

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

Undocketed

IN RE: PROPOSED ADOPTION OF RULES 25-30.029 AND 25-30.038 AND AMENDMENT OF RULES 25-30.030, 25-30.032, 25-30.033, 25-30.034, 25-30.035, 25-30.036, 25-30.037, 25-30.039, AND 25-30.090, FLORIDA ADMINISTRATIVE CODE

ISSUED: July 22, 2014

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to adopt Rules 25-30.029 and 25-30.038 and amend Rules 25-30.030, 25-30.032, 25-30.033, 25-30.034, 25-30.035, 25-30.036, 25-30.037, 25-30.039, and 25-30.090, Florida Administrative Code, concerning certificates of authorization for water and wastewater utilities.

The attached Notice of Development of Rulemaking appeared in the July 22, 2014 edition of the Florida Administrative Register. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to Kathryn G.W. Cowdery, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 at (850) 413-6216 by August 5, 2014. A copy of the preliminary draft rules and forms is attached.

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By DIRECTION of the Florida Public Service Commission this 22nd day of July, 2014.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-30.029	Legal Description of Service Area
25-30.030	Notice of Application
25-30.032	Applications
25-30.033	Application for Original Certificate of Authorization and Initial Rates and Charges
25-30.034	Application for Certificate of Authorization for Existing Utility Currently Charging for Service
25-30.035	Application for Grandfather Certificate
25-30.036	Application for Amendment to Certificate of Authorization to Extend or Delete Service
25-30.037	Application for Authority to Transfer
25-30.038	Application for Transfer to a Governmental Authority
25-30.039	Application for Name Change
25-30.090	Abandonments

PURPOSE AND EFFECT: New Rule 25-30.029, F.A.C., would specify the format of the legal description of the utility's service area to be used in water and wastewater certificate applications. New Rule 25-30.038, F.A.C., would address applications for transfer to a governmental authority. The amendments to Rules 25-30.030, 25-30.032, 25-30.033, 25-30.034, 25-30.035, 25-30.036, and 25-30.037, F.A.C., would update, streamline, and clarify the Commission's requirements for applications for water and wastewater utility certificates of authorization. Rule 25-30.039, F.A.C., would be changed from an application to a notice of name change. Rule 25-30.090, F.A.C., would be updated and clarified as to abandonment requirements.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Certificates of authorization for Commission regulated water and wastewater utilities.

RULEMAKING AUTHORITY: 350.127(2), 367.045, 367.121, 367.1213, 367.1214 FS.

LAW IMPLEMENTED: 367.031, 367.045, 367.071, 367.1213, 367.1214, 367.165, 367.171 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G.W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

- 1 25-30.029 Legal Description of Service Area
- 2 (1) The utility shall provide a legal description of the service area to be served, extended,
- 3 deleted, or transferred in the following applications:
- 4 (a) An original certificate of authorization and initial rates and charges as provided in Rule 25-
- 5 30.033, F.A.C.
- 6 (b) An original certificate of authorization for an existing utility currently charging for service
- 7 provided in Rule 25-30.034, F.A.C.;
- 8 (c) An original certificate of authorization following rescission of jurisdiction by a county as
- 9 provided in Rule 25-30.035, F.A.C.;
- 10 (d) An extension of service area as provided in Sections 25-30.036(2) or (3), F.A.C.;
- 11 (e) A deletion of service area as provided in Section 25-30.036(4), F.A.C.;
- 12 (f) A transfer of a regulated utility to another regulated utility as provided in Section 25-
- 13 30.037(2), F.A.C.;
- 14 (g) A transfer of an exempt entity or a utility in a nonjurisdictional county to a regulated utility
- 15 as provided in Section 25-30.037(3), F.A.C.;
- 16 (h) A transfer of majority organizational control of a regulated utility as provided in Section
- 17 25-30.037(4), F.A.C.;
- 18 (i) A transfer of a regulated utility to an exempt entity other than a governmental authority as
- 19 provided in Section 25-30.037(5), F.A.C.; or
- 20 (j) A partial transfer of a regulated utility to a governmental authority as provided in paragraph
- 21 25-30.038(2)(h)2., F.A.C.;
- 22 (2) The legal description of the service area to be served, extended, deleted or transferred shall
- 23 identify:
- 24 (a) A reference to township(s), range(s), land section(s), and county(s); and
- 25 (b) A complete and accurate description of the service area to be served, added, deleted, or

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1 transferred. The description may reference interstates, state roads, local streets, and major
2 bodies of water, but shall not rely on references to government lots, recorded plats or lots,
3 tracts, or other recorded instruments. The description shall be provided in one of the
4 following formats:

5 1. Sections. If the service area includes complete sections, the description shall only include
6 the township, range, and section reference. If the service area includes partial sections, the
7 description shall identify the subsections to be included or excluded.

8 2. Metes and bounds. The description shall identify a point of beginning which is referenced
9 from either a section corner or a subsection corner, such as a quarter corner. The perimeter
10 shall be described by traversing the service area boundary and closing at the point of
11 beginning. The description shall identify all bearings and distances necessary to provide
12 continuous description.

13 *Specific Authority 350.127(2), 367.045, 367.121(1) FS. Law Implemented 367.045, 367.071*
14 *FS. History New-*

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1 25-30.030 Notice of Application and of Customer Meeting.

2 (1) ~~When A utility applies for a certificate of authorization, an extension or deletion of its~~
3 ~~service area, or a sale, assignment or transfer of its certificate of authorization, facilities or any~~
4 ~~portion thereof or majority organizational control, it shall provide notice of its application in~~
5 ~~the manner and to the entities described in this rule when it applies for any of the following:~~
6 ~~section.~~

7 (a) An original certificate of authorization and initial rates and charges as provided in Rule 25-
8 30.033, F.A.C.;

9 (b) An original certificate of authorization for existing utility currently charging for service as
10 provided in Rule 25-30.034, F.A.C.;

11 (c) An extension of service area as provided in Rule 25-30.036(2) or (3), F.A.C.;

12 (d) A deletion of service area as provided in Rule 25-30.036(4), F.A.C.;

13 (e) A transfer of a regulated utility to another regulated utility as provided in Rule 25-
14 30.037(2), F.A.C.;

15 (f) A transfer of an exempt entity or a utility in a nonjurisdictional county to a regulated
16 utility as provided in Rule 25-30.037(3), F.A.C.;

17 (g) A transfer of majority organizational control of a regulated utility as provided in Rule 25-
18 30.037(4), F.A.C.; or

19 (h) A transfer of a regulated utility to an exempt entity other than a governmental authority as
20 provided in Rule 25-30.037(5), F.A.C.

21 (2) After filing an application as described in subsection (1) above, and b~~Before~~ providing
22 notice in accordance with this section, a utility shall obtain from the Commission staff a list of
23 the names and addresses of the governing body of the county(ies) or municipality(ies)
24 affected, municipalities, the county or counties, the appropriate regional planning council, the
25 Office of Public Counsel, the Commission's Office of Commission Clerk, the appropriate
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1 regional office of the Department of Environmental Protection, the appropriate water
2 management district, and privately-owned water and wastewater utilities that hold a certificate
3 granted by the ~~Public Service~~ Commission and that are located within the county in which the
4 utility or the territory proposed to be served is located. ~~In addition, if any portion of the~~
5 ~~proposed territory is within one mile of a county boundary, the utility shall obtain from the~~
6 ~~Commission a list shall include~~ of the names and addresses of the privately-owned utilities
7 located in the bordering county ~~counties~~ and holding a certificate granted by the Commission.
8 ~~The utility's request for the list shall include a complete legal description of the territory to be~~
9 ~~requested in the application that includes:~~

10 ~~(a) A reference to township(s), range(s), land section(s) and county; and~~

11 ~~(b) A complete and accurate description of the territory served or proposed to be served in one~~
12 ~~of the following formats. The description may reference interstates, state roads, and major~~
13 ~~bodies of water. The description shall not rely on references to government lots, local streets,~~
14 ~~recorded plats or lots, tracts, or other recorded instruments.~~

15 ~~1. Sections: If the territory includes complete sections, the description shall only include the~~
16 ~~township, range, and section reference. If the territory includes partial sections, the description~~
17 ~~shall either identify the subsections included or excluded.~~

18 ~~2. Metes and bounds: A point of beginning which is referenced from either a section corner or~~
19 ~~a subsection corner, such as a quarter corner. The perimeter shall be described by traversing~~
20 ~~the proposed territory and closing at the point of beginning. The description shall include all~~
21 ~~bearings and distances necessary to provide a continuous description.~~

22 (3) The notice shall be titled, as applicable ~~appropriately styled:~~

23 (a) Notice of Application for Original ~~an Initial~~ Certificate of Authorization and Initial Rates
24 and Charges for Water, Wastewater, or Water and Wastewater Service Certificate;

25 (b) Notice of Application for Original Certificate of Authorization for Existing Utility

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- 1 Currently Charging for Water, Wastewater, or Water and Wastewater Service;
2 ~~(c)(b)~~ Notice of Application for Amendment to Certificate of Authorization To Extend an
3 ~~Extension of~~ Service Area;
4 ~~(d)(e)~~ Notice of Application for Amendment to Certificate of Authorization To Delete
5 ~~Deletion of~~ Service Area;
6 ~~(e)(d)~~ Notice of Application for Authority to a Transfer of Water, Wastewater, or Water and
7 Wastewater Certificate(s) of Authorization, to Another Regulated Utility; or
8 (f) Notice of Application for Authority to Transfer an Exempt Entity or a Utility in a Non-
9 jurisdictional County To a Regulated Utility That Results in a System Whose Service
10 Transverses County Boundaries;
11 ~~(g)(e)~~ Notice of Application for Authority to a Transfer of Majority Organizational Control
12 of a Regulated Utility; or
13 (h) Notice of Application for Authority to Transfer a Regulated Utility to an Exempt Entity
14 Other than a Governmental Authority.
15 (4) The Notice of Application notice shall be provided to the Office of Commission Clerk, for
16 Commission staff approval prior to distribution and shall state include the following:
17 (a) The date the notice is given;
18 (b) The name, ~~and~~ address, telephone number, and, if available, e-mail address, and fax
19 number of the applicant;
20 (c) The common name of developments served by the utility;
21 (d) The application docket number and title, if available;
22 (e) The common reference of street names bordering the area served by the utility, as
23 applicable;
24 ~~(f)(e)~~ A description, ~~using township, range and section references,~~ of the service area territory
25 proposed to be ~~either~~ served, extended, added, deleted, or transferred as provided by Rule 25-
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1 30.029, F.A.C. An abbreviated description using section, township, and range of the subject
2 service area may be provided so long as the notice contains a disclosure that the legal
3 description has been simplified and that a complete legal description can be obtained from the
4 applicant; and
5 (g) If applicable, the notice shall include a statement that the utility is not requesting any
6 changes to its rates, classifications, charges, rules, and regulations in the application; and
7 (h)(d) A statement that any objections to the application must be filed with the Director,
8 Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-
9 0850, and a copy provided to the utility, no later than 30 days after the last date that the notice
10 was mailed or published, whichever is later.
11 (5) Within 7 days of filing its application, the utility shall provide a copy of the notice of the
12 service area proposed to be served, extended, deleted, or transferred as follows by regular mail
13 to:
14 (a) By regular mail to the governmental entities and utilities identified on the list described in
15 subsection (2) above;
16 (a) The governing body of the county in which the utility system or the territory proposed to
17 be served is located;
18 (b) The governing body of any municipality contained on the list obtained pursuant to
19 subsection (2) above;
20 (c) The regional planning council designated by the Clean Water Act, 33 U.S.C. 1288(2);
21 (d) All water or wastewater utilities contained on the list(s) obtained pursuant to subsection (2)
22 above;
23 (e) The office of Public Counsel;
24 (f) The Commission's Office of Commission Clerk;
25 (g) The appropriate regional office of the Department of Environmental Protection; and
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1 ~~(h) The appropriate Water Management District.~~

2 ~~(b)(6) No sooner than 21 days before the application is filed and no later than 7 days after the~~
3 ~~application is filed, the utility shall also provide a copy of the Notice, Bby regular mail or~~
4 ~~personal service, to each customer and owner of property located within the service area to be~~
5 ~~served, extended, deleted or transferred; and, of the system to be certificated, transferred,~~
6 ~~acquired, or deleted.~~

7 ~~(c)(7) By publication The Notice shall be published once in a newspaper of general circulation~~
8 ~~in the proposed service area. If the utility service area crosses county lines, notice shall be~~
9 ~~published in a newspaper of general circulation in each county. territory proposed to be~~
10 ~~served, added, deleted, or transferred. The publication shall be within 7 days of filing the~~
11 ~~application.~~

12 ~~(6) All applications requiring noticing shall be deemed deficient until affidavits of noticing~~
13 ~~required by Sections 367.045(1)(e) and (2)(f), F.S., along with a copy of the notice, are filed~~
14 ~~with the Office of Commission Clerk. The affidavits shall attest that the notices were given as~~
15 ~~prescribed in paragraphs (5)(a), (b), and (c) above. The applicant shall obtain the affidavit of~~
16 ~~notice publication, pursuant to paragraph (5)(c) above, from the newspaper(s).~~

17 ~~(8) A copy of the notice(s) and list of the entities receiving notice pursuant to this rule shall~~
18 ~~accompany the affidavit required by Sections 367.045(1)(e) and (2)(f), F.S. The affidavit shall~~
19 ~~be filed no later than 15 days after filing the application.~~

20 ~~(7) A customer meeting will be required if an application results in a rate change for existing~~
21 ~~customers. No less that 14 days and no more than 30 days prior to the date of a customer~~
22 ~~meeting conducted by the Commission staff, the utility shall provide written notice of the date,~~
23 ~~time, location, and purpose of the customer meeting to all customers within the affected~~
24 ~~service areas. The notice shall be approved by the Commission staff prior to distribution. The~~
25 ~~notice shall be mailed to the out-of-town address of all customers who have provided the~~

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1 utility with an out-of-town address.
2 ~~(8)(9)~~ This rule does not apply to applications for ~~grandfather~~ certificates following rescission
3 of jurisdiction by counties filed under Section 367.171, F.S.; ~~or to applications for~~ transfers
4 to governmental authorities filed under Section 367.071, F.S.; or abandonments filed under
5 Section 367.165, F.S. ~~to name changes.~~
6 *Specific Authority 350.127(2), 367.045(2), 367.121(1) FS. Law Implemented 367.031,*
7 *367.045, 367.071, 367.083 FS. History—New 4-5-81, Formerly 25-10.061, 25-10.0061,*
8 *Amended 11-10-86, 1-27-91, 11-30-93, _____.*
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1 25-30.032 Combined Applications.

2 ~~(1) Each utility subject to regulation by the Commission shall apply for an initial certificate of~~
3 ~~authorization, amendment to an existing certificate of authorization, transfer, or name change,~~
4 ~~by filing a completed application and six copies, in accordance with either Rule 25-30.033,~~
5 ~~25-30.034, 25-30.035, 25-30.036, subsection 25-30.037(1) or (2), or Rule 25-30.039, F.A.C.~~

6 ~~However, a utility shall apply for a transfer to a governmental authority by filing a completed~~
7 ~~application and two copies, in accordance with subsections 25-30.037 (3) and (4), F.A.C. The~~
8 ~~application shall be filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard,~~
9 ~~Tallahassee, Florida 32399-0850. Sample application forms may be obtained from the~~
10 ~~Division of Engineering, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.~~

11 ~~(2) A utility may file a combined application ~~applications for multiple certificate actions~~ if it is~~
12 ~~applying for certificates of authorization or any amendments thereto for both water and~~
13 ~~wastewater systems; however, the utility shall remit a separate application fee for each action~~
14 ~~and system service. The Commission will treat a combined application as if a separate~~
15 ~~application had been filed for each action and system service.~~

16 ~~(3) The official filing date of an application for an original certificate, any amendment to an~~
17 ~~existing certificate, or any transfer shall be the date a completed application is filed with the~~
18 ~~Office of Commission Clerk, except that the noticing requirements set forth in Rule 25-~~
19 ~~30.030, F.A.C., do not need to be completed at that time. If, however, the utility has not~~
20 ~~completed the noticing within the time limits prescribed by Rule 25-30.030, F.A.C., the~~
21 ~~official filing date shall be the date the noticing is complete.~~

22 *Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.031, 367.045, 367.071,*
23 *~~367.083~~ FS. History—New 1-27-91, Amended 11-30-93, 5-29-08, _____.*

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1 25-30.033 Application for Original Certificate of Authorization and Initial Rates and Charges.

2 (1) Each applicant application for an original certificate of authorization and initial rates and
3 charges shall file with the Commission Clerk one original of ~~provide the following~~
4 information: set forth in paragraphs (a) through (y). Form PSC/ENG 020 (XX/XX), entitled
5 “Application for Original Certificate of Authorization for a Proposed or Existing System
6 Requesting Initial Rates and Charges,” which is incorporated by reference in this rule and is
7 available at [Dept. of State hyperlink], is an example application that may be completed by the
8 applicant and filed with the Office of Commission Clerk to comply with this subsection. This
9 form is also available on the Commission’s Web site, www.floridapsc.com, by selecting
10 Utility Regulation, then selecting Water and Wastewater, and then selecting Water and
11 Wastewater Application Packages.

12 (a) A filing fee pursuant to Rule 25-30.020(2)(a), F.A.C.;

13 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;

14 (c)(a) The utility’s ~~applicant’s~~ name, and address, telephone number, Federal Employer
15 Identification Number, authorized representative, and, if available, e-mail address and fax
16 number.

