PUBLIC  
My Commission Expires:



DOCUMENT NUMBER-DATE

04512 JUN 30 =

FPSC-COMMISSION CLERK

**Revised Notice of Application Approval Of Transfer Of Harbor Hills Utilities, L.P.'s  
Water System And Amendment Of Certificate In Lake County, Florida**

**ISSUED: JUNE 22, 2011**

Notice is hereby given that on January 7, 2011, Aqua Utilities Florida, Inc., (AUF) filed its Application for Approval of Transfer of the Water System of Harbor Hills Utilities, L.P. (Harbor Hills), in Lake County Florida to AUF and Amendment of AUF's Certificate No. 106-W pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code.

AUF does not propose to change water rates pursuant to this Application. However, AUF is proposing to charge the existing rates on a monthly basis. Currently Harbor Hills bills customers on a bi-monthly basis. The Harbor Hills Utilities, LP.'s water system provides service to the following described territory in Lake County, Florida:

**LEGAL DESCRIPTION**

The following described lands located in portions of Sections 13 & 14, Township 18 South, Range 24 East, and Sections 7 & 18, Township 18 South, Range 25 East, Lake County, Florida:

Begin at the Southeast corner of Section 12, Township 18 South, Range 24 East, for the POB; thence run North 00°07'21" West, along the East boundary of said Section 12 a distance of 66.62 feet to the centerline of Lake Griffin Road and a point on a curve having a radial bearing of North 27°13'16" West, said curve being concave Northwesterly having a radius of 615.63 feet; thence run Easterly along said centerline an arc distance of 228.02 feet, said arc having a delta of 21°13'18", a tangent distance of 115.33 feet, a chord bearing of North 52°10'04" East and a chord distance of 226.72 feet to a point of tangency; thence run North 41°33'27" East along said centerline a distance of 403.94 feet to a point of curvature, said curve being concave Northwesterly having a radius of 1730.29 feet; thence run Northeasterly along said centerline an arc distance of 240.35 feet, said arc having a delta of 07°57'32", a tangent distance of 120.37 feet, a chord bearing of North 37°34'41" East and a chord distance of 240.16 feet to a point of tangency; thence run North 33°35'55" East along said centerline a distance of 88.27 feet to a point of curvature, said curve being concave Southeasterly having a radius of 234.54 feet; thence run Easterly along said centerline an arc distance of 307.05 feet, said arc having a delta of 75°00'30", a tangent distance of 180.00 feet, a chord bearing of North 71°06'10" East and a chord distance of 285.59 feet to a point of tangency; thence run South 71°23'35" East along said centerline a distance of 606.85 feet to a point of curvature, said curve being concave Northeasterly having a radius of 919.44 feet; thence run Easterly along said centerline an arc distance of 249.03 feet, said arc having a delta of 15°31'06", a tangent distance of 125.28 feet, a chord bearing of South 79°09'08" East and a chord distance of 248.27 feet to a point of tangency; thence run South 86°54'41" East along said centerline of Lake Griffin Road a distance of 1406.31 feet to the intersection of the East line of the Southwest 1/4 of the Southwest 1/4 of Section 7, Township 18 South, Range 25 East; thence run South 00°08'17"



West along said East line a distance of 72.64 feet to a point on the North boundary of the Northwest 1/4 of Section 18, Township 18 South, Range 25 East, thence run North 89°14'04" East along the North boundary of said Section 18 a distance of 207.76 feet, thence run South 09°02'54" West a distance of 1000 feet, thence run Easterly to the waters edge of Lake Griffin to point, said point to be known as Point "A"; return to the Southeast corner of said Section 12 and the point of reference, thence run South 89°40'50" West along the North boundary of the Northeast 1/4 of said Section 13 a distance of 278.32 feet; thence continue South 89°40'50" West along said line a distance of 2374.36 feet to the North 1/4 corner of said Section 13; thence run South 89°50'32" West along the North boundary of the Northwest 1/4 of said Section 13, a distance of 1959.26 feet; thence run South 01°05'13" East along the West line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.76 feet; thence run South 89°50'18" West along the South line of said Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 329.42 feet; thence run South 01°15'47" East along the West line of the East 30 acres of the Southwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.85 feet; thence run North 89°50'05" East along the South line of said Southwest 1/4 of the Northwest 1/4 of said Section 13, a distance of 986.58 feet to the Southeast corner of said Southwest 1/4 of the Northwest 1/4 of said Section 13; thence run South 01°07'54" East along the West line of the East 1/2 of the Southwest 1/4 of said Section 13 a distance of 2426.57 feet; thence run South 89°54'49" East a distance of 210.00 feet; thence run South 01°07'54" East a distance of 210.00 feet to the South boundary of said Section 13; thence run North 89°54'49" West along said Southerly boundary a distance of 210.00 feet; thence run South 00°18'48" East along the West line of the East 1/2 of the Northwest 1/4 of Section 24, Township 18 South, Range 24 East, a distance of 2676.64 feet to a point on the East-West mid-section line of said Section 24; thence run South 89°55'50" East along said mid-section line a distance of 663.16 feet; thence run North 00°06'52" West a distance of 669.10 feet; thence run South 89°55'35" East a distance of 665.48 feet; thence run North 00°05'03" East a distance of 9.04 feet; thence run South 89°55'19" East a distance of 660 feet; thence run North 00°05'03" East a distance of 1997.99 feet to a point on the North boundary of said Section 24; thence run South 89°54'49" East along said North boundary line a distance of 613.85 feet; thence continue Easterly along said line to the waters edge of Lake Griffin; thence Northeasterly along the waters edge to said Point "A".

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 **within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.**

Aqua Utilities Florida, Inc.  
P. O. Box 2480  
Lady Lake, FL 32158-2480

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Aqua Utilities Florida, Inc.'s Application )  
for Approval of Transfer of Harbor Hills Utility, LP) )  
Water System and Amendment of Certificate in )  
Lake County, FL )  
\_\_\_\_\_ )

Docket No. 110019-WS

Filed: June 25, 2011

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA  
COUNTY OF LAKE

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally, appeared Judy Wallingford, who after being duly sworn on oath, did depose on oath and say that she is the acting President for Aqua Utilities Florida, Inc. and that on June 22, 2011 she did send by regular U.S. Mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, and municipalities, in according with the list provided by the Florida Public Service Commission, which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

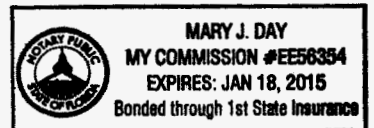
*Judy Wallingford*  
\_\_\_\_\_  
JUDY WALLINGFORD

Sworn to and subscribed before me this 22 day of June, 2011, by Judy Wallingford, who is personally known to me.

STATE OF FLORIDA  
COUNTY OF LAKE

*Mary J Day*  
\_\_\_\_\_

Print Name  
NOTARY PUBLIC  
My Commission Expires:



**Revised Notice of Application Approval Of Transfer Of Harbor Hills Utilities, L.P.'s  
Water System And Amendment Of Certificate In Lake County, Florida**

**ISSUED: JUNE 22, 2011**

Notice is hereby given that on January 7, 2011, Aqua Utilities Florida, Inc., (AUF) filed its Application for Approval of Transfer of the Water System of Harbor Hills Utilities, L.P. (Harbor Hills), in Lake County Florida to AUF and Amendment of AUF's Certificate No. 106-W pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code.

AUF does not propose to change water rates pursuant to this Application. However, AUF is proposing to charge the existing rates on a monthly basis. Currently Harbor Hills bills customers on a bi-monthly basis. The Harbor Hills Utilities, LP.'s water system provides service to the following described territory in Lake County, Florida:

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Aqua Utilities Florida, Inc.  
P. O. Box 2480  
Lady Lake, FL 32158-2480

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Aqua Utilities Florida, Inc.'s Application )  
for Original Certificate for an Existing Wastewater )  
System Requesting Initial Rates and Charges, and )  
Amendment of Certificate in Lake County, Florida. )  
\_\_\_\_\_ )

Docket No. 110019-WS

Filed: June 25, 2011

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA  
COUNTY OF LAKE

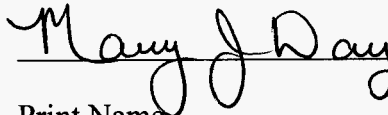
Before me, the undersigned authority, authorized to administer oaths and take Acknowledgements, personally, appeared Judy Wallingford, who after being duly sworn on oath, did depose on oath and say that she is the acting President and Chief Operating Officer of Aqua Utilities Florida, Inc., and that on June 22, 2011 she did send by regular U.S. Mail, a copy of the notice attached hereto to each wastewater customer of Harbor Hills' Wastewater system in Lake County, Florida.