17 (d)(b) The nature of the utility’s ~~applicant’s~~ business organization, i.e., corporation, limited
18 liability company, partnership, limited partnership, sole proprietorship, association, ~~etc.~~; The
19 applicant must provide documentation from the Florida Department of State, Division of
20 Corporations, showing:

21 1. The utility’s business name and registration/document number for the business, unless
22 operating as a sole proprietor, and

23 2. The utility’s fictitious name and registration number for the fictitious name, if operating
24 under a fictitious name;

25 (e)(e) The name(s), ~~and~~ address(es), and percentage of ownership of each entity or person

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1 which owns or will own more than 5 percent interest in the utility of all corporate officers,
2 directors, partners, or any other person(s) or entities owning an interest in the applicant's
3 business organization;

4 ~~(f)(d)~~ The election the business has made ~~Whether the applicant has made an election under~~
5 the Internal Revenue Code for taxation purposes § 1362 to be an S corporation;

6 (g) A statement indicating whether the application is for water, wastewater, or both. If the
7 applicant is applying for water or wastewater only, the statement shall include how the other
8 service is provided;

9 ~~(h)(e)~~ To demonstrate ~~A statement showing the financial and technical ability of the applicant~~
10 to provide service, the applicant shall provide; and the need for service in the proposed area.
11 ~~The statement shall identify any other utilities within the area proposed to be served that could~~
12 ~~potentially provide service, and the steps the applicant took to ascertain whether such other~~
13 ~~service is available;~~

14 1. The most recent financial statements of the utility, if available, showing all utility assets,
15 liabilities, and the most recent twelve months of income and expenses;

16 2. A list of all entities, including affiliates, upon which the applicant is relying to provide
17 funding to the utility and a copy of all financial agreements documenting the sources of
18 funding or a copy of each entity's financial statements;

19 (i) To demonstrate the technical ability of the applicant to provide service, the applicant shall
20 provide:

21 1. A statement of the applicant's experience in the water or wastewater industry;

22 2. A copy of all current permits from the Department of Environmental Protection (DEP) and
23 the water management district;

24 3. A copy of the most recent DEP and/or county health department sanitary survey,
25 compliance inspection report, and secondary standards drinking water report; and

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- 1 4. A copy of all correspondence with the DEP, county health department, and water
2 management district, including consent orders and warning letters, and the utility's responses
3 to the same, for the past three years;
- 4 (j) A legal description of the proposed service area, including an electronic copy, in the format
5 described in Rule 25-30.029, F.A.C.;
- 6 (k) To demonstrate the need for service in the proposed area, the applicant shall provide:
- 7 1. The number of customers currently being served and proposed to be served, by customer
8 class and meter size, including a description of the types of customers currently being served
9 and anticipated to be served, i.e., single family homes, mobile homes, duplexes, golf course
10 clubhouse, or commercial. If the development will be in phases, this information shall be
11 separated by phase;
- 12 2. A copy of all requests for service from property owners or developers in areas not currently
13 served;
- 14 3. The current land use designation of the proposed service territory as described in the local
15 comprehensive plan at the time the application is filed. If the proposed development will
16 require a revision to the comprehensive plan, describe the steps taken and to be taken to
17 facilitate those changes, including changes needed to address the proposed need for service;
18 and
- 19 ~~(f) A statement that to the best of the applicant's knowledge, the provision of service will be~~
20 ~~consistent with the water and wastewater sections of the local comprehensive plan as approved~~
21 ~~by the Department of Community Affairs at the time the application is filed, or, if not~~
22 ~~consistent, a statement demonstrating why granting the certificate of authorization would be in~~
23 ~~the public interest;~~
- 24 4. Any known land use restrictions, such as environmental restrictions imposed by
25 governmental authorities;

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1 ~~(l)(g)~~ The date applicant began or plans to begin serving customers. If already serving
2 customers, a description of when and under what circumstances the applicant began serving;
3 ~~(h) The number of equivalent residential connections (ERCs) proposed to be served, by meter~~
4 ~~size and customer class. If development will be in phases, separate this information by phase;~~
5 ~~(i) A description of the types of customers anticipated, i.e., single family homes, mobile~~
6 ~~homes, duplexes, golf course clubhouse, commercial, etc.;~~
7 ~~(m)(j)~~ Documentation of the utility's right to continued long-term use of Evidence, in the form
8 ~~of a warranty deed, that the utility owns the land upon which the utility treatment facilities are~~
9 ~~or will be located. This documentation shall be in the form of a recorded warranty deed,~~
10 ~~recorded quit claim deed accompanied by title insurance, recorded long-term lease, or a copy~~
11 ~~of an agreement which provides for the continued use of the land, such as a 99-year lease, or~~
12 ~~recorded easement. The Commission may consider a written easement or other cost-effective~~
13 ~~alternative. The applicant may submit a contract for the long-term use purchase and sale of~~
14 ~~land with an unexecuted or unrecorded copy of the instrument warranty deed, provided the~~
15 ~~applicant files a an executed and recorded copy of the deed, or executed copy of the lease,~~
16 ~~within the time required in 30 days after the order granting the certificate;~~
17 ~~(n)(k)~~ One original and two copies of a sample one electronic media draft tariff, containing all
18 rates, classifications, charges, rules, and regulations; which shall be consistent with Chapter
19 25-9, F.A.C. Form PSC/ENG 031 (XX/XX), entitled "Sample Model Water Tariff," which is
20 incorporated by reference in this rule and is available at [Department of State hyperlink] and
21 Form PSC/ENG 032 (XX/XX), entitled "Sample Model Wastewater Tariff," which is
22 incorporated by reference in this rule and is available at [Department of State hyperlink], are
23 example tariffs that may be completed by the applicant and included in the application. These
24 forms may also be obtained from the Commission's website, www.floridapsc.com, by
25 selecting Utility Regulation, then selecting Water and Wastewater, and then selecting Water
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1 ~~and Wastewater Application Packages; Model tariffs are available from the Division of~~
2 ~~Economics, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850;~~
3 ~~(l) A description of the territory to be served, using township, range and section references as~~
4 ~~specified in subsection 25-30.030(2), F.A.C.;~~
5 ~~(o)(m) One copy of Aa detailed system map showing the existing and proposed lines, and~~
6 ~~treatment facilities, with ~~and~~ the territory proposed to be served plotted thereon, consistent~~
7 ~~with the legal description provided in paragraph (j) above. The map shall be of sufficient~~
8 ~~scale and detail to enable correlation with the description of the territory proposed to be~~
9 ~~served;~~
10 ~~(p)(n) An One copy of the official county tax assessment map, or other map showing~~
11 ~~township, range, and section with a scale such as 1" = 200' or 1" = 400', with the proposed~~
12 ~~territory plotted thereon, consistent with the legal description provided in paragraph (j) above;~~
13 ~~by use of metes and bounds or quarter sections, and with a defined reference point of~~
14 ~~beginning;~~
15 ~~(q)(o) A description of ~~statement regarding~~ the separate capacities of the existing and~~
16 ~~proposed lines and treatment facilities in terms of equivalent residential connections (ERCs)~~
17 ~~and gallons per day estimated demand per ERC for water and wastewater and the basis for~~
18 ~~such estimate. If the development will be in phases, ~~separate~~ this information shall be~~
19 ~~separated by phase;~~
20 ~~(r)(p) A ~~written~~ description of the type of water treatment, wastewater treatment, and method~~
21 ~~of effluent disposal;~~
22 ~~(q) If subsection (p) above does not include effluent disposal by means of reuse, a statement~~
23 ~~that describes with particularity the reasons for not using reuse;~~
24 ~~(r) A detailed financial statement (balance sheet and income statement), certified if available,~~
25 ~~of the financial condition of the applicant, that shows all assets and liabilities of every kind~~
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1 and character. The income statement shall be for the preceding calendar or fiscal year. If an
2 applicant has not operated for a full year, then the income statement shall be for the lesser
3 period. The financial statement shall be prepared in accordance with Rule 25-30.115, F.A.C. If
4 available, a statement of the source and application of funds shall also be provided;

5 ~~(s) A list of all entities, including affiliates, upon which the applicant is relying to provide~~
6 ~~funding to the utility, and an explanation of the manner and amount of such funding, which~~
7 ~~shall include their financial statements and copies of any financial agreements with the utility.~~
8 ~~This requirement shall not apply to any person or entity holding less than 10 percent~~
9 ~~ownership interest in the utility;~~

10 ~~(t) A cost study including customer growth projections supporting the proposed rates, charges~~
11 ~~and service availability charges. A sample cost study, and assistance in preparing initial rates~~
12 ~~and charges, are available from the Division of Economics;~~

13 (s) The existing and projected cost of the system(s) and associated depreciation by year until
14 design capacity is reached using the National Association of Regulatory Utility
15 Commissioners (NARUC) Uniform System of Accounts (USOA), pursuant to Rule 25-30.115,
16 F.A.C. The applicant shall identify the year that 80 percent of design capacity is anticipated;

17 ~~(u) A schedule showing the projected cost of the proposed system(s) by uniform system of~~
18 ~~accounts (USOA) account numbers pursuant to Rule 25-30.115, F.A.C., and the related~~
19 ~~capacity of each system in ERCs and gallons per day. If the utility will be built in phases, this~~
20 ~~shall apply to the first phase;~~

21 (t) The existing and projected annual contributions-in-aid-of-construction (CIAC) and
22 associated amortization by year including a description of assumptions regarding customer
23 growth projections using the same projections used in paragraph (k)(1) for the proposed
24 service area. The projected CIAC shall identify cash and property contributions and
25 amortization at 100 percent of design capacity and identify the year when 80 percent of design

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1 capacity is anticipated. The projected CIAC shall be consistent with the service availability
2 policy and charges in the proposed tariff provided in paragraph (n) above, the schedule
3 provided in paragraph (x) below, and the CIAC guidelines in 25-30.580, F.A.C.:
4 (u) The current annual operating expenses and the projected annual operating expenses at 80
5 percent of design capacity using the NARUC USOA;
6 ~~(v) A schedule showing the projected operating expenses of the proposed system by USOA~~
7 ~~account numbers, when 80 percent of the designed capacity of the system is being utilized. If~~
8 ~~the utility will be built in phases, this shall apply to the first phase; and~~
9 (v)(w) A schedule showing the projected capital structure including the methods of financing
10 the construction and operation of the utility until the utility reaches 80 percent of the design
11 capacity of the system; -
12 (w) A schedule showing how the proposed rates were developed;
13 (x) A schedule showing how the proposed service availability policy and charges were
14 developed, including meter installation, main extension, and plant capacity charges, and
15 proposed donated property; and
16 (y) A schedule showing how the customer deposits and miscellaneous service charges were
17 developed, including initial connection, normal reconnection, violation reconnection, and
18 premises visit fees, consistent with Rules 25-30.311 and 25-30.460, F.A.C.
19 (2) The base facility and usage rate structure (as defined in subsection 25-30.437(6), F.A.C.)
20 shall be utilized for metered service, unless an alternative rate structure is supported by the
21 applicant and authorized by the Commission.
22 (3) A return on common equity shall be established using the current equity leverage formula
23 established by order of this Commission pursuant to Section 367.081(4), F.S., unless there is
24 competent substantial evidence supporting the use of a different return on common equity.
25 (4) Utilities obtaining original initial ~~initial~~ certificates of authorization pursuant to this rule are
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1 authorized to accrue allowance for funds used during construction (AFUDC) for projects
2 found eligible pursuant to subsection 25-30.116(1), F.A.C.

3 (a) The applicable AFUDC rate shall be determined as the utility's projected weighted cost of
4 capital as demonstrated in its application for original certificate and initial rates and charges.

5 (b) A discounted monthly AFUDC rate calculated in accordance with subsection 25-
6 30.116(3), F.A.C., shall be used to insure that the annual AFUDC charged does not exceed
7 authorized levels.

8 (c) The date the utility shall begin to charge the AFUDC rate shall be the date the certificate of
9 authorization is issued to the utility so that such rate can apply to the initial construction of the
10 utility facilities.

11 *Specific Authority 350.127(2), 367.045(1), 367.121, 367.1213 FS. Law Implemented 367.031,*
12 *367.045, 367.1213 FS. History—New 1-27-91, Amended 11-30-93,_____.*

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1 25-30.034 Application for Original Certificate of Authorization for Existing Utility Currently
2 Charging for Service.

3 (1) Each applicant for an original certificate of authorization for an existing utility currently
4 charging for service, which is applying for an initial certificate of authorization, other than an
5 application filed under Section 367.171, F.S., shall file with the Commission Clerk, one
6 original of provide the following information: set forth in paragraphs (a) through (q), and if
7 applicable, paragraphs (2)(a) through (c). Form PSC/ENG 021 (XX/XX), entitled
8 “Application for Original Certificate of Authorization for Existing Utility Currently Charging
9 for Service,” which is incorporated by reference in this rule and is available at [Department of
10 State hyperlink], is an example application that may be completed by the applicant and filed
11 with the Office of Commission Clerk to comply with this subsection. This form is also
12 available on the Commission’s website, www.floridapsc.com, by selecting Utility Regulation,
13 then selecting Water and Wastewater, and then selecting Water and Wastewater Application
14 Packages.

15 (a) A filing fee pursuant to Rule 25-30.020(2)(a), F.A.C.;

16 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;

17 (c)(a) The utility’s ~~complete~~ name, ~~and~~ address, telephone number, Federal Employer
18 Identification Number, authorized representative, and if available, e-mail address and fax
19 number;

20 (d)(b) The nature of the utility’s business organization, i.e., corporation, limited liability
21 company, partnership, limited partnership, sole proprietorship, association, ~~etc.~~; The
22 applicant must provide documentation from the Florida Department of State, Division of
23 Corporations, showing:

24 1. The utility’s business name and registration/document number for the business, unless
25 operating as a sole proprietor, and

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- 1 2. The utility's fictitious name and registration number for the fictitious name, if operating
2 under a fictitious name;
- 3 (e)(e) The name(s), and address(es), and percentage of ownership of each entity or person
4 which owns or will own more than a 5 percent of all corporate officers, directors, partners, or
5 any other person(s) owning an interest in the utility;
- 6 (f) A statement indicating whether the application is for water, wastewater, or both. If the
7 applicant is applying for water or wastewater only, the statement shall include how the other
8 service is provided;
- 9 (g) A description of the types of customers served, i.e., single family homes, mobile homes,
10 duplexes, golf course clubhouse, or commercial;
- 11 (h) A schedule showing the number of customers currently served, by class and meter size, as
12 well as the number of customers projected to be served when the requested service territory is
13 fully developed;
- 14 (i)(d) To demonstrate A statement regarding the financial and technical ability of the
15 applicant to continue to provide service, the applicant shall provide the following:
- 16 1. The most recent financial statements of the utility, showing all utility assets and liabilities,
17 and the most recent twelve months of income and expenses; and
- 18 2. A list of all entities, including affiliates, upon which the applicant is relying to provide
19 funding to the utility and a copy of all financial agreements documenting the sources of
20 funding or a copy of each entity's financial statements;
- 21 (j) To demonstrate the technical ability of the applicant to provide service, the applicant shall
22 provide the following:
- 23 1. A statement of the applicant's experience in the water and wastewater industry;
- 24 2. A copy of all current permits from the Department of Environmental Protection (DEP) and
25 the water management district;

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- 1 3. A copy of the most recent DEP and/or county health department sanitary survey,
2 compliance inspection report, and secondary standards drinking water report; and
3 4. A copy of all correspondence with the DEP, county health department, and water
4 management district, including consent orders and warning letters, and the utility's responses
5 to the same, for the past three years;
6 (k) A legal description of the proposed service area, including an electronic copy, in the
7 format prescribed in Rule 25-30.029, F.A.C.;
8 (l) A statement explaining when and under what circumstances the applicant began providing
9 service prior to obtaining a certificate of authorization;
10 (m)(e) Documentation of the utility's right to continued long-term use of Evidence that the
11 utility owns the land upon which the utility treatment facilities are located, in the form of a
12 recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded
13 long-term lease, or a copy of an agreement which provides for the continued use of the land,
14 such as a 99-year lease, or recorded easement. The applicant may submit a contract for the
15 long-term use with an unexecuted or unrecorded copy of the instrument if the applicant files a
16 recorded copy within the time required in the order granting the certificate. The Commission
17 may consider a written easement or other cost-effective alternative;
18 (n) Documentation specifying on what date and under what authority the current rates and
19 charges were established;
20 (o)(f) One original and two copies one electronic media draft of a model tariff, containing all
21 rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter
22 25-9, F.A.C. Form PSC/ENG 031 (XX/XX), entitled "Sample Model Water Tariff," which is
23 incorporated by reference in this rule and is available at [Department of State hyperlink]and
24 Form PSC/ENG 032 (XX/XX), entitled "Sample Model Wastewater Tariff," which is
25 incorporated by reference in this rule and is available at [Department of State hyperlink], are

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1 example tariffs that may be completed by the applicant and included in the application. These
2 forms may also be obtained from the Commission's website, www.floridapsc.com, by
3 selecting Utility Regulation, then selecting Water and Wastewater, and then selecting Water
4 and Wastewater Application Packages; ~~Model tariffs are available from the Division of~~
5 Economics, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850;
6 ~~(g) A statement specifying on what date and under what authority the current rates and charges~~
7 ~~were established;~~
8 ~~(h) A description of the territory to be served, using township, range and section references as~~
9 ~~specified in subsection 25-30.030(2), F.A.C.;~~
10 ~~(p)(i) One copy of~~ Aa detailed system map showing existing and proposed the lines; and
11 treatment facilities with and the territory proposed to be served plotted thereon, consistent
12 with the legal description provided in paragraph (k) above. Any territory not served at the time
13 of the application shall be specifically identified on the system map. The map shall be of
14 sufficient scale and detail to enable correlation with the description of the territory proposed to
15 be served; and
16 ~~(q)(j) An One copy of the official county tax assessment map; or other map showing township,~~
17 ~~range, and section with a scale such as 1"=200' or 1"=400', with the proposed territory plotted~~
18 ~~thereon, consistent with the legal description provided in paragraph (k) above. by use of~~
19 ~~metes and bounds or quarter sections, and with a defined reference point of beginning;~~
20 ~~(k) The numbers and dates of any permits issued for the systems by the Department of~~
21 ~~Environmental Protection;~~
22 ~~(l) The date the utility was established;~~
23 ~~(m) A statement explaining how and why applicant began providing service prior to obtaining~~
24 ~~a certificate of authorization; and~~
25 ~~(n) A schedule showing the number of customers currently served, by class and meter size, as~~
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1 well as the number of customers projected to be served when the requested service territory is
2 fully occupied.

3 (2) If the applicant is requesting any territory not served at the time of application, provide the
4 following:

5 (a) To demonstrate ~~A statement showing~~ the need for service in the proposed area, the
6 applicant shall provide the following:

7 1. The number of customers proposed to be served, by customer class and meter size,
8 including a description of the types of customers anticipated to be served, i.e., single family
9 homes, mobile homes, duplexes, golf course clubhouse, or commercial. If the development
10 will be in phases, this information shall be separated by phase; and

11 2. A copy of all requests for service from property owners or developers in areas not currently
12 served;

13 (b) The current land use designation of the proposed service territory as described in A
14 ~~statement that to the best of the applicant's knowledge, the provision of service in this territory~~
15 ~~will be consistent with the water and wastewater sections of the local comprehensive plan as~~
16 ~~approved by the Department of Community Affairs at the time the application is filed. If the~~
17 proposed development will require a revision to the comprehensive plan, describe the steps
18 taken and to be taken to facilitate those changes, including changes needed to address the
19 proposed need for service described in paragraph (2)(a) above; and, or, if not consistent, a
20 statement demonstrating why granting the territory would be in the public interest.