FURTHER AFFIANT SAYETH NAUGHT:

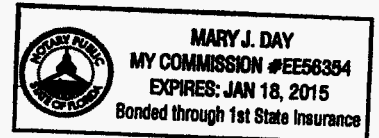
  
\_\_\_\_\_  
JUDY WALLINGFORD

Sworn to and subscribed before me this 22 day of June 2011, by Judy Wallingford, who is personally known to me.

STATE OF FLORIDA  
COUNTY OF LAKE

  
\_\_\_\_\_

Print Name  
NOTARY PUBLIC  
My Commission Expires:



**Revised Notice of Application for Approval of Application for Original Certificate  
for an Existing Wastewater System Requesting Initial Rates and Charges**

**ISSUED: JUNE 22, 2011**

Notice is hereby given that on January 7, 2011, Aqua Utilities Florida, Inc., (AUF) filed its Application for Approval for an Original Wastewater Certificate and Initial Rates and Charges for Harbor Hills Utilities, L.P.'s (Harbor Hills) existing wastewater system in Lake County Florida, and Amendment of AUF's Certificate 120-S pursuant to Section 367.045(2), Florida Statutes, and Rules 25-30.033 and 25-30.036(3), Florida Administrative Code.

Currently, Harbor Hills Utilities, L.P. does not charge wastewater rates. In its application, AUF is proposing the Commission approve initial monthly wastewater service rates as follows:

Wastewater Rates: (monthly)

Residential

Base Facility Charge:

All meter sizes	\$ 18.35
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Gallage Charge:

Per thousand gallons (gallage cap of 6,000)	\$ 4.53
--	---------

General Service

5/8" X 3/4"	\$ 18.35
3/4"	\$ 27.52
1"	\$ 45.86
1-1/2"	\$ 91.73
2"	\$ 146.76
3"	\$ 293.53
4"	\$ 458.64
6"	\$ 917.27
8"	\$ 1,467.64
10"	\$ 2,109.73

Gallage Charge:

Per thousand gallons	\$ 5.43
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The proposed initial rates above are subject to review and approval by the Commission.

The Harbor Hills' wastewater system provides service to the following described territory in Lake County, Florida:

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED LANDS LOCATED IN PORTIONS OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 24 EAST, AND SECTIONS 7 & 18, TOWNSHIP 18 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 24 EAST, FOR THE POB; THENCE RUN NORTH 00°07'21" WEST, ALONG THE EAST BOUNDARY OF SAID SECTION 12 A DISTANCE OF 66.62 FEET TO THE CENTERLINE OF LAKE GRIFFIN ROAD AND A POINT ON A CURVE HAVING A RADIAL BEARING OF NORTH 27°13'16" WEST, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 615.63 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 228.02 FEET, SAID ARC HAVING A DELTA OF 2113'18", A TANGENT DISTANCE OF 115.33 FEET, A CHORD BEARING OF NORTH 52°10'04" EAST AND A CHORD DISTANCE OF 226.72 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 41°33'27" EAST ALONG SAID CENTERLINE A DISTANCE OF 403.94 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1730.29 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 240.35 FEET, SAID ARC HAVING A DELTA OF 07°57'32", A TANGENT DISTANCE OF 120.37 FEET, A CHORD BEARING OF NORTH 37°34'41" EAST AND A CHORD DISTANCE OF 240.16 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 33°35'55" EAST ALONG SAID CENTERLINE A DISTANCE OF 88.27 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 234.54 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 307.05 FEET, SAID ARC HAVING A DELTA OF 75°00'30", A TANGENT DISTANCE OF 180.00 FEET, A CHORD BEARING OF NORTH 71°06'10" EAST AND A CHORD DISTANCE OF 285.59 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 71°23'35" EAST ALONG SAID CENTERLINE A DISTANCE OF 606.85 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHEASTERLY HAVING A RADIUS OF 919.44 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 249.03 FEET, SAID ARC HAVING A DELTA OF 15°31'06", A TANGENT DISTANCE OF 125.28 FEET, A CHORD BEARING OF SOUTH 79°09'08" EAST AND A CHORD DISTANCE OF 248.27 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 54°48'39" EAST A DISTANCE OF 221.30'; THENCE RUN SOUTH 35°11'21" WEST A DISTANCE OF 2009.33'; THENCE RUN NORTH 51°43'05" WEST A DISTANCE OF 422.00'; THENCE RUN SOUTH 89°55'26" WEST A DISTANCE OF 400.37' TO A POINT ON THE EAST BOUNDARY OF SECTION 13; THENCE RUN NORTH 00°04'34" WEST ALONG THE EAST BOUNDARY OF SECTION 13 A DISTANCE OF 165.41'; THENCE RUN