21 (c) Any known land use restrictions, such as environmental restrictions imposed by
22 governmental authorities.

23 *Specific Authority 350.127(2), 367.045, 367.121, 367.1213 FS. Law Implemented 367.045,*
24 *367.1213 FS. History—New 1-27-91, Amended 11-30-93, _____.*
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1 25-30.035 Application for Original Grandfather Certificate of Authorization Following
2 Rescission of Jurisdiction by a County.

3 (1) Each applicant for an original a certificate of authorization following rescission of
4 jurisdiction by a county under the provisions of Section 367.171, F.S., (commonly known as
5 the grandfather provision), shall file with the Commission Clerk one original of provide the
6 following information: set forth in paragraphs (2) through (16) below. Form PSC/ENG 022
7 (XX/XX), entitled “Application for Original Certificate of Authorization Following
8 Rescission of Jurisdiction by a County,” which is incorporated by reference in this rule and is
9 available at [Department of State hyperlink], is an example application that may be completed
10 by the applicant and filed with the Office of Commission Clerk to comply with this
11 subsection. This form may also be obtained from the Commission’s website,
12 www.floridapsc.com, by selecting Utility Regulation, then selecting Water and Wastewater,
13 and then selecting-Water and Wastewater Application Packages;

14 (2) A filing fee pursuant to Rule 25-30.020(2)(d), F.A.C.

15 (3)(4) The utility’s complete name, and address, telephone number, Federal Employer
16 Identification Number, authorized representative, and, if available, e-mail address and fax
17 number;

18 (4)(2) The nature of the utility’s business organization, i.e., corporation, limited liability
19 company, partnership, limited partnership, sole proprietorship, association, etc. The applicant
20 must provide documentation from the Florida Department of State, Division of Corporations,
21 showing:

22 (a) The utility’s business name and registration/document number for the business, unless
23 operating as a sole proprietor, and

24 (b) The utility’s fictitious name and registration number for the fictitious name, if operating
25 under a fictitious name;

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- 1 ~~(5)(3)~~ The name(s), and address(es), and percentage of ownership of each entity or person
2 which owns or will own of all corporate officers, directors, partners, or any other person(s)
3 owning more than a 5 percent an interest in the utility;
- 4 (6) A statement indicating whether the application is for water, wastewater, or both. If the
5 applicant is applying for water or wastewater only, the statement shall include how the other
6 service is provided;
- 7 (7)(4) The date the utility was established;
- 8 (8)(5) A description of the types of customers served, i.e., single family homes, mobile homes,
9 duplexes, golf course clubhouse, or commercial, etc.;
- 10 (9) A schedule showing the number of customers currently served, by class and meter size, as
11 well as the number of customers projected to be served when the requested service territory is
12 fully developed;
- 13 (10) A legal description of the proposed service area, including an electronic media copy, in
14 the format prescribed in Rule 25-30.029, F.A.C. The utility must provide documentation of
15 the territory the utility was serving, or was authorized to serve, from the county which had
16 jurisdiction over the utility on the day Chapter 367, F.S., became applicable to the utility;
- 17 (11)(6) Documentation of the utility's right to continued long-term use of ~~Evidence that the~~
18 utility owns the land upon which the utility treatment facilities are located, in the form of a
19 recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded
20 long-term lease or a copy of an agreement which provides for the continued use of the land,
21 such as a 99-year lease, or recorded easement. The applicant may submit a contract for the
22 long-term use with an unexecuted or unrecorded copy of the instrument if the applicant files a
23 recorded copy within the time required in the order granting the certificate; ~~The Commission~~
24 may consider a written easement or other cost-effective alternative;
- 25 (12) Documentation, or if no documentation exists, a statement, specifying on what date and

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1 under what authority the current rates and charges were established;
2 ~~(13)(7)~~ One original and one electronic media draft ~~two copies~~ of a tariff, containing all rates,
3 classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9,
4 F.A.C. Form PSC/ENG 031 (XX/XX), entitled “Sample Model Water Tariff,” which is
5 incorporated by reference in this rule and is available at [Department of State hyperlink] and
6 Form PSC/ENG 032 (XX/XX), entitled “Sample Model Wastewater Tariff,” which is
7 incorporated by reference in this rule and is available at [Department of State hyperlink], are
8 example tariffs that may be completed by the applicant and included in the application. These
9 forms may also be obtained from the Commission’s website, www.floridapsc.com, by
10 selecting Utility Regulation, then selecting Water and Wastewater, and then selecting Water
11 and Wastewater Application Packages; ~~Sample tariffs are available from the Division of~~
12 Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850;
13 ~~(8)~~ ~~A statement specifying on what date and under what authority the current rates and charges~~
14 ~~were established;~~
15 ~~(9)~~ ~~A description using township, range, and section references as specified in subsection 25-~~
16 ~~30.030(2), F.A.C., of the territory the utility was serving, or was authorized to serve by the~~
17 ~~county which had jurisdiction over the utility on the day Chapter 367, F.S., became applicable~~
18 ~~to the utility;~~
19 ~~(14)~~~~(10)~~ One copy of A ~~a~~ detailed system map showing the existing and proposed lines, and
20 treatment facilities, with ~~and~~ the territory proposed to be served plotted thereon, consistent
21 with the legal description provided in subsection (10) above. Any territory not served at the
22 time of the application shall be specifically identified,~~and~~ The map shall be of sufficient
23 scale and detail to enable correlation with the description of the territory to be served;
24 ~~(15)~~~~(11)~~ An ~~One~~ copy of the official county tax assessment map, or other map showing
25 township, range, and section, with a scale such as 1” = 200’ or 1” = 400’, with the proposed
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1 territory plotted thereon, consistent with the legal description provided in subsection (10)
2 above by use of metes and bounds or quarter sections, and with a defined reference point of
3 beginning; and
4 ~~(16)(12) The numbers and dates of any~~ A copy of all current permits issued for the systems by
5 the Department of Environmental Protection and water management district. ; and
6 ~~(13) A schedule showing the number of customers currently served, by class and meter size, as~~
7 well as the number of customers projected to be served when the requested service territory is
8 ~~fully occupied.~~
9 *Specific Authority 350.127(2), 367.121, 367.1213 FS. Law Implemented 367.1213, 367.171*
10 *FS. History—Amended 7-21-65, 1-7-69, 2-3-70, 3-6-71, Revised 9-12-74, Amended 3-26-81,*
11 *Formerly 25-10.02, 25-10.002, Amended 11-10-86, 1-27-91, 11-30-93, _____.*

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1 25-30.036 Application for Amendment to Certificate of Authorization to Extend or Delete
2 Service Area.

3 (1) This rule applies to any certificated water or wastewater utility that proposes to extend its
4 service territory into an area in which there is no existing water or wastewater system or
5 proposes to delete a portion of its service territory. Form PSC/ENG 023 (XX/XX) entitled
6 “Application for Amendment of Certificate (Extension or Deletion),” which is incorporated by
7 reference in this rule and is available at [Department of State hyperlink], is an example
8 application that may be completed by the applicant and filed with the Office of Commission
9 Clerk to comply with subsection (2), (3), or (4) below. This form may also be obtained from
10 the Commission’s website, www.floridapsc.com, by selecting Utility Regulation, then
11 selecting Water and Wastewater, and then selecting Water and Wastewater Application
12 Packages.

13 ~~(2) A request for service territory expansion and amendment of an existing certificate or~~
14 ~~issuance of a new certificate shall be considered approved under the following conditions if no~~
15 ~~protest is timely filed to the notice of application:~~

16 ~~(a) The utility has provided a written statement of an officer of the utility that the proposed~~
17 ~~new territory includes a maximum of 25 equivalent residential connections within such~~
18 ~~territory at the time the territory is at buildout; and~~

19 ~~(b) The utility has provided the written statement of an officer of the utility that, upon~~
20 ~~investigation, to the best of his or her knowledge:~~

21 ~~1. There is no other utility in the area of the proposed territory that is willing and capable of~~
22 ~~providing reasonably adequate service to the new territory; and~~

23 ~~2. The person(s) or business(es) requesting water or wastewater service have demonstrated to~~
24 ~~the utility that service is necessary because (1) a private well has been contaminated or gone~~
25 ~~dry, (2) a septic tank has failed; or (3) service is otherwise not available.~~

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1 ~~(e)The utility has filed a completed application in accordance with subsection (2) of this rule~~
2 ~~within 45 days of the completion of the notice requirements.~~

3 (2)(3) Each utility proposing to extend its service area (except applications filed pursuant to
4 subsection (3) below), shall file with the Commission Clerk one original of the information set
5 forth in paragraphs (a) through (q). (2) above, which shall file only (a), (d), (e), (i), (m), (o),
6 (p), (q), and (r) listed below) shall provide the following:

7 (a) A filing fee pursuant to Rule 25-30.020(2)(c), F.A.C.;
8 (b) Proof of Noticing pursuant to Rule 25-30.030, F.A.C.;

9 (c)(a) The utility's certificated complete name, and address, telephone number, Federal
10 Employer Identification Number, authorized representative, and, if available, e-mail address
11 and fax number;

12 ~~(b)A statement showing the financial and technical ability of the utility to provide service and~~
13 ~~the need for service in the area requested;~~

14 (d) To demonstrate the need for service in the proposed area, the applicant must provide:

15 1. The number of customers currently being served and proposed to be served, by customer
16 class and meter size, including a description of the types of customers anticipated to be served,
17 i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

18 2. A copy of all requests for service from property owners or developers in areas not currently
19 served;

20 3. The current land use designation of the proposed service territory as described in the local
21 comprehensive plan at the time the application is filed. If the proposed development will
22 require a revision to the comprehensive plan, describe the steps taken and to be taken to
23 facilitate those changes, including changes needed to address the proposed need for service;
24 and

25 ~~(e) A statement that to the best of the applicant's knowledge the provision of service will be~~
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1 consistent with the water and wastewater sections of the local comprehensive plan at the time
2 the application is filed, as approved by the Department of Community Affairs, or, if not, a
3 statement demonstrating why granting the amendment would be in the public interest;

4 4. Any known land use restrictions, such as environmental restrictions imposed by
5 governmental authorities;

6 (e)(d) If the utility is planning to build a new water or wastewater treatment plant to serve the
7 proposed territory, provide documentation of the utility's right to continued long-term use of
8 Evidence that the utility owns the land upon which the new utility treatment facilities that will
9 serve the proposed territory will be are located. This documentation shall be in the form of a
10 recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded
11 long-term lease or a copy of an agreement, such as a 99-year lease, or recorded easement
12 which provides for the continued use of the land. The applicant may submit a contract for the
13 long-term use with an unexecuted or unrecorded copy of the instrument, provided that the
14 applicant files a recorded copy within the time required in the order granting the amendment
15 to the certificate of authorization; The Commission may consider a written easement or other
16 cost-effective alternative;

17 (f)(e) A legal description of the territory proposed to be served, including an electronic media
18 copy, in the format prescribed in Rule 25-30.029, F.A.C. In addition, if the extension of
19 territory is adjacent to existing territory, provide a legal description of the resulting territory
20 including both existing and expanded portions, including an electronic media copy, in the
21 format prescribed in Rule 25-30.029, F.A.C. using township, range and section references as
22 specified in subsection 25-30.030(2), F.A.C.;

23 (g)(f) One copy of a detailed system map showing the proposed lines, and treatment
24 facilities, with and the territory proposed to be served plotted thereon, consistent with the legal
25 description provided in paragraph (f) above. If the territory to be served is adjacent to the

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- 1 utility's existing territory, provide a complete map showing both existing and expanded
2 territories. The map shall be of sufficient scale and detail to enable correlation with the
3 description of the territory;
- 4 ~~(g) If the utility is planning to build a new wastewater treatment plant, or upgrade an existing~~
5 ~~plant to serve the proposed territory, provide a written description of the proposed method(s)~~
6 ~~of effluent disposal;~~
- 7 ~~(h) If (g) above does not include effluent disposal by means of reuse, a statement that~~
8 ~~describes with particularity the reasons for not using reuse;~~
- 9 (h)(i) An One copy of the official county tax assessment map or other map showing township,
10 range, and section, with a scale such as 1" = 200' or 1" = 400', with the proposed territory
11 plotted thereon, consistent with the legal description provided in paragraph (f) above;
12 ~~by use of metes and bounds or quarter sections, and with a defined reference point of~~
13 ~~beginning;~~
- 14 (i)(j) A statement describing the capacity of the existing lines, the capacity of the existing
15 treatment facilities, and the design capacity of the proposed extension;
- 16 (j)(k) A copy of all current The numbers and dates of any permits issued for the proposed
17 systems by the Department of Environmental Protection and by the water management
18 district;
- 19 (k) A copy of the most recent DEP and/or county health department sanitary survey,
20 compliance inspection report, and secondary standards drinking water report;
- 21 (l) A copy of all correspondence with the DEP, county health department and water
22 management district, including consent orders and warning letters, and the utility's response to
23 the same, for the past three years;
- 24 (m)(t) A detailed statement regarding the proposed method of financing the construction; and
25 the projected impact on the utility's capital structure;

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- 1 ~~(m)~~ A description of the types of customers anticipated to be served by the extension, i.e.,
2 single family homes, mobile homes, duplexes, golf course clubhouse, commercial, etc.;
- 3 (n) A statement regarding the projected impact of the extension on the utility's monthly rates
4 and service availability charges;
- 5 (o) One original and one electronic media draft of all tariff pages that reflect the additional
6 proposed service area, which shall be consistent with Chapter 25-9, F.A.C. Form PSC/ENG
7 031 (XX/XX), entitled "Sample Model Water Tariff," which is incorporated by reference in
8 this rule and is available at [Department of State hyperlink] and Form PSC/ENG 032
9 (XX/XX), entitled "Sample Model Wastewater Tariff," which is incorporated by reference in
10 this rule and is available at [Department of State hyperlink], are example tariffs that may be
11 completed by the applicant and included in the application. These forms may also be obtained
12 from the Commission's website, www.floridapsc.com, by selecting Utility Regulation, then
13 selecting Water and Wastewater, and then selecting Water and Wastewater Application
14 Packages; The original and two copies of sample tariff sheets reflecting the additional service
15 area; and
- 16 ~~(p)~~ The applicant's current certificate for possible amendment.
- 17 ~~(p)(q)~~ The number of the most recent order of the Commission establishing or changing the
18 applicant's rates and charges; and -
- 19 ~~(q)(r)~~ An affidavit that the utility has tariffs and annual reports on file with the Commission.
- 20 (3) A request for service territory extension and amendment of an existing certificate
21 (commonly known as a "quick take" amendment) shall be considered approved under the
22 following conditions if no protest is timely filed to the notice of application:
- 23 (a) The utility has provided a written statement that the proposed new territory includes a
24 maximum of 25 equivalent residential connections within such territory at the time the
25 territory is at buildout. In addition, the statement must include a description of the types of
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- 1 customers anticipated to be served by the extension, i.e., single family homes, mobile homes,
2 duplexes, golf course clubhouse, or commercial;
- 3 (b) The utility has provided a written statement that, upon investigation:
- 4 1. There is no other utility in the area of the proposed territory that is willing and capable of
5 providing reasonably adequate service to the new territory; and
- 6 2. The person(s) or business(es) requesting water or wastewater service have demonstrated to
7 the utility that service is necessary because (1) a private well has been contaminated or gone
8 dry, (2) a septic tank has failed, or (3) service is otherwise not available; and
- 9 (c) The utility has filed an application which meets the requirements of paragraphs (2)(a), (b),
10 (c), (e), (f), (h), (j), (o), (p) and (q) above.
- 11 (4) Each utility proposing to delete a portion of its service area shall file with the Commission
12 Clerk one original of the information set forth in paragraphs (a) through (k) below. ~~submit the~~
13 following:
- 14 (a) A filing fee pursuant to Rule 25-30.020(2)(b), F.A.C.;
- 15 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;
- 16 (c)(a) The utility's ~~complete~~ name, ~~and~~ address, telephone number, authorized representative,
17 and, if available, e-mail address and fax number. The utility's name should reflect the
18 business and/or fictitious name(s) registered with the Department of State's Division of
19 Corporations;
- 20 (d) A statement specifying the reasons for the proposed deletion of territory;
- 21 (e)(b) A legal description of the territory proposed to be deleted and a legal description of the
22 remaining territory, including an electronic media copy of each legal description, in the format
23 prescribed in Rule 25-30.029, F.A.C. ~~using township, range and section references;~~
- 24 (f)(e) ~~One copy of~~ Aa detailed system map with the territory proposed to be deleted and
25 retained plotted thereon, consistent with the legal description provided in paragraph (e) above.

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1 ~~showing the existing lines, treatment facilities, and territory served.~~ The map shall show
2 existing lines and treatment facilities in the area retained and shall be of sufficient scale and
3 detail to enable correlation with the legal description of the territory;
4 ~~(d) The number of current active connections within the territory to be deleted;~~
5 ~~(g)~~(e) An One copy of the official county tax assessment map, or other map, showing
6 township, range, and section with a scale such as 1" = 200' or 1" = 400', with the territory
7 proposed to be deleted plotted thereon, consistent with the legal description provided in
8 paragraph (e) above by use of metes and bounds or quarter sections, and with a defined
9 reference point of beginning;
10 ~~(f) A statement specifying the reasons for the proposed deletion of territory;~~
11 ~~(g) A statement indicating why the proposed deletion of territory is in the public interest;~~
12 ~~(h) The number of current active connections within the territory to be deleted, as well as the~~
13 ~~number of connections retained. For each active connection in the area to be deleted, if any,~~
14 ~~the A statement must detail as to the effect of the proposed deletion on the ability of those~~
15 ~~customers any customer or potential customer to receive water and wastewater services~~
16 ~~service, including alternative source(s) of service;~~
17 ~~(i) One The original, and two copies one electronic media draft of all sample tariff pages~~
18 ~~sheets that reflect reflecting the revised service area, which shall be consistent with Chapter~~
19 ~~25-9, F.A.C. Form PSC/ENG 031 (XX/XX), entitled "Sample Model Water Tariff," which is~~
20 ~~incorporated by reference in this rule and is available at [Department of State hyperlink] and~~
21 ~~Form PSC/ENG 032 (XX/XX), entitled "Sample Model Wastewater Tariff," which is~~
22 ~~incorporated by reference in this rule and is available at [Department of State hyperlink], are~~
23 ~~example tariffs that may be completed by the applicant and included in the application. These~~
24 ~~forms may also be obtained from the Commission's website, www.floridapsc.com, by~~
25 ~~selecting Utility Regulation, then selecting Water and Wastewater, and then selecting Water~~

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- 1 and Wastewater Application Packages;
2 ~~(j) The applicant's current certificate for possible amendment;~~
3 ~~(j)(k)~~ (k) The number of the most recent order of the Commission establishing or changing the
4 applicant's rates and charges; and
5 ~~(k)(4)~~ (k) An affidavit that the utility has tariffs and annual reports on file with the Commission.
6 *Specific Authority 350.127(2), 367.045, 367.121, 367.1213 FS. Law Implemented 367.045,*
7 *367.1213 FS. History—New 1-27-91, Amended 11-30-93, _____.*

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1 25-30.037 Application for Authority to Transfer.

2 (1) This rule applies to any application for the transfer of an existing water or wastewater
3 utility system, regardless of whether service is currently being provided. ~~This rule does not~~
4 ~~apply where the transfer is of an exempt or non-jurisdictional system and will result in the~~
5 ~~system continuing to be exempt from or not subject to Commission jurisdiction.~~ The
6 application for transfer may result in the transfer or cancellation of the seller's existing
7 certificate, amendment of the buyer's existing certificate or granting of an original initial
8 certificate to the buyer, or a transfer of majority organizational control of the utility.

9 (a) If a transfer occurs prior to Commission approval, the utility shall submit an application for
10 authority to transfer no later than 90 days after the sale closing date.

11 (b) When a utility applies for any of the following transfer authorizations by the Commission,
12 it shall provide its application as prescribed in the appropriate subsection below:

13 1. A transfer of a regulated utility to another regulated utility pursuant to subsection (2) below;

14 2. A transfer of an exempt entity or a utility in a nonjurisdictional county to a regulated utility
15 that results in a system whose service transverses county boundaries pursuant to subsection (3)
16 below;

17 3. A change of majority organizational control of a regulated utility pursuant to subsection (4)
18 below; or

19 4. A transfer of a regulated utility to an exempt entity other than a governmental authority
20 pursuant to subsection (5) below.

21 (c) Form PSC/ENG 024 (XX/XX), entitled "Application for Transfer of Certificates or
22 Facilities from a Regulated Utility to a Regulated Utility," which is incorporated by reference

23 in this rule and which is available at [Department of State hyperlink], Form PSC/ENG 025

24 (XX/XX), entitled "Application for Transfer of an Exempt Entity or a Utility in a

25 Nonjurisdictional County to a Regulated Utility That Results in a System Whose Service

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1 Transverses County Boundaries,” which is incorporated by reference in this rule and which is
2 available at [Department of State hyperlink], Form PSC/ENG 026 (XX/XX), entitled
3 “Application for a Transfer of Majority Organizational Control of Regulated Utility,” which is
4 incorporated by reference in this rule and which is available at [Department of State
5 hyperlink], and Form PSC/ENG 028 (XX/XX), entitled “Application for Transfer of Facilities
6 from a Regulated Utility to an Exempt Entity,” which is incorporated by reference in this rule
7 and which is available at [Department of State hyperlink], are example applications that may
8 be completed by the applicant and filed with the Office of Commission Clerk to comply with
9 subsection (2), (3), (4), or (5) below, respectively. These forms may also be obtained from the
10 Commission’s website, www.floridapsc.com, by selecting Utility Regulation, then selecting
11 Water and Wastewater, and then selecting Water and Wastewater Application Packages.
12 (2) ~~Transfer of a regulated utility to another regulated utility.~~ Each applicant application for
13 transfer of certificate of authorization, facilities, or any portion thereof; ~~from a regulated utility~~
14 ~~to another regulated utility to a non-governmental entity~~ shall file with the Commission Clerk
15 one original of the information set forth in paragraphs (a) through (v) below. ~~include the~~
16 following information:
17 (a) A filing fee pursuant to Rule 25-30.020(2)(c), F.A.C.;
18 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;
19 (c)~~(a)~~ The certificated complete name, and address, telephone number, certificate number(s),
20 authorized representative, and, if available, e-mail address and fax number of the utility/seller;
21 (d)~~(b)~~ The complete name and, address, telephone number, Federal Employer Identification
22 Number, authorized representative and, if available, e-mail address and fax number of the
23 buyer(s) ~~buyer~~ and the new name of the utility if the buyer plans to operate under a different
24 name;
25 (e) The name, address, telephone number, and if available, e-mail address and fax number of

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- 1 the person in possession of the books and records when the application is filed;
- 2 ~~(f)(e)~~ The nature of the buyer's business organization, i.e., corporation, limited liability
- 3 company, partnership, limited partnership, sole proprietorship, or association. The buyer must
- 4 provide documentation from the Florida Department of State, Division of Corporations,
- 5 showing:
- 6 1. The utility's/buyer's business name and registration/document number for the business,
- 7 unless operating as a sole proprietor, and
- 8 2. The utility's/buyer's fictitious name and registration number for the fictitious name, if
- 9 operating under a fictitious name;
- 10 ~~(g)(d)~~ The name(s), ~~and~~ address(es) and percentage of ownership of each entity or person
- 11 which owns or ~~of all of the buyer's corporate officers, directors, partners or any other~~
- 12 ~~person(s) who~~ will own more than a 5 percent ~~an~~ interest in the utility;
- 13 ~~(h)(e)~~ The date and state of incorporation or organization of the buyer;
- 14 ~~(f)~~ ~~The names and locations of any other water or wastewater utilities owned by the buyer;~~
- 15 ~~(i)(e)~~ A copy of the contract for sale and all auxiliary or supplemental agreements. If the sale,
- 16 assignment, or transfer occurs prior to Commission approval, the contract shall include a
- 17 provision stating that the contract is contingent upon Commission approval;
- 18 ~~, which shall include, if applicable:~~
- 19 (j) The buyer must provide the following documentation of the terms of the transfer:
- 20 1. The date the closing occurred or will occur;
- 21 2.1. The purchase price and terms of payment;
- 22 3.2. A list of and the dollar amount of the assets purchased and liabilities assumed or not
- 23 assumed, including those of nonregulated operations or entities; and
- 24 4.3. A description of all consideration between the parties, including for example, promised
- 25 salaries, retainer fees, stock, stock options, and assumption of obligations; -

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1 ~~5.(h) Provisions~~ The contract for sale shall also provide for the disposition, where applicable,
2 of ~~the following:~~ 1. Customer deposits and interest thereon, ; 2. Any guaranteed revenue
3 contracts, ; 3. Developer agreements, ; 4. Customer advances, ; 5. Debt of the utility, ; and
4 6. Leases;
5 6. A statement that the buyer will fulfill the commitments, obligations and representations of
6 the seller with regard to utility matters;
7 7. A statement that the buyer has or will obtain the books and records of the seller, including
8 all supporting documentation for rate base additions since the last time rate base was
9 established for the utility;
10 8. A statement that the utility's books and records will be maintained using the National
11 Association of Regulatory Utilities Commissioners (NARUC) Uniform System of Accounts
12 (USOA); and
13 9. A statement that the utility's books and records will be maintained at the utility's office(s)
14 within Florida, or that the utility will comply with the requirements of Rule 25-30.110(1)(b)
15 and (c), F.A.C., regarding maintenance of utility records at another location or out-of-state. If
16 the records will be maintained at the utility's office(s), the statement should include the
17 location where the utility intends to maintain the books and records.
18 ~~(i) A statement describing the financing of the purchase;~~
19 ~~(k)(j) A statement explaining why indicating how the transfer is in the public interest,~~
20 ~~including a summary of the buyer's experience in water or wastewater utility operations, a~~
21 ~~showing of the buyer's financial ability to provide service, and a statement that the buyer will~~
22 ~~fulfill the commitments, obligations and representations of the seller with regard to utility~~
23 ~~matters;~~
24 (l) To demonstrate the financial ability of the buyer to maintain and operate the acquired
25 utility, the buyer shall provide:

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1 1. The buyer's most recent financial statements (balance sheet and income statement); and
2 ~~2.(k) A list of all entities, including affiliates, upon which the buyer applicant is relying to~~
3 ~~provide funding to the utility and a copy of any financial agreements documenting the sources~~
4 ~~of funding or a copy of each entity's financial statements; buyer, and an explanation of the~~
5 ~~manner and amount of such funding, which shall include their financial statements and copies~~
6 ~~of any financial agreements with the utility. This requirement shall not apply to any person or~~
7 ~~entity holding less than 10 percent ownership interest in the utility;~~
8 (m) To demonstrate the technical ability of the buyer to provide service, the buyer shall
9 provide:
10 1. An explanation of the buyer's experience in the water or wastewater industry; and
11 2. The buyer's plans for ensuring continued operation of the utility, such as retaining the
12 existing plant operator(s) and office personnel, or contracting with outside entities;
13 (n) A legal description of the proposed service area, including an electronic media copy, in the
14 format prescribed in Rule 25-30.029, F.A.C.;
15 ~~(o)(4) The proposed net book value of the system as of the date of the proposed transfer, and a~~
16 ~~statement setting out the reasons for the inclusion of an acquisition adjustment, if one is~~
17 ~~requested. If rate base has been established by this Commission, provide the docket and state~~
18 ~~the order number, and date issued and identify all adjustments made to update this rate base to~~
19 ~~the date of transfer; In addition, provide a schedule of all subsequent changes to rate base;~~
20 ~~(m) A statement setting out the reasons for the inclusion of an acquisition adjustment, if one is~~
21 ~~requested;~~
22 ~~(n) If the books and records of the seller are not available for inspection by the Commission or~~
23 ~~are not adequate for purposes of establishing the net book value of the system, a statement by~~
24 ~~the buyer that a good faith, extensive effort has been made to obtain such books and records~~
25 ~~for inspection by the Commission and detailing the steps taken to obtain the books and~~
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1 records;

2 ~~(p)(e)~~ A statement from the buyer that it has obtained or will obtain copies of all of the federal
3 income tax returns of the seller from the date the utility was first established; or the rate base
4 was last established by the Commission, whichever is later. ~~or, If~~ the tax returns have not
5 been obtained, provide a description of a statement from the buyer detailing the steps taken to
6 obtain the tax returns;

7 ~~(q)(p)~~ A statement from the buyer that after reasonable investigation, the system being
8 acquired appears to be in satisfactory condition and in compliance with all applicable
9 standards set by the Department of Environmental Protection (DEP) or, if the system is in
10 need of repair or improvement, has any outstanding Notice of Violation of any standard set by
11 the DEP or any outstanding consent orders with the DEP, the buyer shall provide a description
12 of the repairs or improvements that have been identified, the governmental authority that
13 required the repairs or improvements, if applicable, the approximate cost to complete the
14 repairs or improvements, and any agreements between the seller and buyer regarding who will
15 be responsible for any identified repairs or improvements; list of the improvements and repairs
16 needed and the approximate cost to make them, a list of the action taken by the utility with
17 regard to the violation, a copy of the Notice of Violation(s), a copy of the consent order and a
18 list of the improvements and repairs consented to and the approximate cost to make them;

19 (r) The applicant shall provide the following documents:

- 20 1. A copy of the utility's current permits from the DEP and the water management district;
21 2. A copy of the most recent DEP and/or county health department sanitary survey,
22 compliance inspection report, and secondary standards drinking water report; and
23 3. A copy of all of the utility's correspondence with the DEP, county health department, and
24 water management district, including consent orders and warning letters, and the utility's
25 responses to the same, for the past three years;

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- 1 ~~(s)(q)~~ Documentation of the utility's right to continued long-term use of ~~Evidence that the~~
2 ~~utility owns~~ the land upon which the utility treatment facilities are located in the form of a
3 recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded
4 long-term lease, or a copy of an agreement which provides for the continued use of the land,
5 such as a 99-year lease, or recorded easement. The applicant may submit a contract for the
6 long-term use with an unexecuted or unrecorded copy of the instrument, provided that the
7 applicant files a recorded copy within the time required in the order granting the transfer; The
8 ~~Commission may consider a written easement or other cost-effective alternative;~~
- 9 ~~(t)(#)~~ A statement regarding the disposition of any outstanding regulatory assessment fees,
10 finances, or refunds owed and which entity will be responsible for paying regulatory assessment
11 fees and filing the annual report for the year of the transfer and subsequent years;
- 12 ~~(u)(s)~~ One ~~The original and one electronic media draft two copies of sample~~ tariff sheets
13 reflecting any changes resulting from the transfer, the change in ownership; Form PSC/ENG
14 031 (XX/XX), entitled "Sample Model Water Tariff," which is incorporated by reference in
15 this rule and is available at [Department of State hyperlink] and Form PSC/ENG 032
16 (XX/XX), entitled "Sample Model Wastewater Tariff," which is incorporated by reference in
17 this rule and is available at [Department of State hyperlink], are example tariffs that may be
18 completed by the applicant and included in the application. These forms are also available on
19 the Commission's website, www.floridapsc.com, by selecting Utility Regulation, then
20 selecting Water and Wastewater, and then selecting Water and Wastewater Application
21 Packages; and
- 22 ~~(t)~~ The utility's current certificate(s), or if not available, provide an explanation of the steps
23 ~~the applicant took to obtain the certificate(s).~~
- 24 ~~(v)~~ If the buyer owns other water or wastewater utilities that are regulated by the Commission,
25 provide a schedule reflecting any economies of scale that are anticipated to be achieved within

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- 1 the next three years and the effect on rates for existing customers served by both the utility
2 being purchased and the buyer's other utilities; and
- 3 (3) Transfer of an exempt entity or utility in a nonjurisdictional county to a regulated utility
4 which results in a system whose service transverses county boundaries. The transfer of an
5 exempt entity or utility in a nonjurisdictional county to a regulated utility results in the transfer
6 of the exempt or entity or utility in a nonjurisdictional county utility's facilities and the
7 amendment of the regulated utility's certificate or granting of an original certificate if the
8 transferred system is in a county not included in the regulated utility's existing certificate.
9 Each applicant shall file with the Commission one original of the information set forth in
10 paragraphs (a) through (f) below.
- 11 (a) A combined filing fee pursuant to Rule 25-30.020(2)(b) and (c), F.A.C.;
12 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;
13 (c) The requirements of paragraphs (2)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p),
14 (q), (r), (s), (t), (u), and (v) above;
15 (d) The requirements of Rule 25-30.036(2)(h) and (i), F.A.C.;
16 (e) An explanation of when and under what authority the current rates and charges of the
17 exempt or entity or a utility in a non-jurisdictional county were established, if applicable; and
18 (f) An explanation of how the seller is either exempt pursuant to Section 367.022, F.S. , or is a
19 utility in a nonjurisdictional county.
- 20 ~~(4)(3) In case of Aa transfer change of majority organizational control, of a regulated utility.~~
21 Each applicant for a transfer of majority organizational control shall file with the Commission
22 one original of the information set forth in paragraphs (a) through (e) below. ~~the application~~
23 ~~shall include the following information:~~
- 24 (a) A filing fee pursuant to Rule 25-30.020(2)(c), F.A.C.;
25 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;

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- 1 (c) The requirements of paragraphs (2)(c), (d), (f), (i), (j), (k), (l), (m), (r), (t), and (u) above;
- 2 ~~(a) The complete name and address of the seller;~~
- 3 ~~(b) The complete name and address of the buyer;~~
- 4 ~~(c) The name(s) and address(es) of all of the buyer's corporate officers, directors, partners and~~
5 ~~any other person(s) who will own an interest in the utility;~~
- 6 ~~(d) The names and locations of any other water or wastewater utilities owned by the buyer;~~
- 7 ~~(e) A statement describing the financing of the purchase;~~
- 8 ~~(f) A statement describing how the transfer is in the public interest, including a summary of~~
9 ~~the buyer's experience in water or wastewater utility operations, a showing of the buyer's~~
10 ~~financial ability to provide service, and a statement that the buyer will fulfill the commitments,~~
11 ~~obligations and representations of the seller with regard to utility matters;~~
- 12 ~~(g) A list of all entities, including affiliates, that have provided, or will provide, funding to the~~
13 ~~buyer, and an explanation of the manner and amount of such funding, which shall include their~~
14 ~~financial statements and copies of any financial agreements with the utility. This requirement~~
15 ~~shall not apply to any person or entity holding less than 10 percent ownership interest in the~~
16 ~~utility;~~
- 17 ~~(h) A statement from the buyer that after reasonable investigation, the system being acquired~~
18 ~~appears to be in satisfactory condition and in compliance with all applicable standards set by~~
19 ~~the DEP or, if the system is in need of repair or improvement, has any outstanding Notice of~~
20 ~~Violation(s) of any standard(s) set by the DEP or any outstanding consent orders with the~~
21 ~~DEP, the buyer shall provide a list of the improvements and repairs needed and the~~
22 ~~approximate cost to make them, a list of the action taken by the utility with regard to the~~
23 ~~violations, a copy of the Notice of Violation(s), a copy of the consent order and a list of the~~
24 ~~improvements and repairs consented to and the approximate cost;~~
- 25 ~~(i) Evidence that the utility owns the land upon which the utility treatment facilities are~~
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1 ~~located, or a copy of an agreement which provides for the continued use of the land, such as a~~
2 ~~99 year lease. The Commission may consider a written easement or other cost effective~~
3 ~~alternative;~~
4 ~~(j) The original and two copies of sample tariff sheets reflecting the change in ownership; and~~
5 ~~(k) The utility's current certificate(s), or if not available, the applicant shall provide an~~
6 ~~explanation of the steps the applicant took to obtain the certificate(s).~~
7 (d) A description of the ownership transfer, including the date the transfer occurred or will
8 occur and a description of the resulting ownership interests in the utility; and
9 (e) A statement that, following the transfer, all existing management and operating personnel
10 of the utility will be retained or, if changes in the utility's management or operating personnel
11 are anticipated, a description of the changes and the impact the changes will have on the
12 management and operations of the utility.
13 ~~(4) Each application for transfer of certificate of authorization, facilities, or any portion~~
14 ~~thereof, or majority organizational control to a governmental authority shall contain the~~
15 ~~following information:~~
16 ~~(a) The name and address of the utility and its authorized representative;~~
17 ~~(b) The name of the governmental authority and the name and address of its authorized~~
18 ~~representative;~~
19 ~~(c) A copy of the contract or other document transferring the utility system to the governmental~~
20 ~~authority;~~
21 ~~(d) A list of any utility assets not transferred to the governmental authority if such remaining~~
22 ~~assets constitute a system providing or proposing to provide water or wastewater service to the~~
23 ~~public for compensation;~~
24 ~~(e) A statement that the governmental authority obtained, from the utility or Commission, the~~
25 ~~most recent available income and expense statement, balance sheet, statement of rate base for~~
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- 1 ~~regulatory purposes, and contributions in aid of construction;~~
2 ~~(f) The date on which the governmental authority proposes to take official action to acquire~~
3 ~~the utility;~~
4 ~~(g) A statement describing the disposition of customer deposits and interest thereon; and~~
5 ~~(h) A statement regarding the disposition of any outstanding regulatory assessment fees, fines~~
6 ~~or refunds owed.~~
7 ~~(5) If a utility is transferring a portion of its facilities to a governmental agency, it must~~
8 ~~provide the following additional information:~~
9 ~~(a) A description of the remaining territory using township, range, and section references;~~
10 ~~(b) One copy of the official county tax assessment map, or other map, showing township,~~
11 ~~range, and section with a scale such as 1" = 200' or 1" = 400', with the remaining territory~~
12 ~~plotted thereon by use of metes and bounds or quarter sections, and with a defined reference~~
13 ~~point of beginning; and~~
14 ~~(c) The original and two copies of sample tariff sheets reflecting the remaining territory.~~
15 (5) A transfer of a regulated utility to an exempt entity other than a governmental authority.
16 Each applicant for a transfer of ownership of a regulated utility to an exempt entity other than
17 a governmental authority shall file with the Commission Clerk one original of the information
18 set forth in paragraphs (a) through (e) below.
19 (a) A filing fee pursuant to Rule 25-30.020(2)(c), F.A.C.;
20 (b) Proof of noticing pursuant to Rule 25-30.030, F.A.C.;
21 (c) The requirements of paragraphs (2)(c), (d), (k), (l), (m), and (r) above;
22 (d) Documentation of the following terms of the transfer:
23 1. A copy of the contract for sale and all auxiliary or supplemental agreements. If the sale,
24 assignment, or transfer occurs prior to Commission approval, the contract shall include a
25 provision stating that the contract is contingent upon Commission approval;