NORTH 89°58'35" WEST A DISTANCE OF 526.35'; THENCE RUN NORTH 66°26'23" WEST A DISTANCE OF 357.90'; THENCE RUN NORTH 00°01'25" EAST A DISTANCE OF 634.92' TO A POINT ON THE SOUTH BOUNDARY OF SECTION 12; THENCE RUN NORTH 89°40'50" EAST ALONG THE SOUTH BOUNDARY OF SECTION 12 TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 ***within 30 days from the date of this Notice.*** **The objection must state the grounds for the objection with particularity.**

Aqua Utilities Florida, Inc.  
P. O. Box 2480  
Lady Lake, FL 32158-2480



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Aqua Utilities Florida, Inc.'s Application )  
for Original Certificate for an Existing Wastewater )  
System Requesting Initial Rates and Charges and )  
Amendment of Certificates in Lake County, Florida.)  
\_\_\_\_\_)

Docket No. 110019-WS  
Filed: June 25, 2011

**AFFIDAVIT OF MAILING**

STATE OF FLORIDA  
COUNTY OF LAKE

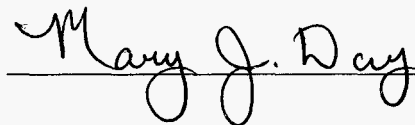
Before me, the undersigned authority, authorized to administer oaths and take Acknowledgements, personally, appeared Judy Wallingford, who after being duly sworn on oath, did depose on oath and say that she is the acting President for Aqua Utilities Florida, Inc. and that on June 22, 2011 she did send by regular U.S. Mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, and municipalities, in according with the list provided by the Florida Public Service Commission, which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

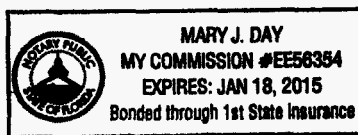
  
\_\_\_\_\_  
JUDY WALLINGFORD

Sworn to and subscribed before me this 22 day of June, 2011, by Judy Wallingford, who is personally known to me.

STATE OF FLORIDA  
COUNTY OF LAKE

  
\_\_\_\_\_

Print Name  
NOTARY PUBLIC  
My Commission Expires:



**Revised Notice of Application for Approval of Application for Original Certificate  
for an Existing Wastewater System Requesting Initial Rates and Charges**

**ISSUED: JUNE 22, 2011**

Notice is hereby given that on January 7, 2011, Aqua Utilities Florida, Inc., (AUF) filed its Application for Approval for an Original Wastewater Certificate and Initial Rates and Charges for Harbor Hills Utilities, L.P.'s (Harbor Hills) existing wastewater system in Lake County Florida, and Amendment of AUF's Certificate 120-S pursuant to Section 367.045(2), Florida Statutes, and Rules 25-30.033 and 25-30.036(3), Florida Administrative Code.

The Harbor Hills' wastewater system provides service to the following described territory in Lake County, Florida:

**LEGAL DESCRIPTION:**

THE FOLLOWING DESCRIBED LANDS LOCATED IN PORTIONS OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 24 EAST, AND SECTIONS 7 & 18, TOWNSHIP 18 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 24 EAST, FOR THE POB; THENCE RUN NORTH 00°07'21" WEST, ALONG THE EAST BOUNDARY OF SAID SECTION 12 A DISTANCE OF 66.62 FEET TO THE CENTERLINE OF LAKE GRIFFIN ROAD AND A POINT ON A CURVE HAVING A RADIAL BEARING OF NORTH 27°13'16" WEST, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 615.63 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 228.02 FEET, SAID ARC HAVING A DELTA OF 2113'18", A TANGENT DISTANCE OF 115.33 FEET, A CHORD BEARING OF NORTH 52°10'04" EAST AND A CHORD DISTANCE OF 226.72 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 41°33'27" EAST ALONG SAID CENTERLINE A DISTANCE OF 403.94 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1730.29 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 240.35 FEET, SAID ARC HAVING A DELTA OF 07°57'32", A TANGENT DISTANCE OF 120.37 FEET, A CHORD BEARING OF NORTH 37°34'41" EAST AND A CHORD DISTANCE OF 240.16 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 33°35'55" EAST ALONG SAID CENTERLINE A DISTANCE OF 88.27 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 234.54 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 307.05 FEET, SAID ARC HAVING A DELTA OF 75°00'30", A TANGENT DISTANCE OF 180.00 FEET, A CHORD BEARING OF NORTH 71°06'10" EAST AND A CHORD DISTANCE OF 285.59 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 71°23'35" EAST ALONG SAID