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1 2. The closing date;
2 3. A statement regarding the disposition of customer deposits and interest thereon; and
3 4. A statement regarding the disposition of any outstanding regulatory assessment fees, fines,
4 refunds, or annual reports.
5 (e) An explanation of how the buyer is exempt pursuant to Section 367.022, F.S.
6 ~~(6) Upon its receipt of items required in paragraphs (4)(a), (b), (c), (d), (e) and (f), the~~
7 ~~Commission will issue an order acknowledging that the facilities or any portion thereof have~~
8 ~~been acquired by the governmental authority.~~
9 ~~(7) Upon receipt of the items required in paragraphs (4)(g) and (h) and, if applicable,~~
10 ~~paragraphs (5)(a), (b), and (c), and upon the completion of all pending proceedings before the~~
11 ~~Commission, the utility's certificate will be amended or cancelled. Amendment or cancellation~~
12 ~~of the certificate shall not affect the utility's obligation pursuant to Rule 25-30.120, F.A.C.,~~
13 ~~Regulatory Assessment Fees.~~
14 *Specific Authority 367.121, 367.1213, 350.127(2) FS. Law Implemented 367.071, 367.1213*
15 *FS. History—New 1-27-91, Amended 11-30-93, _____.*
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- 1 25-30.038 Application for Transfer to a Governmental Authority.
- 2 (1) This rule applies to an application to transfer a regulated utility to a governmental
3 authority pursuant to Section 367.071(4)(a), F.S.
- 4 (2) Each applicant for acknowledgement of the transfer of facilities, or any portion thereof,
5 from a regulated utility to a governmental authority shall file one original of the information
6 set forth in paragraphs (a) through (h) below with the Office of Commission Clerk. Form
7 PSC/ENG 029 (XX/XX) entitled “Application for Transfer to a Governmental Authority,”
8 which is incorporated by reference in this rule and is available at [Department of State
9 hyperlink], is an example application that may be completed by the applicant and filed with
10 the Office of Commission Clerk to comply with this subsection. These form may also be
11 obtained from the Commission’s website, www.floridapsc.com, by selecting Utility
12 Regulation, then selecting Water and Wastewater, and then selecting Water and Wastewater
13 Application Packages.
- 14 (a) The certificated name, address, telephone number, certificate number(s), authorized
15 representative, and, if available, e-mail address and fax number of the utility.
- 16 (b) The name, address, and telephone number, and authorized representative, and, if available,
17 e-mail address and fax number of the governmental authority;
- 18 (c) The date on which the governmental authority assumed ownership or proposes to assume
19 ownership, operation, management, or control of the utility;
- 20 (d) A copy of the contract or other document transferring the utility system to the
21 governmental authority;
- 22 (e) A statement that the governmental authority obtained from the utility or Commission the
23 most recent available annual report;
- 24 (f) A statement describing the disposition of customer deposits and interest thereon;
- 25 (g) A statement regarding the disposition of any outstanding regulatory assessment fees, fines

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1 or refunds owed;
2 (h) If a utility is transferring only a portion of its facilities to a governmental authority, it must
3 provide the following additional information:
4 1. A list of any utility assets not transferred to the governmental authority, if such remaining
5 assets constitute a system providing or proposing to provide water or wastewater service to the
6 public for compensation;
7 2. A legal description of the territory not transferred to the governmental authority, including
8 an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C.;
9 3. An official county tax assessment map or other map showing township, range, and section
10 with a scale such as 1" = 200' or 1" = 400', with the remaining territory plotted thereon,
11 consistent with the legal description provided in paragraph (2)(h)2. above; and
12 4. One original and one electronic media draft tariff sheets reflecting the remaining territory.
13 Form PSC/ENG 031 (XX/XX), entitled "Sample Model Water Tariff," which is incorporated
14 by reference in this rule and is available at [Department of State hyperlink] and Form
15 PSC/ENG 032 (XX/XX), entitled "Sample Model Wastewater Tariff," which is incorporated
16 by reference in this rule and is available at [Department of State hyperlink], are example
17 tariffs that may be completed by the applicant and included in the application. These forms
18 may also be obtained from the Commission's website, www.floridapsc.com, by selecting
19 Utility Regulation, then selecting Water and Wastewater, and then selecting Water and
20 Wastewater Application Packages.
21 *Specific Authority 367.121, 367.1213, 350.127(2) FS. Law Implemented 367.071, 367.1213*
22 *FS. History—New _____.*
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- 1 25-30.039 Notice of Application for Name Change
- 2 (1) This rule shall apply to a certificated utility that changes its name only, with no change in
- 3 the ownership or control of the utility or its assets.
- 4 (2) Before notifying its customers of a utility name change, the utility shall provide
- 5 Commission staff with the following: Each application for approval of a change in name of a
- 6 certificated utility shall include the following information:
- 7 (a) The utility's certificated complete name, address, telephone number, certificate number(s),
- 8 authorized representative, and, if available, e-mail address and fax number and type of
- 9 business entity of the certificated utility;
- 10 (b) ~~The proposed~~ change in name and documentation from the Florida Department of State,
- 11 Division of Corporations, showing:
- 12 1. The utility's business name and registration/document number for the business, unless
- 13 operating as a sole proprietor, and
- 14 2. The utility's fictitious name and registration number for the fictitious name, if operating
- 15 under a fictitious name the type of business entity under the new name;
- 16 ~~(e) A statement setting out the reasons for the name change;~~
- 17 ~~(c)(d)~~ The effective date of the name change;
- 18 ~~(d)(e) In the case of a corporation, limited partnership, or any other type of entity that is~~
- 19 ~~chartered by the State of Florida or any other state, a copy of the certificate, or other document~~
- 20 ~~issued by the state showing its acceptance of the entity's new name. In addition, an officer of~~
- 21 ~~the entity shall provide~~ A statement that the ownership and control of the utility and its assets
- 22 will not change under the new ~~proposed~~ name. ~~In the case of a sole proprietorship, general~~
- 23 ~~partnership, or any other type of entity not chartered by the State of Florida or any other state,~~
- 24 a statement, signed by a duly authorized representative, that the ownership and control of the
- 25 ~~utility and its assets will not change under the proposed name;~~

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1 ~~(e)(f)~~ A ~~draft proposed~~ notice to be sent to the customers of the utility informing them of the
2 change in utility name; and
3 ~~(f)(g)~~ An original and ~~two copies~~ and one electronic media draft of a proposed tariff reflecting
4 the name change, including all standard forms. Form PSC/ENG 031 (XX/XX), entitled
5 “Sample Model Water Tariff,” which is incorporated by reference in this rule and is available
6 at [Department of State hyperlink] and Form PSC/ENG 032 (XX/XX), entitled “Sample
7 Model Wastewater Tariff,” which is incorporated by reference in this rule, and is available at
8 [Department of State hyperlink], are example tariffs that may be completed by the applicant
9 and included in the application. These forms may also be obtained from the Commission’s
10 website, www.floridapsc.com, by selecting Utility Regulation, then selecting Water and
11 Wastewater, and then selecting Water and Wastewater Application Packages. ~~and;~~
12 ~~(h) The applicant’s current certificate.~~
13 (3) After the Commission staff approves the customer notice, the utility shall send the
14 approved customer notice to all existing customers with the next regular billing, advising them
15 of the name change. The utility shall file with the Commission Clerk a statement verifying the
16 date that the notice was actually sent to the customers.

17 *Specific Authority 367.121, 367.1214 FS. Law Implemented 367.121, 367.1214 FS. History–*
18 *New 11-30-93, Amended_____.*

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1 25-30.090 Abandonments.

2 (1) This rule applies to any person, lessee, trustee, or receiver owning, operating, managing, or
3 controlling a utility which intends to abandon the utility. The provisions of this rule are
4 intended to prevent service interruptions to the utility customers.

5 (2) The notice of abandonment to be issued by the utility to the Commission and the county's
6 administrator, pursuant to ~~required by~~ Section 367.165, F.S., shall identify ~~include~~ the
7 following:

8 (a) The utility's name and address;

9 (b) The person to contact regarding this notice, including that person's ~~their~~ address, ~~and~~
10 telephone number, and, if available, e-mail address and fax number;

11 ~~(c) The location of the utility's books and records;~~

12 ~~(c)(d)~~ The date of the notice;

13 ~~(d)(e)~~ The date the utility will be abandoned;

14 ~~(e)(f)~~ Whether the water system, wastewater system, or both are to be abandoned;

15 ~~(f)(g)~~ A statement of the reason the utility will ~~is to~~ be abandoned;

16 ~~(g)(h)~~ A statement of the status of the utility with the Department of Environmental Protection
17 regarding outstanding citations or violations; ~~and-~~

18 (h) The location of the utility's books and records.

19 (3) Within 10 days of ~~the~~ appointment of a receiver by the circuit court, the receiver shall
20 provide the Commission with a copy of the order of appointment and shall request from the
21 Commission a copy of the utility's tariff and most recent annual report.

22 (4) Within 90 days of ~~the~~ appointment, a of the receiver who is not a governmental authority
23 ~~the receiver~~ shall file one original and one electronic media draft a proposed tariff revision
24 ~~amending the title page~~ to reflect the name, address and telephone number of the receiver and
25 to include the name of the receiver as the new issuing officer. This shall not affect the

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1 certified name of the utility.

2 (5) ~~During the pendency of the receivership, T~~the receiver shall fulfill ~~be responsible for~~
3 ~~fulfilling~~ the utility's obligations pursuant to Chapter 367, F.S., and Chapter 25-30, F.A.C.,
4 during the pendency of the receivership. However, In no event shall a receiver shall not be
5 held responsible by the Commission for failure to provide safe, efficient and sufficient service
6 where such failure is substantially caused by actions or omissions pre-dating appointment of
7 the receiver, unless the receiver is given reasonable opportunity to rectify such failure.

8 ~~(6) If the receiver appointed by the circuit court is a governmental authority as defined by~~
9 ~~Section 367.021(7), F.S., the governmental authority, upon request, shall be found exempt~~
10 ~~pursuant to Section 367.022(2), F.S.~~

11 *Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.121, 367.165 FS. History–*
12 *New 11-30-93, Amended _____.*

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FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION
FOR A PROPOSED OR EXISTING SYSTEM REQUESTING
INITIAL RATES AND CHARGES**

**(Pursuant to Sections 367.031, 367.045, and 367.081, Florida Statutes, and
Rule 25-30.033, Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.033, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
3. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
4. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
5. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

PSC/ENG 020 (XX/XX)
Rule 25-30.033, F.A.C.

**APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION
FOR A PROPOSED OR EXISTING SYSTEM REQUESTING
INITIAL RATES AND CHARGES**

(Pursuant to Sections 367.031, 367.045, and 367.081, Florida Statutes, and
Rule 25-30.033, Florida Administrative Code)

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for original certificate(s) to operate a water _____
and/or wastewater _____ utility in _____ County, Florida, and submits the
following information:

PART I APPLICANT INFORMATION

- A) **Contact Information for Utility.** The utility's name, address, telephone number, Federal
Employer Identification Number, and if applicable, fax number, e-mail address, and website
address. The utility's name should reflect the business and/or fictitious name(s) registered
with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()

Phone No. Fax No.

Federal Employer Identification Number

E-Mail Address

Website Address

- B) The contact information of the authorized representative to contact concerning this application:

Name

Mailing Address

City State Zip Code

()

Phone No.

()

Fax No.

E-Mail Address

- C) Indicate the nature of the utility's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations showing the utility's business name and registration/document number for the business, unless operating as a sole proprietor.

[] Corporation _____
Number

[] Limited Liability Company _____
Number

[] Partnership _____
Number

[] Limited Partnership _____
Number

Limited Liability Partnership _____
Number

Sole Proprietorship

Association

Other (Specify) _____

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and registration number for the fictitious name.

Fictitious Name (d/b/a) _____
Registration Number

D) The name(s), address(es), and percentage of ownership of each entity which owns or will own more than 5 percent interest in the utility (use an additional sheet if necessary).

E) The election the business has made under the Internal Revenue Code for taxation purposes.

PART II ORIGINAL CERTIFICATE REQUESTING INITIAL RATES

A) DESCRIPTION OF SERVICE

Exhibit _____ - Provide a statement indicating whether the application is for water, wastewater, or both. If the applicant is applying only for water or wastewater, the statement shall include how the other service is provided.

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the most recent financial statements of the utility, if applicable, showing all utility assets, liabilities, and the most recent twelve months of income and expenses.
- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the applicant is relying to provide funding to the utility and a copy of all financial agreements documenting the sources of funding or a copy of each entity's financial statements.

C) TECHNICAL ABILITY

- 1) Exhibit ____ - Provide the applicant's experience in the water or wastewater industry;

- 2) Exhibit ____ - Provide the copy of all current permits from the Department of Environmental Protection (DEP) and the water management district;
- 3) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report and secondary standards drinking water report; and
- 4) Exhibit ____ - Provide a copy of all correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

D) NEED FOR SERVICE

- 1) Exhibit ____ - Provide the following documentation of the need for service in the proposed area:
 - a) The number of customers currently being served and proposed to be served, by customer class and meter size, including a description of the types of customers anticipated to be served, i.e., single family homes, mobile homes,

duplexes, golf course clubhouse, commercial. If the development will be in phases, this information shall be separated by phase;

b) A copy of all requests for service from property owners or developers in areas not currently served;

c) The current land use designation of the proposed service territory as described in the local comprehensive plan at the time the application is filed. If the proposed development will require a revision to the comprehensive plan, describe the steps taken and to be taken to facilitate those changes, including changes needed to address the proposed need for service area;

d) Any known land use restrictions, such as environmental restrictions imposed by governmental authorities.

2) Exhibit ____ - Provide the date the applicant began or plans to begin serving customers. If already serving customers, a description of when and under what circumstances applicant began serving.

E) TERRITORY DESCRIPTION, MAPS, AND FACILITIES

1) Exhibit ____ - Provide a legal description of the proposed service area, including an electronic copy, in the format prescribed in Rule 25-30.029, F.A.C.

2) Exhibit ____ - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are or will be located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit a contract for the long-term

use with an unexecuted or unrecorded copy of the instrument, provided the applicant files a recorded copy within the time prescribed in the order granting the certificate.

- 3) Exhibit ____ - Provide a detailed system map showing the existing and proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided in E-1 above. The map shall be of sufficient scale and detail to enable correlation with the description of the territory proposed to be served.
- 4) Exhibit ____ - Provide an official county tax assessment map or other map showing township, range, and section, with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon, consistent with the legal description provided in E-1 above.
- 5) Exhibit ____ - Provide a description of the separate capacities of the existing and proposed lines and treatment facilities in terms of equivalent residential connections (ERCs) and gallons per day estimated demand per ERC for water and wastewater and the basis for such estimate. If the development will be in phases, this information shall be separated by phase.
- 6) Exhibit ____ - Provide a description of the type of water treatment, wastewater treatment, and method of effluent disposal.

F) PROPOSED TARIFF

Exhibit ____ - Provide an original and one electronic draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.033, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

G) ACCOUNTING AND RATE INFORMATION

- 1) Exhibit ____ - Describe the existing and projected cost of the system(s) and associated depreciation by year until design capacity is reached using the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA), pursuant to Rule 25-30.115, F.A.C. The applicant shall identify the year that 80 percent of design capacity is anticipated.
- 2) Exhibit ____ - Provide the existing and projected annual contributions-in-aid-of-construction (CIAC) and associated amortization by year including a description of assumptions regarding customer growth projections using the same projections used in documented need for service for the proposed service area. The projected CIAC

shall identify cash and property contributions and amortization at 100 percent of design capacity and identify the year when 80 percent of design capacity is anticipated. The projected CIAC shall be consistent with the service availability policy and charges in the proposed tariff provided in F-1 above, the schedule provided in G-6 below, and the CIAC guidelines set forth in Rule 25-30.580, F.A.C.

- 3) Exhibit ____ - Provide the current annual operating expenses and the projected annual operating expenses at 80 percent of design capacity using the NARUC USOA.
- 4) Exhibit ____ - Provide a schedule showing the projected capital structure including the methods of financing the construction and operation of the utility until the utility reaches 80 percent of the design capacity of the system. A return on common equity shall be established using the current equity leverage formula established by order of this Commission pursuant to Section 367.081(4), Florida Statutes, unless there is competent substantial evidence supporting the use of a different return on common equity. Please reference subsection 25-30.033(4), F.A.C., for additional information regarding the accrual of allowance for funds used during construction (AFUDC).
- 5) Exhibit ____ - Provide a schedule showing how the proposed rates were developed. The base facility and usage rate structure (as defined in subsection 25-30.437(6), F.A.C.) shall be utilized for metered service, unless an alternative rate structure is supported by the applicant and authorized by the Commission.
- 6) Exhibit ____ - Provide a schedule showing how the proposed service availability policy and charges were developed, including meter installation, main extension, and plant capacity charges, and proposed donated property.
- 7) Exhibit ____ - Provide a schedule showing how the customer deposits and miscellaneous service charges were developed, including initial connection, normal reconnection, violation reconnection, and premises visit fees, consistent with Rules 25-30.311 and 25-30.460, F.A.C.

H) NOTICING REQUIREMENTS

Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____

Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION FOR
EXISTING UTILITY CURRENTLY CHARGING FOR SERVICE**

**(Pursuant to Sections 367.031, 367.045, and 367.081, Florida Statutes, and
Rule 25-30.034, Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.034, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
3. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
4. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
5. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION FOR
EXISTING UTILITY CURRENTLY CHARGING FOR SERVICE**

**(Pursuant to Sections 367.031, 367.045, and 367.081, Florida Statutes, and
Rule 25-30.034, Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for original certificate(s) to operate a water _____
and/or wastewater _____ utility in _____ County, Florida, and submits the
following information:

PART I APPLICANT INFORMATION

- A) **Contact Information for Utility.** The utility's name, address, telephone number, Federal
Employer Identification Number, and if applicable, fax number, e-mail address, and website
address. The utility's name should reflect the business and/or fictitious name(s) registered
with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()

Phone No. Fax No.

Federal Employer Identification Number

E-Mail Address Website Address

- B) The contact information of the authorized representative to contact concerning this application:

Name

Mailing Address

City State Zip Code

() ()

Phone No. Fax No.

E-Mail Address

- C) Indicate the nature of the utility's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations showing the utility's business name and registration/document number for the business, unless operating as a sole proprietor.

Corporation _____
Number

Limited Liability Company _____
Number

Partnership _____
Number

Limited Partnership _____
Number

Limited Liability Partnership _____
Number

Sole Proprietorship

Association

Other (Specify) _____

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and registration number for the fictitious name

Fictitious Name (d/b/a) Registration Number

- D) The name(s), address(es), and percentage of ownership of each entity which owns or will own more than 5 percent interest in the utility (use an additional sheet if necessary).

PART II ORIGINAL CERTIFICATE FOR EXISTING UTILITY

A) DESCRIPTION OF SERVICE

- 1) Exhibit ____ - Provide a statement indicating whether the application is for water, wastewater, or both. If the applicant is applying only for water or wastewater, the statement shall include how the other service is provided.

- 2) Exhibit ____ - Provide a description of the types of customers served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

- 3) Exhibit ____ - Provide a schedule showing the number of customers currently served, by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully developed.

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the most recent financial statements of the utility, showing all utility assets and liabilities, and the most recent twelve months of income and expenses.
- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the applicant is relying to provide funding to the utility and a copy of all financial agreements documenting the sources of funding or a copy of each entity's financial statements.

C) TECHNICAL ABILITY

- 1) Exhibit ____ - Provide a statement of the applicant's experience in the water or wastewater industry;
- 2) Exhibit ____ - Provide a copy of all current permits from the Department of Environmental Protection (DEP) and the water management district;
- 3) Exhibit ____ - Provide a copy of the most recent sanitary survey, the compliance inspection report available from the DEP or county health department, and the most recent secondary standards drinking water report; and
- 4) Exhibit ____ - Provide a copy of all correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

D) NEED FOR SERVICE

- 1) Exhibit ____ - Provide a statement explaining when and under what circumstances the applicant began providing service prior to obtaining a certificate of authorization.

- 2) Exhibit ____ - If the applicant is requesting any territory not served at the time of application, provide the following documentation of the need for service in the proposed area:
 - a) The number of customers proposed to be served, by customer class and meter size, including a description of the types of customers anticipated to be served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, commercial. If the development will be in phases, this information shall be separated by phase.
 - b) A copy of all requests for service from property owners or developers in areas not currently served.
 - c) The current land use designation of the proposed service territory as described in the local comprehensive plan at the time the application is filed. If the proposed development will require a revision to the comprehensive plan, describe the steps taken and to be taken to facilitate those changes, including changes needed to address the proposed need for service described above.
 - d) Any known land use restrictions, such as environmental restrictions imposed by governmental authorities.

E) TERRITORY DESCRIPTION AND MAPS

- 1) Exhibit ____ - Provide a legal description of the proposed service area, including an electronic copy, in the format prescribed in Rule 25-30.029, F.A.C.
- 2) Exhibit ____ - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit a contract for the long-term use with an unexecuted or unrecorded copy of the instrument provided the applicant files a recorded copy within the time prescribed in the order granting the certificate.
- 3) Exhibit ____ - Provide a detailed system map showing existing and proposed lines and treatment facilities with the territory proposed to be served plotted thereon, consistent with the legal description provided in E-1 above. Any territory not served at the time of the application shall be specifically identified on the system map. The map shall be of sufficient scale and detail to enable correlation with the description of the territory proposed to be served.

- 4) Exhibit ____ - Provide an official county tax assessment map or other map showing township, range, and section with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon, consistent with the legal description provided in E-1 above.

F) PROPOSED TARIFF AND RATE INFORMATION

- 1) Exhibit ____ - Provide an original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.034, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.
- 2) Exhibit ____ - Provide documentation specifying on what date and under what authority the current rates and charges were established.

G) NOTICING REQUIREMENTS

Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____

Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION
FOLLOWING RESCISSION OF JURISDICTION BY A COUNTY
(GRANDFATHER CERTIFICATE)**

**(Pursuant to Section 367.171, Florida Statutes, and
Rule 25-30.035, Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.035, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
3. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
4. The completed application and attached exhibits and the proper filing fee should be mailed to:

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

**APPLICATION FOR ORIGINAL CERTIFICATE FOLLOWING RESCISSION
OF JURISDICTION BY A COUNTY (GRANDFATHER CERTIFICATE)**

**(Pursuant to Section 367.171, Florida Statutes, and
Rule 25-30.035, Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for original certificate(s) to operate a water _____
and/or wastewater _____ utility in _____ County, Florida, and submits the
following information:

PART I APPLICANT INFORMATION

- A) **Contact Information for Utility.** The utility's name, address, telephone number, Federal
Employer Identification Number, and if applicable, fax number, e-mail address, and website
address. The utility's name should reflect the business and/or fictitious name(s) registered
with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()

Phone No. Fax No.

Federal Employer Identification Number

E-Mail Address Website Address

- B) The contact information of the authorized representative to contact concerning this application:

Name

Mailing Address

City State Zip Code

() ()
Phone No. Fax No.

E-Mail Address

- C) Indicate the nature of the utility's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations, showing the utility's business name and registration/document number for the business, unless operating as a sole proprietor.

Corporation _____
Number

Limited Liability Company _____
Number

Partnership _____
Number

Limited Partnership _____
Number

Limited Liability Partnership _____
Number

Sole Proprietorship

Association

Other (Specify) _____

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations, showing the utility's fictitious name and registration number for the fictitious name.

Fictitious Name (d/b/a) Registration Number

- D) The name(s), address(es), and percentage of ownership of each entity which owns or will own more than 5 percent interest in the utility (use an additional sheet if necessary).

PART II **GRANDFATHER CERTIFICATE**

A) DESCRIPTION OF SERVICE

- 1) Exhibit ____ - Provide a statement indicating whether the application is for water, wastewater, or both. If the applicant is applying only for water or wastewater, the statement shall include how the other service is provided.

- 2) Exhibit ____ - Provide the date the utility was established.

- 3) Exhibit ____ - Provide a description of the types of customers served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

- 4) Exhibit ____ - Provide a schedule showing the number of customers currently served, by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully developed.

B) TERRITORY DESCRIPTION, MAPS, AND FACILITIES

- 1) Exhibit ____ - Provide a legal description of the proposed service area, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C. The utility must provide documentation of the territory the utility was serving, or was authorized to serve, from the county which had jurisdiction over the utility on the day Chapter 367, Florida Statutes, became applicable to the utility.
- 2) Exhibit ____ - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit a contract for the long-term use with an unexecuted or unrecorded copy of the instrument provided the applicant files a recorded copy within the time prescribed in the order granting the certificate.
- 3) Exhibit ____ - Provide a detailed system map showing existing and proposed lines and treatment facilities with the territory proposed to be served plotted thereon, consistent with the legal description provided in B-1 above. Any territory not served at the time of the application shall be specifically identified on the system map. The map shall be of sufficient scale and detail to enable correlation with the description of the territory proposed to be served.
- 4) Exhibit ____ - Provide an official county tax assessment map or other map showing township, range, and section with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon, consistent with the legal description provided in B-1 above.
- 5) Exhibit ____ - Provide a copy of all current permits from the Department of Environmental Protection (DEP) and the water management district.

C) PROPOSED TARIFF AND RATE INFORMATION

- 1) Exhibit ____ - Provide an original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.035, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.
- 2) Exhibit ____ - Provide documentation, or, if no documentation exists, a statement, specifying on what date and under what authority the current rates and charges were established.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION
INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION, QUICK TAKE EXTENSION, OR DELETION)

**(Pursuant to Section 367.045, Florida Statutes, and
Rule 25-30.036, Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.036, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering (850) 413-6910.

Instructions

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, please mark it "N.A." Do not leave any items blank.
3. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
4. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
5. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION, QUICK TAKE EXTENSION, OR DELETION)**

**(Pursuant to Section 367.045, Florida Statutes, and
Rule 25-30.036, Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for amendment of Water Certificate No. _____ and/or Wastewater Certificate No. _____ to add _____ or delete _____ territory located in _____ County, Florida, and submits the following information:

Please check the type of amendment being requested. Based upon the type of amendment requested, please complete the following parts of the application. Where specific items are listed, only those items need to be completed under that part.

_____ Extension: Complete Parts I, II, V, and VI

_____ Quick Take: Complete Parts I, II (only items B-1, 2, 4, 6 and D-1, 2, 3), III, V, and VI

_____ Deletion: Complete Parts I, II (only items D-1, 2, 3), IV, V, and VI

PART I

APPLICANT INFORMATION

- A) **Contact Information for Utility.** The utility's certificated name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City

State

Zip Code

Mailing Address (if different from Street Address)

City	State	Zip Code
()	()	
Phone No.	Fax No.	

Federal Employer Identification Number

E-Mail Address Website Address

B) The contact information of the authorized representative to contact concerning this application:

Name

Mailing Address

City	State	Zip Code
()	()	
Phone No.	Fax No.	

E-Mail Address

PART II **TERRITORY AMENDMENT**

Part II should be completed as follows based upon the type of amendment requested.

Extension: Complete all items under Part II

Quick Take Extension: Only need to complete items B-1, 2, 4, 6 and D-1, 2, 3.

Deletion: Only need to complete items D-1, 2, 3.

A) **NEED FOR SERVICE IN THE PROPOSED AREA**

- 1) Exhibit ____ - The number of customers currently being served and proposed to be served, by customer class and meter size, including a description of the types of customers anticipated to be served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, commercial.

- 2) Exhibit ____ - Provide a copy of all requests from service from property owners or developers in areas not currently served.

- 3) Exhibit ____ - Provide a copy of the current land use designation of the proposed service territory as described in the local comprehensive plan at the time the application is filed. If the proposed development will require a revision to the comprehensive plan, describe the steps taken and to be taken to facilitate those changes, including changes needed to address the proposed need for service.

- 4) Exhibit ____ - Provide a statement of any known land use restrictions, such as environmental restrictions imposed by governmental authorities.

B) **TERRITORY DESCRIPTION, MAPS, FACILITIES, AND TECHNICAL ABILITY**

- 1) Exhibit ____ - If the utility is planning to build a new water or wastewater treatment plant to serve the proposed territory, provide documentation of the utility's right to continued long-term use of the land upon which the new utility treatment facilities that will serve the proposed territory will be located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit a contract for the long-term use with an unexecuted or unrecorded copy of the instrument, provided that the applicant files a recorded copy within the time prescribed in the order granting the amendment to the certificate of authorization.

- 2) Exhibit ____ - Provide a legal description of the territory proposed to be served, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C. In addition, if the extension of territory is adjacent to existing territory, provide one complete legal description of the resulting territory including both existing and expanded portions.

- 3) Exhibit ____ - Provide a detailed system map showing the proposed lines and treatment facilities, with the territory proposed to be served plotted thereon, consistent with the legal description provided in B-1 above. If the territory to be served is adjacent to the utility's existing territory, provide a complete map showing both existing and expanded territories. The map shall be of sufficient scale and detail to enable correlation with the description of the territory.
- 4) Exhibit ____ - Provide an official county tax assessment map or other map showing township, range, and section, with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon, consistent with the legal description provided in B-1 above.
- 5) Exhibit ____ - Provide a statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.

- 6) Exhibit ____ - Provide a copy of all current permits issued by the Department of Environmental Protection (DEP) and by the water management district.
- 7) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report.
- 8) Exhibit ____ - Provide a copy of all correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

C) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide a detailed statement regarding the proposed method of financing the construction and the projected impact on the utility's capital structure.

- 2) Exhibit ____ - Provide a statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

D) PROPOSED TARIFF AND RATE INFORMATION

- 1) Exhibit ____ - Provide an original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.036, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

- 2) Exhibit ____ - Provide the number of the most recent order of the Commission establishing or changing the applicant's rates and charges.

- 3) Exhibit ____ - An affidavit that the utility has tariffs and annual reports on file with the Commission.

PART III QUICK TAKE EXTENSION ADDITIONAL INFORMATION

- A) Exhibit ____ - Provide a written statement that the proposed new territory includes a maximum of 25 equivalent residential connections within such territory at the time the territory is at buildout. In addition, the statement should include a description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

- B) Exhibit ____ - Provide a written statement that upon investigation:

- 1) There is no other utility in the area of the proposed territory that is willing and capable of providing reasonably adequate service to the new territory.

- 2) The person(s) or business(es) requesting water or wastewater service have demonstrated to the utility that service is necessary because: (Check all that apply)

- (a) a private well has been contaminated or gone dry _____,
- (b) a septic tank has failed _____, or
- (c) service is otherwise not available _____.

PART IV TERRITORY DELETION ADDITIONAL INFORMATION

- A) Exhibit ____ - Provide a statement specifying the reasons for the proposed deletion of territory.

- B) Exhibit ____ - Provide a legal description of the territory proposed to be deleted, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C., along with a complete legal description of the remaining territory.

- C) Exhibit ____ - Provide a detailed system map with the territory proposed to be deleted and retained plotted thereon, consistent with the legal description provided in B above. The map shall show the existing lines and treatment facilities in the area retained and shall be of sufficient scale and detail to enable correlation with the description of the territory.

- D) Exhibit ____ - Provide an official county tax assessment map or other map, showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the territory proposed to be deleted plotted thereon, consistent with the legal description provided in B above.

- E) Exhibit ____ - Provide a description of the number of current active connections within the territory to be deleted, as well as the number of connections retained. For each active connection in the area to be deleted, if any, the statement must detail the effect of the proposed deletion on the ability of those customers to receive water and wastewater services, including alternative source(s) of service.

PART V NOTICING REQUIREMENTS

- Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART VI

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR TRANSFER OF CERTIFICATES OR FACILITIES
FROM A REGULATED UTILITY TO ANOTHER REGULATED UTILITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(2), Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.037(2), Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.
2. Fill out the attached application form completely and accurately.
3. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
4. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
5. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
6. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR TRANSFER OF CERTIFICATES OR FACILITIES
FROM A REGULATED UTILITY TO ANOTHER REGULATED UTILITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(2), Florida Administrative Code)**

Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for the transfer of facilities and transfer _____ or cancellation _____ of Water Certificate No. _____ and/or Wastewater Certificate No. _____ and amendment of Water Certificate No. _____ and/or Wastewater Certificate No. _____ in _____ County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

- A) **Contact Information for Utility/Seller.** The utility/seller's certificated name, address, telephone number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() () _____

Phone No.

Fax No.

E-Mail Address

Website Address

Water Certificate No.

Wastewater Certificate No.

- B) The contact information of the seller's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

- C) Contact Information for Buyer. The buyer's name, address, telephone number, Federal Employer Identification Number, and, if applicable, fax number, e-mail address, website address, and new name of the utility if the buyer plans to operate under a different name. The buyer's business name, and if applicable, new utility name, should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations.

Buyer's Name

Office Street Address

City

State

Zip Code

Mailing Address (if different from Street Address)

City	State	Zip Code
()	()	
Phone No.	Fax No.	

Federal Employer Identification Number

E-Mail Address Website Address

New Utility Name

- D) The contact information of the buyer's authorized representative to contact concerning this application:

Name

Mailing Address

City	State	Zip Code
()	()	
Phone No.	Fax No.	

E-Mail Address

- E) The name, address, telephone number, and if available, e-mail address and fax number of the person in possession of the books and records when the application is filed.

Name

Mailing Address

City _____ State _____ Zip Code _____
() _____ () _____
Phone No. Fax No.

E-Mail Address

F) Indicate the nature of the utility's/buyer's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations, showing the utility's/buyer's business name and registration/document number for the business, unless operating as a sole proprietor.

Corporation _____
Number

Limited Liability Company _____
Number

Partnership _____
Number

Limited Partnership _____
Number

Limited Liability Partnership _____
Number

Sole Proprietorship

Association

Other (Specify) _____

If the utility/buyer is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations, showing the utility's fictitious name and registration number for the fictitious name.

Fictitious Name (d/b/a) Registration Number

G) The name(s), address(es), and percentage of ownership of each entity which owns or will own more than 5 percent interest in the utility (Use additional sheet if necessary).

H) Provide the date and state of incorporation or organization of the buyer.

I) Indicate the nature of the buyer's business organization (check one):

Corporation

Limited Liability Company

Partnership

Limited Partnership

Limited Liability Partnership

Sole Proprietorship

Association

Other (Specify) _____

PART II **TRANSFER OF CERTIFICATE**

A) DESCRIPTION OF SALE AGREEMENT

1) Exhibit ____ - Provide a copy of the contract for sale and all auxiliary or supplemental agreements. If the sale, assignment, or transfer occurs prior to Commission approval, the contract shall include provision stating that the contract is contingent upon Commission approval.