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Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc.  
P. O. Box 2480  
Lady Lake, FL 32158-2480

The Villages  
**DAILY SUN**

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Attach Notice Here

Revised Notice of Application  
for Approval of Application for  
Original Certificate for an  
Existing Wastewater System  
Requesting Initial Rates and  
Charges

ISSUED: JUNE 22, 2011

Notice is hereby given that on  
January 7, 2011, Aqua Utili-  
ties Florida, Inc., (AUF) filed  
its Application for Approval for  
an Original Wastewater Certi-  
ficate and Initial Rates and  
Charges for Harbor Hills Utili-  
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The Harbor Hills' wastewater  
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BEGIN AT THE SOUTHEAST  
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89°40'50" EAST ALONG THE  
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SECTION 12 TO THE POINT

Before the undersigned authority personally appeared  
Carolyn J. Midora, who on oath  
says that she is Legal Ad Coordinator of the DAILY SUN,  
a daily newspaper published at Lady Lake in Lake  
County, Florida with circulation in Lake, Sumter and  
Marion Counties; that the attached copy of  
advertisement, being a Legal Ad #314468  
in the matter of **THIRD REVISED NOTICE**

in the \_\_\_\_\_ court, was published in said  
newspaper in the issues of **June 22, 2011**

Affiant further says that the said Daily Sun is a  
newspaper published at Lady Lake in said Lake  
County, Florida, and that the said newspaper has  
heretofore been continuously published in said Lake  
County, Florida, each week and has been entered as  
second class mail matter at the post office in Lady  
Lake, in said Lake County, Florida, for a period of one  
year next preceding the first publication of the attached  
copy of advertisements; and affiant further says that he  
has neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or refund  
for the purpose of securing this advertisement for  
publication in the said newspaper.

*Carolyn J. Midora*  
(Signature of Affiant)

Sworn to and subscribed before me this 22  
day of June, 2011.

*Robin Louise Baldesch*  
(Name of Notary typed, printed or stamped)

Personally Known \_\_\_\_\_ or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



The Villages  
**DAILY SUN**

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Attach Notice Here

Revised Notice of Application  
for Approval of Application  
for Original Certificate for  
an Existing Wastewater  
System Requesting Initial  
Rates and Charges

ISSUED: JUNE 22, 2011

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Florida 32399-0850, with a  
copy to D. Bruce May Jr. Hol-  
land & Knight, 315 South Cal-  
houn Street, Suite 600, Talla-  
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Aqua Utilities Florida, Inc.  
P. O. Box 2480  
Lady Lake, FL 32158-2480

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advertisement, being a Legal Ad #314467  
in the matter of Third Revised Notice

in the \_\_\_\_\_ court, was published in said  
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newspaper published at Lady Lake in said Lake  
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heretofore been continuously published in said Lake  
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second class mail matter at the post office in Lady  
Lake, in said Lake County, Florida, for a period of one  
year next preceding the first publication of the attached  
copy of advertisements; and affiant further says that he  
has neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or refund  
for the purpose of securing this advertisement for  
publication in the said newspaper.

*Carolyn J. Midora*  
(Signature Of Affiant)

Sworn to and subscribed before me this 22  
day of June, 2011.

*Robin Louise Baldeschwieler*  
(Name of Notary typed, printed or stamped)

Personally Known \_\_\_\_\_  
Production Identification \_\_\_\_\_  
Type of Identification \_\_\_\_\_  
Notary Public State of Florida  
Robin Louise Baldeschwieler  
My Commission DD829868  
Expires 10/09/2012

# ATTACHMENT 2

DOCUMENT NUMBER-DATE

04512 JUN 30 =

FPSC-COMMISSION CLERK

# Property Details

General Information	Land Data	Misc. Improvements	Sales History	Value	Map of Property	Tax
TRIM Notice						