2) Exhibit ____ - Provide the following documentation of the terms of the transfer:
a) The date the closing occurred or will occur.

b) The purchase price and terms of payment.

- c) A list of and the dollar amount of the assets purchased and liabilities assumed or not assumed, including those of non-regulated operations or entities.

- d) A description of all consideration between the parties, including promised salaries, retainer fees, stock, stock options, and assumption of obligations.

- e) Provisions regarding the disposition, where applicable, of customer deposits and interest thereon, guaranteed revenue contracts, developer agreements, customer advances, debt of the utility, and leases.

- f) A statement that the buyer will fulfill the commitments, obligations, and representations of the seller with regard to utility matters.

- g) A provision that the buyer has or will obtain the books and records of the seller, including all supporting documentation for rate base additions since the last time rate base was established for the utility.

- h) A statement that the utility's books and records will be maintained using the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA).

- i) A statement that the utility's books and records will be maintained at the utility's office(s) within Florida, or that the utility will comply with the requirements of Rule 25-30.110(1)(b) and (c), F.A.C., regarding maintenance of utility records at another location or out-of-state. If the records will not be maintained at the utility's office(s), the statement should include the location where the utility intends to maintain the books and records.

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the buyer's most recent financial statements (balance sheet and income statement).
- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the buyer is relying to provide funding to the utility and a copy of all financial agreements documenting the sources of funding or a copy of each entity's financial statements.

C) TECHNICAL ABILITY

- 1) Exhibit ____ - Provide the buyer's experience in the water or wastewater industry.
- 2) Exhibit ____ - Provide the buyer's plans for ensuring continued operation of the utility, such as retaining the existing plant operator(s) and office personnel, or contracting with outside entities.

D) TERRITORY DESCRIPTION, PUBLIC INTEREST, AND FACILITIES

- 1) Exhibit ____ - Provide a legal description of the proposed service area, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C.

- 2) Exhibit ____ - Provide a statement explaining why the transfer is in the public interest.

- 3) Exhibit ____ - Provide a statement from the buyer that after reasonable investigation, the system being acquired appears to be in satisfactory condition and compliance with all applicable standards set by the DEP, or, if the system is in need of repair or improvement, has any outstanding Notice of Violation of any standard set by the DEP or any outstanding consent orders with the DEP, the buyer shall provide a description of the repairs or improvements that have been identified, the governmental entity that required the repairs or improvements, if applicable, the approximate cost to complete the repairs or improvements, and any agreements between the seller and buyer regarding who will be responsible for any identified repairs or improvements.

- 4) Exhibit ____ - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit a contract for the long-term use with an unexecuted or unrecorded copy of the instrument, provided that the applicant files a recorded copy within the time prescribed in the order granting the transfer.

- 5) Exhibit ____ - Provide a copy of all of the utility's current permits from the Department of Environmental Protection (DEP) and the water management district.

- 6) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report.

- 7) Exhibit ____ - Provide a copy of all of the utility's correspondence with the DEP, county health department, and water management district, including consent orders

and warning letters, and the utility's responses to the same, for the past three years.

E) **PROPOSED TARIFF**

Exhibit ____ - Provide an original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.037, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

F) **ACCOUNTING INFORMATION**

1) Exhibit ____ - Provide the proposed net book value of the system as of the date of the proposed transfer, and a statement setting out the reasons for the inclusion of an acquisition adjustment, if one is requested. If rate base has been established by this Commission, provide the docket and the order number. In addition, provide a schedule of all subsequent changes to rate base.

2) Exhibit ____ - Provide a statement from the buyer that it has obtained or will obtain copies of all of the federal income tax returns of the seller from the date the utility was first established or the rate base was last established by the Commission, whichever is later. If the tax returns have not been obtained, provide a description of the steps taken to obtain the tax returns.

3) Exhibit ____ - Provide a statement regarding the disposition of outstanding regulatory assessment fees, fines, or refunds owed and which entity will be responsible for paying regulatory assessment fees and filing the annual report for the year of the transfer and subsequent years.

- 4) Exhibit ____ - If the buyer currently owns other water or wastewater utilities that are regulated by this Commission, provide a schedule reflecting any economies of scale that are anticipated to be achieved within the next three years and the effect on rates for existing customers served by both the utility being purchased and the buyer's other utilities.

G) NOTICING REQUIREMENTS

Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION
INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR TRANSFER OF AN EXEMPT ENTITY OR
UTILITY IN A NON-JURISDICTIONAL COUNTY TO A REGULATED UTILITY
WHICH RESULTS IN A SYSTEM WHOSE SERVICE
TRANSVERSES COUNTY BOUNDARIES

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(3), Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.033, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.
2. Fill out the attached application form completely and accurately.
3. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
4. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
5. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
6. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR TRANSFER OF AN EXEMPT OR
NON-JURISDICTIONAL ENTITY TO A REGULATED UTILITY
WHICH RESULTS IN A SYSTEM WHOSE SERVICE
TRANSVERSES COUNTY BOUNDARIES**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(3), Florida Administrative Code)**

Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for the transfer of facilities of a water _____ and/or wastewater _____ utility in _____ County, Florida, and amendment of the buyer's Water Certificate No. _____ and/or Wastewater Certificate No. _____ or granting of a new water certificate _____ and/or wastewater certificate _____, and submits the following information:

PART I APPLICANT INFORMATION

- A) **Contact Information for Utility/Seller.** The utility/seller's certificated name, address, telephone number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City

State

Zip Code

Mailing Address (if different from Street Address)

City State Zip Code
() ()

Phone No. Fax No.

E-Mail Address Website Address

- B) The contact information of the seller's authorized representative to contact concerning this application:

Name

Mailing Address

City State Zip Code
() ()

Phone No. Fax No.

E-Mail Address

- C) Contact Information for Buyer. The buyer's certificated name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, website address, and new name of the utility if the buyer plans to operate under a different name. The buyer's business name, and if applicable, new utility name, should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations.

Buyer's Name

Office Street Address

City State Zip Code
() ()

Phone No.

Fax No.

Mailing Address (if different from Street Address)

City

State

Zip Code

()

()

Phone No.

Fax No.

Federal Employer Identification Number

E-Mail Address

Website Address

New Utility Name

- D) The contact information of the buyer's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

- E) The name, address, telephone number, and if available, e-mail address and fax number of the person in possession of the books and records when the application is filed.

Name

Mailing Address

City State Zip Code

() ()

Phone No. Fax No.

E-Mail Address

F) Indicate the nature of the buyer's business organization (check one): Provide documentation from the Florida Department of State, Division of Corporations, showing the utility's/buyer's business name and registration/document number for the business, unless operating as a sole proprietor.

Corporation _____
Number

Limited Liability Company _____
Number

Partnership _____
Number

Limited Partnership _____
Number

Limited Liability Partnership _____
Number

Sole Proprietorship

Association

Other (Specify) _____

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations, showing the utility's fictitious name and registration number for the fictitious name.

Fictitious Name (d/b/a) Registration Number

- G) The name(s), address(es), and percentage of ownership of each entity which owns or will own more than 5 percent interest in the utility (Use additional sheet if necessary).

- H) Provide the date and state of incorporation or organization of the buyer.

PART II

TRANSFER OF CERTIFICATE

A) DESCRIPTION OF SALE AGREEMENT

- 1) Exhibit ____ - Provide a copy of the contract for sale and all auxiliary or supplemental agreements. If the sale, assignment, or transfer occurs before Commission approval, the contract shall include a provision that the contract is contingent upon Commission approval.

- 2) Exhibit ____ - Provide documentation of the terms of the transfer, including:

- a) The date the closing occurred or will occur.

- b) The purchase price and terms of payment.

- c) A list of and the dollar amount of the assets purchased and liabilities assumed or not assumed, including those of non-regulated operations or entities.

- d) A description of all consideration between the parties, including promised salaries, retainer fees, stock, stock options, and assumption of obligations.

- e) Provisions regarding the disposition, where applicable, of customer deposits and interest thereon, guaranteed revenue contracts, developer agreements, customer advances, debt of the utility, and leases.

- f) A statement that the buyer will fulfill the commitments, obligations, and representations of the seller with regard to utility matters.

- g) A provision that the buyer has or will obtain the books and records of the seller, including all supporting documentation for rate base additions since the last time rate base was established for the utility;

- h) A statement that the utility's books and records will be maintained using the National Association of Regulatory Utilities Commissioners (NARUC) Uniform System of Accounts (USOA).

- i) A statement that the utility's books and records will be maintained at the utility's office(s) within Florida, or that the utility will comply with the requirements of Rule 25-30.110(1)(b) and (c), F.A.C., regarding maintenance of utility records at another location or out-of-state. If the records will not be maintained at the utility's office(s), the statement should include the location where the utility intends to maintain the books and records.

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the buyer's most recent financial statements (balance sheet and income statement).

- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the buyer is relying to provide funding to the utility and a copy of all financial agreements documenting the sources of funding or a copy of each entity's financial statements.

C) **TECHNICAL ABILITY**

- 1) Exhibit ____ - Provide the buyer's experience in the water or wastewater industry.
- 2) Exhibit ____ - Provide the buyer's plans for ensuring continued operation of the utility, such as retaining the existing plant operator(s) and office personnel, or contracting with outside entities.

D) **TERRITORY DESCRIPTION, PUBLIC INTEREST, MAPS AND FACILITIES**

- 1) Exhibit ____ - Provide a legal description of the proposed service area, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C.
- 2) Exhibit ____ - Provide a statement explaining why the transfer is in the public interest.

- 3) Exhibit ____ - Provide a statement from the buyer that after reasonable investigation, the system being acquired appears to be in satisfactory condition and compliance with all applicable standards set by the DEP, or, if the system is in need of repair or improvement, has any outstanding Notice of Violation of any standard set by the DEP or any outstanding consent orders with the DEP, the buyer shall provide a description of the repairs or improvements that have been identified, the governmental entity that required the repairs or improvements, if applicable, the approximate cost to complete the repairs or improvements, and any agreements between the seller and buyer regarding who will be responsible for any identified repairs or improvements.

- 4) Exhibit ____ - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year

lease, or recorded easement. The applicant may submit a contract for the long-term use with an unexecuted or unrecorded copy of the instrument, provided that the applicant files a recorded copy within the time prescribed in the order granting the transfer.

- 5) Exhibit ____ - Provide an official county tax assessment map or other map showing township, range, and section, with a scale such as 1" = 200' or 1" = 400', with the proposed territory plotted thereon, consistent with the legal description provided in D-1 above.
- 6) Exhibit ____ - Provide a statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.

- 7) Exhibit ____ - Provide a copy of all of the utility's current permits from the Department of Environmental Protection (DEP) and the water management district.
- 8) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report.
- 9) Exhibit ____ - Provide a copy of all of the utility's correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

E) PROPOSED TARIFF AND RATE INFORMATION

- 1) Exhibit ____ - An original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.037, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.
- 2) Exhibit ____ - Provide documentation of when and under what authority the current rates and charges of the exempt entity were established, if applicable. If the entity provides water or wastewater service without compensation, please describe when and under what authority it was determined that the non-jurisdictional entity would provide service without compensation.
- 3) Exhibit ____ - Provide an explanation of how the seller is either exempt pursuant to Section 367.022, F.S., or is a utility in a nonjurisdictional county.

F) ACCOUNTING INFORMATION

- 1) Exhibit ____ - Provide the proposed net book value of the system as of the date of the proposed transfer, and a statement setting out the reasons for the inclusion of an acquisition adjustment, if one is requested. If rate base has been established by this Commission, provide the docket and the order number. In addition, provide a schedule of all subsequent changes to rate base.

- 2) Exhibit ____ - Provide a statement from the buyer that it has obtained or will obtain copies of all of the federal income tax returns of the seller from the date the utility was first established or the rate base was last established by the Commission, whichever is later. If the tax returns have not been obtained, provide a description of the steps taken to obtain the tax returns.

- 3) Exhibit ____ - Provide a statement regarding the disposition of outstanding regulatory assessment fees, fines, or refunds owed and which entity will be responsible for paying regulatory assessment fees and filing the annual report for the year of the transfer and subsequent years.

- 4) Exhibit ____ - If the buyer currently owns other water or wastewater utilities that are regulated by this Commission, provide a schedule reflecting any economies of scale that are anticipated to be achieved within the next three years and the effect on rates for existing customers served by both the utility being purchased and the buyer's other utilities.

G) NOTICING REQUIREMENTS

- Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING
APPLICATION FOR A TRANSFER OF MAJORITY ORGANIZATION CONTROL
OF A REGULATED UTILITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(4), Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.037(4), Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.
2. Fill out the attached application form completely and accurately.
3. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
4. Remit the proper filing fee pursuant to Rule 25-30.020, Florida Administrative Code, with the application.
5. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
6. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR A TRANSFER OF MAJORITY ORGANIZATION CONTROL
OF A REGULATED UTILITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(4), Florida Administrative Code)**

Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for the approval of a transfer of majority ownership of the regulated utility. The change is for all _____ or part _____ of the facilities operated under Water Certificate No. _____ and/or Wastewater Certificate No. _____ located in _____ County, Florida, and submits the following:

PART I APPLICANT INFORMATION

- A) Contact Information for Utility/Seller. The utility/seller's certificated name, address, telephone number, and, if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() () _____

Phone No.

Fax No.

E-Mail Address

Website Address

Water Certificate No.

Wastewater Certificate No.

- B) The contact information of the seller's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

- C) Indicate the nature of the buyer's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations showing the utility's business name and registration/document number for the business, unless operating as a sole proprietor.

Corporation _____
Number

Limited Liability Company _____
Number

Partnership _____
Number

Limited Partnership _____
Number

Limited Liability Partnership _____

- Number
- Sole Proprietorship
- Association
- Other (Specify) _____

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and fictitious name registration number.

Fictitious Name (d/b/a) Registration Number

- D) Contact Information for Buyer. The buyer's certificated name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, website address, and new name of the utility if the buyer plans to operate under a different name. The buyer's business name, and if applicable, new utility name, should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations.

Buyer's Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()
Phone No. Fax No.

Federal Employer Identification Number

E-Mail Address Website Address

New Utility Name

- E) The contact information of the buyer's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

PART II **TRANSFER OF MAJORITY OWNERSHIP**

A) DESCRIPTION OF SALE AGREEMENT

- 1) Exhibit ____ - Provide a copy of the contract for sale and all auxiliary or supplemental agreements. If the sale, assignment, or transfer occurs before Commission approval, the contract shall include a provision that the contract is contingent upon Commission approval.

- 2) Exhibit ____ - Provide a statement that the buyer will fulfill the commitments, obligations, and representations of the seller with regard to utility matters.

- 3) Exhibit ____ - Provide a description of the ownership transfer, including the date the transfer occurred or will occur and a description of the resulting ownership interests in the utility.

-
-
-
- 4) Exhibit ____ - Provide either a statement that, following the transfer, all existing management and operating personnel of the utility will be retained or, if changes in the utility's management or operating personnel are anticipated, a description of the changes and the impact the changes will have on the management and operations of the utility.
-
-
-

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the buyer's most recent financial statements (balance sheet and income statement).
- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the buyer is relying to provide funding to the utility and a copy of any financial agreements documenting the sources of funding or a copy of each entity's financial statements.
-
-
-

C) TECHNICAL ABILITY; FACILITIES

- 1) Exhibit ____ - The buyer's experience in the water or wastewater industry.
-
-
-
- 2) Exhibit ____ - Provide the buyer's plans for ensuring continued operation of the utility, such as retaining the existing plant operator(s) and office personnel, or contracting with outside entities.
- 3) Exhibit ____ - Provide a copy of all of the utility's current permits from the Department of Environmental Protection (DEP) and the water management district.
- 4) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report.
- 5) Exhibit ____ - Provide a copy of all of the utility's correspondence with the DEP,

county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

D) PUBLIC INTEREST, PROPOSED TARIFF, AND ACCOUNTING INFORMATION

- 1) Exhibit ____ - Provide a statement explaining why the transfer is in the public interest.

- 2) Exhibit ____ - Provide an original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.037, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

- 3) Exhibit ____ - Provide a statement regarding the disposition of outstanding regulatory assessment fees, fines, or refunds owed and which entity will be responsible for paying regulatory assessment fees and filing the annual report for the year of the transfer and subsequent years.

E) NOTICING REQUIREMENTS

- 1) Exhibit ____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION
INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR TRANSFER OF FACILITIES
FROM A REGULATED UTILITY TO AN EXEMPT ENTITY
OTHER THAN A GOVERNMENTAL AUTHORITY

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(5), Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.037(5), Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Pursuant to Rule 25-30.037(1)(a), F.A.C., if a transfer occurs prior to Commission approval, the utility shall submit an application for authority to transfer no later than 90 days after the sale closing date.
2. Fill out the attached application form completely and accurately.
3. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
4. Remit the proper filing fee pursuant to Rule 25-30.020, F.A.C., with the application.
5. Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.
6. The completed application, attached exhibits, and the proper filing fee should be mailed to:

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

**APPLICATION FOR TRANSFER OF FACILITIES
FROM A REGULATED UTILITY TO AN EXEMPT ENTITY
OTHER THAN A GOVERNMENTAL AUTHORITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.037(5), Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for the approval of the transfer of all _____ or part _____ of the facilities operated under Water Certificate No. _____ and/or Wastewater Certificate No. _____ and amendment _____ or cancellation _____ of Water Certificate No. _____ and/or Wastewater Certificate No. _____ located in _____ County, Florida, and submits the following:

PART I APPLICANT INFORMATION

- A) Contact Information for Utility/Seller. The utility/seller's certificated name, address, telephone number, and, if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()

Phone No. Fax No.

E-Mail Address Web Site Address

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and fictitious name registration number.

Fictitious Name (d/b/a) Registration Number

- D) Contact Information for Buyer. The buyer's certificated name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, website address, and new name of the utility if the buyer plans to operate under a different name. The buyer's business name, and if applicable, new utility name, should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations.

Buyer's Name

Office Street Address

City

State

Zip Code

Mailing Address (if different from Street Address)

City

State

Zip Code

()

Phone No.

()

Fax No.

Federal Employer Identification Number

E-Mail Address

Website Address

New Utility Name

- E) The contact information of the buyer's authorized representative to contact concerning this application:

Name

Mailing Address

City State Zip Code

() ()
Phone No. Fax No.