## General Information

<b>Alternate Key:</b>	3388712	<b>Parcel:</b>	13-18-24-050000M00000
<b>Owner Name:</b>	HARBOR HILLS COUNTRY CLUB LP	<b>Millage:</b>	0001 (Unincorporated) : 15.2262
<b>Owner Address:</b>	DBA HARBOR HILLS CC LTD 6538 LAKE GRIFFIN RD LADY LAKE, FL 32159	<b>Property Location:</b>	
<b>Legal Description:</b>	HARBOR HILLS UNIT 1, TRACT M PB 30 PGS 13-27   ORB 1289 PG 2240		

## Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	NON AGRICULTURAL ACREAGE (9900)	0	0	TREATMENT	3.86	AC	\$0.00	\$12,738.00

## Miscellaneous Improvements

There is no improvement information to display.

## Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
1289 / 2240	4/1/1994	TR	M	V	\$1.00

## Value

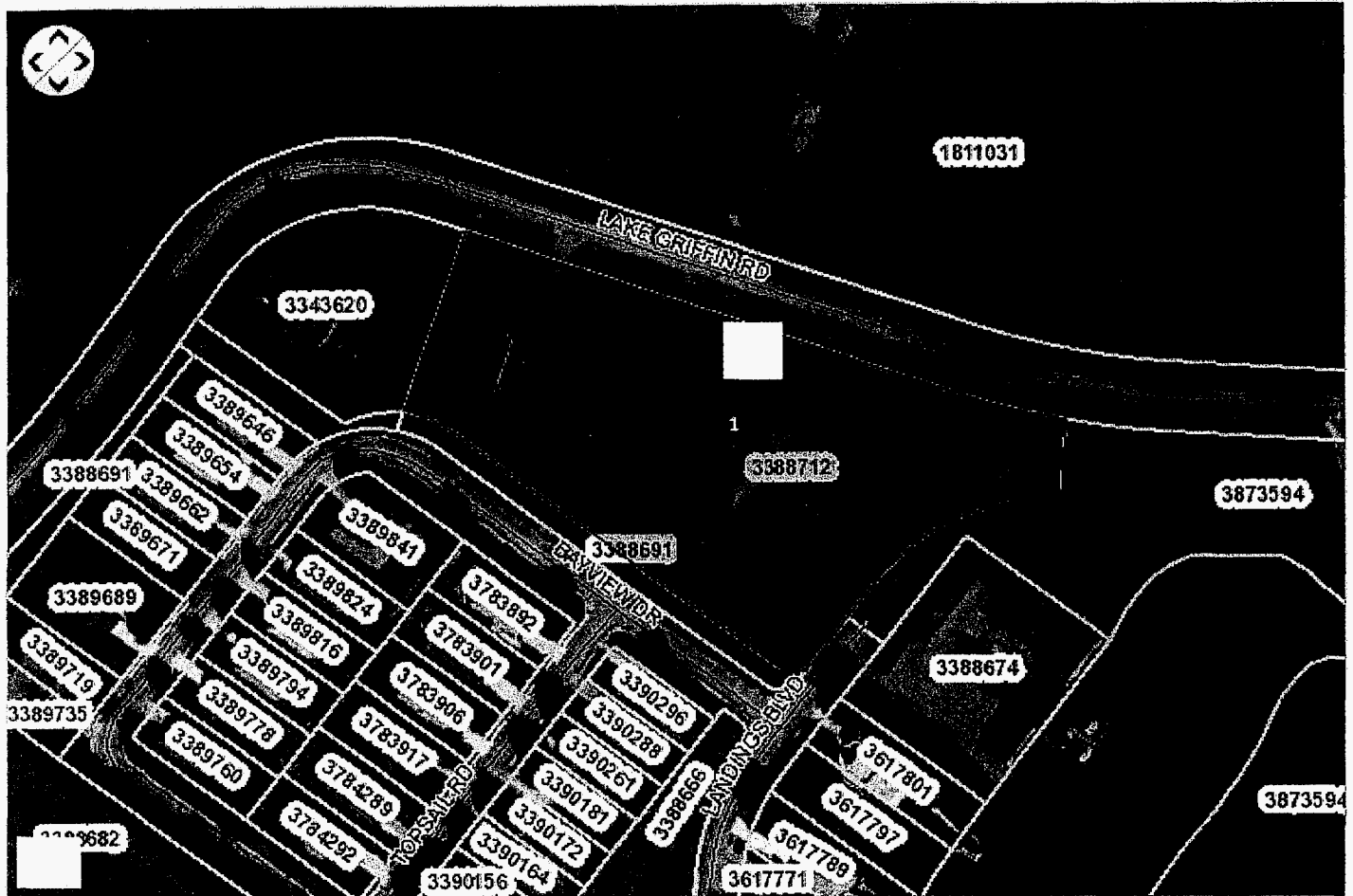
<b>Total Just Value:</b>	=	\$12,738.00
<b>Total Exempt Value:</b>	=	\$0.00
<b>Total Taxable Value:</b>	=	\$12,738.00
<b>Millage Rate:</b>	?	x 0.0152262
<b>Base Ad-Valorem Tax:</b>	=	\$193.95
<b>Non-Exempt School Levies:</b>	+	\$0.00
<b>Estimated Ad-Valorem Tax:</b>	=	\$193.95

\* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

## Truth In Millage (TRIM) Notice

DOCUMENT NUMBER-DATE  
 04512 JUN 30 =  
 FPSC-COMMISSION CLERK

Click here to change page title



#	Alt Key	Owner	Parcel Address	Owner Address	Tools
1	3388712	HARBOR HILLS COUNTRY CLUB LP DBA HARBOR HILLS CC LTD		6538 LAKE GRIFFIN RD LADY LAKE, FL 32159	<a href="#">Zoom In</a>



RECEIVED FOR  
TF 3.00 EXCISE TAXES  
DOCUMENT OF JAMES C. WATKINS  
INT. CLERK LAKE CO FL  
BY [Signature] D.C.

TRUSTEE'S DEED

BOOK 1289 PAGE 2240

94 23306

THIS INDENTURE made the 15<sup>th</sup> day of April, 1994, between THE UNITED STATES OF AMERICA, having an address c/o Dominic DiNapoli, Special Trustee, Americas Tower, 1177 Avenue of the Americas, New York, New York 10036, party of the first part, and HARBOR HILLS COUNTRY CLUB, L.P., a Delaware limited partnership, d/b/a/ as HARBOR HILLS COUNTRY CLUB, LTD., having an address at 350 Bay Street, Suite 1200, Toronto, Ontario Canada M5H 2S6, party of the second part.

WITNESSETH, that the party of the first part, in consideration of the sum of TEN and 00/10 (\$10.00) Dollars, lawful money of the United States, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second party, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, being and being in the Town of Lady Lake, County of Lake and State of Florida, as more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Premises").

Title to the Premises was forfeited to the party of the first part pursuant to a Decree of Forfeiture and Order Appointing Special Trustee, dated May 4, 1992, as amended or modified on May 18, 1992 and July 16, 1992, in the United States District Court, Eastern District of New York, Civil Action No. CV-92-2070.

Title to the Premises is being conveyed pursuant to an Order Approving Sales of Certain Real Properties, dated March 25, 1994, by Judge Edward R. Korman in the United States District Court, Eastern District of New York, Civil Action No. CV-92-2070.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described Premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said Premises,

Prepared By and Return To:  
Marybeth L. Pullum  
P.O. Box 492160  
Suite 701 First Family Oaks  
1330 W. Citizens Blvd.  
Leesburg, FL 34749

THE UNITED STATES OF AMERICA IS  
IMUNE FROM STATE TAXATION AND  
THEREFORE NO DOCUMENTARY STAMP  
TAXES ARE BEING PAID ON THIS  
TRANSFER.

RECORDED  
RECORDS SECTION  
LAKE COUNTY, FL  
APR 17 10 58 AM '94

TO HAVE AND TO HOLD the Premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part warrants and covenants to defend title to the Premises against any claim arising from any cloud on title, defects in or claims arising out of the forfeiture process pursuant to which the party of the first part obtained title.

AND the party of the first part specifically warrants and covenants to defend that (i) the party of the first part is lawfully in possession of the Premises, (ii) the party of the first part has the right and authority to sell and convey the Premises, and (iii) the signature appearing on this deed on behalf of the party of the first part in the capacity as indicated on the signature line is property authorized and binding.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN THE PRESENCE OF:

THE UNITED STATES OF AMERICA

*Denise Lopez*  
Print Witness Name: Denise Lopez

*Samantha A. Smith*  
Print Witness Name: Samantha A. Smith

BY: *Dominic DiNapoli*  
Dominic DiNapoli  
Special Trustee

STATE OF NEW YORK  
COUNTY OF NEW YORK

The foregoing instrument was acknowledged before me  
this 14th day of April, 1994 by Dominic DiNapoli, as Special  
Trustee on behalf of the United States of America. He is  
personally known to me, ~~or has produced~~ as  
~~identification and did/did not take an oath.~~

*Rosa E. Doner*  
Print Notary Name: ROSA E. DONER  
NOTARY PUBLIC STATE OF NEW YORK

My Commission Expires:

(NOTARY SEAL)

Rosa E. Doner  
Notary Public, State of New York  
No. 491971  
Qualified in Suffolk County  
Commission Expires February 8, 1996

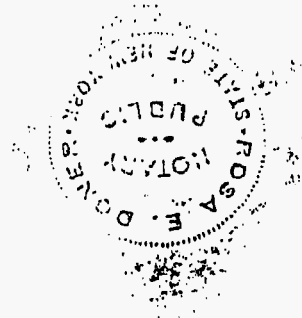


EXHIBIT "A"PARCEL NO. 1: Golf Course

Tracts A, B, C, D, E, F and G depicted as "Golf Course" Tracts on the Plat of Harbor Hills Unit 1, a subdivision in Lake County, Florida, according to the Plat thereof recorded in Plat Book 30, Pages 13 through 27, inclusive, Public Records of Lake County, Florida, as corrected by Affidavits recorded in Official Records Book 1014, Page 2259-2260, and Official Records Book 1067, Pages 239 through 242, inclusive, Public Records of Lake County, Florida.

PARCEL NO. 2: Country Club

Tract K designated as "Clubhouse and Amenities Area" on the Plat of Harbor Hills Unit 1, a subdivision in Lake County, Florida, according to the Plat thereof recorded in Plat Book 30, Pages 13 through 27, inclusive, Public Records of Lake County, Florida, as corrected by Affidavits recorded in Official Records Book 1014, Page 2259-2260, and Official Records Book 1067, Pages 239 through 242, inclusive, Public Records of Lake County, Florida.

LESS AND EXCEPT Well Site No. 1: A portion of Tract "K", Harbor Hills Unit 1, as recorded in Plat Book 30, Pages 13 through 27, inclusive, Public Records of Lake County, Florida, corrected by Surveyor's Affidavits filed in Official Records Book 1014, Page 2259-2260, and Official Records Book 1067, Pages 239 through 242, Public Records of Lake County, Florida, being more particularly described as follows: For a point of reference, begin at the intersection of the South right-of-way line of Lake Griffin Road and the East line of Section 13, Township 18 South, Range 24 East, as shown in the aforementioned Plat Book 30, at Page 25, proceed thence South  $00^{\circ} 19' 09''$  East along the East line of said Section 13, 235.00 feet to the point of beginning ("P.O.B."). From the P.O.B. thus described, proceed South  $74^{\circ} 31' 53''$  West 80.00 feet; thence North  $15^{\circ} 28' 07''$  West 50.00 feet; thence North  $89^{\circ} 40' 51''$  East to a point on the East line of said Section 13; thence South  $00^{\circ} 19' 09''$  East along said East line to the point of beginning.

SUBJECT TO a non-exclusive easement for ingress and egress over, upon and across Tract K OF HARBOR HILLS UNIT 1, according to the Plat thereof recorded in Plat Book 30, Page 13 through 27, Public Records of Lake County, Florida, as corrected by Affidavits recorded in Official Records Book 1014, Page 2259-2260, and Official Records Book 1067, Pages 239-242 Inclusive, All in the Public Records of Lake County, Florida, said easement reserved to provide access to Well Site No. 1.

PARCEL NO. 3: Treatment Facilities

Tract "M" designated as "Treatment Facilities" on the Plat of Harbor Hills Unit 1, as depicted in Plat Book 30, Page 26, being a portion of Harbor Hills Unit 1, a subdivision in Lake County,

Florida, according to the plat thereof recorded in Plat Book 30, Pages 13 through 27, inclusive, Public Records of Lake County, Florida.

PARCEL NO. 4: Townhouses

Lots 1-6, inclusive, Lots 9-22, inclusive, and Lots 24-50, inclusive, All in Block B, of Harbor Hills, Unit 2A, according to the Plat thereof recorded in Plat Book 32, Pages 73 and 74, Public Records of Lake County, Florida.

(hhccleg.jg)