E-Mail Address

PART II **TRANSFER OF FACILITIES**

A) **DESCRIPTION OF SALE AGREEMENT**

- 1) Exhibit ____ - Provide a copy of the contract for sale and all auxiliary or supplemental agreements. If the sale, assignment, or transfer occurs prior to Commission approval, the contract shall include a provision stating that the contract is contingent upon Commission approval.

- 2) Exhibit ____ - The buyer must provide the following documentation of the terms of the transfer:

- a) The closing date.

- b) A statement regarding the disposition of customer deposits and interest thereon.

- c) A statement regarding the disposition of any outstanding regulatory assessment fees, fines, refunds, or annual reports.

B) FINANCIAL ABILITY

- 1) Exhibit ____ - Provide the buyer's most recent financial statements (balance sheet and income statement).
- 2) Exhibit ____ - Provide a list of all entities, including affiliates, upon which the buyer is relying to provide funding to the utility and a copy of all financial agreements documenting the sources of funding or a copy of each entity's financial statements.

C) TECHNICAL ABILITY; FACILITIES

- 1) Exhibit ____ - Provide a description of the buyer's experience in the water or wastewater industry.

- 2) Exhibit ____ - Provide an explanation of the buyer's plans for ensuring continued operation of the utility, such as retaining the existing plant operator(s) and office personnel, or contracting with outside entities.

- 3) Exhibit ____ - Provide a copy of all of the utility's current permits from the Department of Environmental Protection (DEP) and the water management district.
- 4) Exhibit ____ - Provide a copy of the most recent DEP and/or county health department sanitary survey, compliance inspection report, and secondary standards drinking water report.
- 5) Exhibit ____ - Provide a copy of all of the utility's correspondence with the DEP, county health department, and water management district, including consent orders and warning letters, and the utility's responses to the same, for the past three years.

D) PUBLIC INTEREST AND EXEMPT STATUS

- 1) Exhibit _____ - Provide a statement explaining why the transfer is in the public interest.

- 2) Exhibit _____ - Provide an explanation of how the buyer is exempt pursuant to Section 367.022, F.S.

E) NOTICING REQUIREMENTS

Exhibit _____ - Provide proof of noticing pursuant to Rule 25-30.030, F.A.C. This may be provided as a late-filed exhibit.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

FLORIDA PUBLIC SERVICE COMMISSION

**INSTRUCTIONS FOR COMPLETING EXAMPLE
APPLICATION FOR TRANSFER TO A GOVERNMENTAL AUTHORITY**

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.038, Florida Administrative Code)**

General Information

The attached form is an example application that may be completed by the applicant and filed with the Office of Commission Clerk to comply with Rule 25-30.038, Florida Administrative Code (F.A.C.). Any questions regarding this form should be directed to the Division of Engineering at (850) 413-6910.

Instructions

1. Fill out the attached application form completely and accurately.
2. Complete all the items that apply to your utility. If an item is not applicable, mark it "N.A." Do not leave any items blank.
3. The completed application and attached exhibits should be mailed to:

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

APPLICATION FOR TRANSFER TO A GOVERNMENTAL AUTHORITY

**(Pursuant to Section 367.071, Florida Statutes, and
Rule 25-30.038, Florida Administrative Code)**

To: **Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for acknowledgement of the transfer of all _____ or part _____ of the utility's water _____ and/or wastewater _____ facilities in _____ County, Florida, and cancellation _____ or amendment _____ of Water Certificate No. _____ and/or Wastewater Certificate No. _____, and submits the following information:

PART I APPLICANT INFORMATION

- A) Contact Information for Utility/Seller. The utility/seller's certificated name, address, telephone number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Utility Name

Office Street Address

City State Zip Code

Mailing Address (if different from Street Address)

City State Zip Code

() ()

Phone No. Fax No.

E-Mail Address Website Address

Water Certificate No.

Wastewater Certificate No.

- B) The contact information of the seller's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

- C) Contact Information for Governmental Authority. The name, address, telephone number, and if applicable, fax number, and e-mail address of the governmental authority.

Governmental Authority's Name

Office Street Address

City

State

Zip Code

Mailing Address (if different from Street Address)

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

- D) The contact information of the governmental authority's authorized representative to contact concerning this application:

Name

Mailing Address

City

State

Zip Code

()

()

Phone No.

Fax No.

E-Mail Address

PART II

TRANSFER OF FACILITIES

A) DESCRIPTION OF SALE/TRANSFER AGREEMENT

- 1) Exhibit ____ - Provide the date on which the governmental authority assumed ownership or proposes to assume ownership, operation, management, or control of the utility. The transfer of facilities, or any portion thereof, from a regulated utility to a governmental authority shall be effective as of the date the governmental authority assumes ownership, operation, management, or control.

-
- 2) Exhibit ____ - Provide a copy of the contract or other document transferring the utility system to the governmental authority.

- 3) Exhibit ____ - Provide a statement that the governmental authority obtained from the utility or Commission the most recent available annual report.

- 4) Exhibit ____ - Provide a statement describing the disposition of customer deposits and interest thereon.

- 5) Exhibit ____ - Provide a statement regarding the disposition of outstanding regulatory assessment fees, fines or refunds owed. The transfer of a regulated utility to a governmental authority shall not affect the utility's obligation to complete payment of regulatory assessment fees pursuant to Rule 25-30.120, F.A.C.

B) DESCRIPTION OF FACILITIES NOT TRANSFERRED

- 1) Exhibit ____ - If a utility is transferring only a portion of its facilities to a governmental authority, it must provide the following additional information:
- 2) Exhibit ____ -A list of any utility assets not transferred to the governmental authority, if such remaining assets constitute a system providing or proposing to provide water or wastewater service to the public for compensation.
- 3) Exhibit ____ - A legal description of the territory not transferred to the governmental authority, including an electronic media copy, in the format prescribed in Rule 25-30.029, F.A.C.
- 4) Exhibit ____ - An official county tax assessment map or other map showing township, range, and section with a scale such as 1" = 200' or 1" = 400', with the remaining territory plotted thereon, consistent with the legal description provided in II.B.1.b. above.
- 5) Exhibit ____ - One original and one electronic media draft tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.038, F.A.C., for information about sample model water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

PART III

SIGNATURE

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY: _____
Applicant's Signature

Applicant's Name (Printed)

Applicant's Title

Date

WASTEWATER TARIFF

NAME OF COMPANY

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

WASTEWATER TARIFF

NAME OF COMPANY

(ADDRESS OF COMPANY)

(Business & Emergency Telephone Numbers)

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

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ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER -

COUNTY -

COMMISSION ORDER(S) APPROVING TERRITORY SERVED -

Order Number

Date Issued

Docket Number

Filing Type

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 3.1

NAME OF COMPANY _____

WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 4.0

NAME OF COMPANY _____

WASTEWATER TARIFF

COMMUNITIES SERVED LISTING

<u>County</u> <u>Name</u>	<u>Development</u> <u>Name</u>	<u>Rate</u> <u>Schedule(s)</u> <u>Available</u>	<u>Sheet No.</u>
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ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" - The abbreviation for "Base Facility Charge" which is the minimum amount the Company may charge its Customers and is separate from the amount the Company bills its Customers for wastewater consumption.
- 2.0 "CERTIFICATE" - A document issued by the Commission authorizing the Company to provide wastewater service in a specific territory.
- 3.0 "COMMISSION" - The shortened name for the Florida Public Service Commission.
- 4.0 "COMMUNITIES SERVED" - The group of Customers who receive wastewater service from the Company and whose service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" - The shortened name for the full name of the utility which is _____.
- 6.0 "CUSTOMER" - Any person, firm or corporation who has entered into an agreement to receive wastewater service from the Company and who is liable for the payment of that wastewater service.
- 7.0 "CUSTOMER'S INSTALLATION" - All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for disposing of wastewater located on the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement.
- 8.0 "MAIN" - A pipe, conduit, or other facility used to convey wastewater service from individual service lines or through other mains.
- 9.0 "RATE" - Amount which the Company may charge for wastewater service which is applied to the Customer's water consumption.
- 10.0 "RATE SCHEDULE" - The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.
- 11.0 "SERVICE" - As mentioned in this tariff and in agreement with Customers, "Service" shall be construed to include, in addition to all wastewater service required by the Customer, the readiness and ability on the part of the Company to furnish wastewater service to the Customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.

(Continued to Sheet No. 5.1)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 "SERVICE CONNECTION" - The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0 "SERVICE LINES" - The pipes between the Company's Mains and the Service Connection and which includes all of the pipes, fittings and valves necessary to make the connection to the Customer's premises, excluding the meter.
- 14.0 "TERRITORY" - The geographical area described, if necessary, by metes and bounds but, in all cases, with township, range and section in a Certificate, which may be within or without the boundaries of an incorporated municipality and may include areas in more than one county.

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

INDEX OF RULES AND REGULATIONS

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Refusal or Discontinuance of Service.....	7.0	5.0

(Continued to Sheet No. 6.1)

 ISSUING OFFICER

 TITLE

ORIGINAL SHEET NO. 6.1

NAME OF COMPANY _____

WASTEWATER TARIFF

(Continued from Sheet No. 6.0)

	<u>Sheet Number:</u>	<u>Rule Number:</u>
Right-of-way or Easements	9.0	14.0
Termination of Service	10.0	18.0
Type and Maintenance	7.0	7.0
Unauthorized Connections - Wastewater	10.0	19.0

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

RULES AND REGULATIONS

- 1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every Customer to whom the Company renders wastewater service.
- The Company shall provide wastewater service to all Customers requiring such service within its Certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.
- 2.0 POLICY DISPUTE - Any dispute between the Company and the Customer or prospective Customer regarding the meaning or application of any provision of this tariff shall upon written request by either party be resolved by the Florida Public Service Commission.
- 3.0 APPLICATION - In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The Company shall provide each Applicant with a copy of the brochure entitled "Your Water and Wastewater Service," prepared by the Florida Public Service Commission.
- 4.0 APPLICATIONS BY AGENTS - Applications for wastewater service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents.
- 5.0 REFUSAL OR DISCONTINUANCE OF SERVICE - The Company may refuse or discontinue wastewater service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code.
- 6.0 EXTENSIONS - Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff.
- 7.0 TYPE AND MAINTENANCE - In accordance with Rule 25-30.545, Florida Administrative Code, the Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all laws and governmental regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the wastewater service. The Company reserves the right to discontinue or withhold wastewater service to such apparatus or device.

(Continued on Sheet No. 8.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

(Continued from Sheet No. 7.0)

- 8.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the Company will at all times use reasonable diligence to provide continuous wastewater service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous wastewater service.

If at any time the Company shall interrupt or discontinue its service, all Customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

- 9.0 LIMITATION OF USE - Wastewater service purchased from the Company shall be used by the Customer only for the purposes specified in the application for wastewater service. Wastewater service shall be rendered to the Customer for the Customer's own use and shall be collected directly into the Company's main wastewater lines.

In no case shall a Customer, except with the written consent of the Company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish wastewater service to the adjacent property even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the Customer's wastewater service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for wastewater service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement is made in full to the Company for all extra expenses incurred for clerical work, testing, and inspections. (This shall not be construed as prohibiting a Customer from remetering.)

- 10.0 CHANGE OF CUSTOMER'S INSTALLATION - No changes or increases in the Customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The Customer shall be liable for any change resulting from a violation of this Rule.

- 11.0 INSPECTION OF CUSTOMER'S INSTALLATION - All Customer's wastewater service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local laws and governmental regulations. Where municipal or other governmental inspection is required by local rules and ordinances, the Company cannot render wastewater service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Notwithstanding the above, the Company reserves the right to inspect the Customer's installation prior to rendering wastewater service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

(Continued on Sheet No. 9.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

(Continued from Sheet No. 8.0)

- 12.0 ACCESS TO PREMISES - In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the Customer shall provide the duly authorized agents of the Company access at all reasonable hours to its property. If reasonable access is not provided, service may be discontinued pursuant to the above rule.
- 13.0 PROTECTION OF COMPANY'S PROPERTY - The Customer shall exercise reasonable diligence to protect the Company's property. If the Customer is found to have tampered with any Company property or refuses to correct any problems reported by the Company, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code. In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.
- 14.0 RIGHT-OF-WAY OR EASEMENTS - The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of wastewater service.
- 15.0 CUSTOMER BILLING - Bills for wastewater service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule.
- In accordance with Rule 25-30.335, Florida Administrative Code, the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.
- A municipal or county franchise tax levied upon a water or wastewater public utility shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.
- If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.
- 16.0 PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY - In accordance with Rule 25-30.320(2)(g), Florida Administrative Code, when both water and wastewater service are provided by the Company, payment of any wastewater service bill rendered by the Company to a Customer shall not be accepted by the Company without the simultaneous or concurrent payment of any water service bill rendered by the Company.

(Continued on Sheet No. 10.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

(Continued from Sheet No. 9.0)

- 17.0 DELINQUENT BILLS - When it has been determined that a Customer is delinquent in paying any bill, wastewater service may be discontinued after the Company has mailed or presented a written notice to the Customer in accordance with Rule 25-30.320, Florida Administrative Code.
- 18.0 TERMINATION OF SERVICE - When a Customer wishes to terminate service on any premises where wastewater service is supplied by the Company, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, Florida Administrative Code.
- 19.0 UNAUTHORIZED CONNECTIONS - WASTEWATER - Any unauthorized connections to the Customer's wastewater service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
- 20.0 ADJUSTMENT OF BILLS - When a Customer has been undercharged as a result of incorrect application of the rate schedule or, if wastewater service is measured by water consumption and a meter error is determined, the amount may be credited or billed to the Customer as the case may be, pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 21.0 FILING OF CONTRACTS - Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.
- 22.0 EVIDENCE OF CONSUMPTION - The initiation or continuation or resumption of water service to the Customer's premises shall constitute the initiation or continuation or resumption of wastewater service to the Customer's premises regardless of occupancy.

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 11.0

NAME OF COMPANY _____

WASTEWATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

	<u>Sheet Number</u>
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General Service, GS	12.0
Miscellaneous Service Charges.....	15.0
Residential Service, RS.....	13.0

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater service to all Customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD -

RATE -

MINIMUM CHARGE -

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD -

RATE -

MINIMUM CHARGE -

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

CUSTOMER DEPOSITS

ESTABLISHMENT OF CREDIT - Before rendering wastewater service, the Company may require an Applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the Customer from complying with the Company's rules for prompt payment. Credit will be deemed so established if the Customer complies with the requirements of Rule 25-30.311, Florida Administrative Code.

AMOUNT OF DEPOSIT - The amount of initial deposit shall be the following according to meter size:

	<u>Residential</u>	<u>General Service</u>
5/8" x 3/4"	_____	
1"	_____	
1 1/2"	_____	
Over 2"	_____	

ADDITIONAL DEPOSIT - Under Rule 25-30.311(7), Florida Administrative Code, the Company may require a new deposit, where previously waived or returned, or an additional deposit in order to secure payment of current bills provided.

INTEREST ON DEPOSIT - The Company shall pay interest on Customer deposits pursuant to Rule 25-30.311(4) and (4a).

REFUND OF DEPOSIT - After a residential Customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the Company shall refund the Customer's deposit provided the Customer has met the requirements of Rule 25-30.311(5), Florida Administrative Code. The Company may hold the deposit of a non-residential Customer after a continuous service period of 23 months and shall pay interest on the non-residential Customer's deposit pursuant to Rule 25-30.311(4) and (5), Florida Administrative Code.

Nothing in this rule shall prohibit the Company from refunding a Customer's deposit in less than 23 months.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WASTEWATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms state herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

INITIAL CONNECTION - This charge may be levied for service initiation at a location where service did not exist previously.

NORMAL RECONNECTION - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

VIOLATION RECONNECTION - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

Schedule of Miscellaneous Service Charges

Initial Connection Charge	\$ _____
Normal Reconnection Charge	\$ _____
Violation Reconnection Charge	\$ <u>Actual Cost (1)</u>
Premises Visit Charge (in lieu of disconnection)	\$ _____

(1) Actual Cost is equal to the total cost incurred for services.

EFFECTIVE DATE

TYPE OF FILING -

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 16.0

NAME OF COMPANY _____

WASTEWATER TARIFF

INDEX OF SERVICE AVAILABILITY POLICY AND CHARGES

	<u>Sheet Number</u>
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Service Availability Policy.....	17.0

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 17.0

NAME OF COMPANY _____

WASTEWATER TARIFF

SERVICE AVAILABILITY POLICY

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 18.0

NAME OF COMPANY _____

WASTEWATER TARIFF

SERVICE AVAILABILITY CHARGES

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 19.0

NAME OF COMPANY _____

WASTEWATER TARIFF

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ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 20.0

NAME OF COMPANY _____

WASTEWATER TARIFF

APPLICATION FOR WASTEWATER SERVICE

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 21.0

NAME OF COMPANY _____

WASTEWATER TARIFF

COPY OF CUSTOMER'S BILL

ISSUING OFFICER

TITLE

WATER TARIFF

NAME OF COMPANY

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

WATER TARIFF

NAME OF COMPANY

(ADDRESS OF COMPANY)

(Business & Emergency Telephone Numbers)

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

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Standard Forms	20.0
Technical Terms and Abbreviations	5.0
Territory Authority	3.0

ISSUING OFFICER

TITLE

NOTICE OF DEVELOPMENT OF RULEMAKING
UNDOCKETED
PAGE 157

ORIGINAL SHEET NO. 3.0

NAME OF COMPANY _____

WATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER -

COUNTY -

COMMISSION ORDER(S) APPROVING TERRITORY SERVED -

Order Number

Date Issued

Docket Number

Filing Type

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 3.1

NAME OF COMPANY _____

WATER TARIFF

DESCRIPTION OF TERRITORY SERVED

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 4.0

NAME OF COMPANY _____

WATER TARIFF

COMMUNITIES SERVED LISTING

<u>County</u> <u>Name</u>	<u>Development</u> <u>Name</u>	<u>Rate</u> <u>Schedule(s)</u> <u>Available</u>	<u>Sheet No.</u>
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ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" - The abbreviation for "Base Facility Charge" which is the minimum amount the Company may charge its Customers and is separate from the amount the Company bills its Customers for water consumption.
- 2.0 "CERTIFICATE" - A document issued by the Commission authorizing the Company to provide water service in a specific territory.
- 3.0 "COMMISSION" - The shortened name for the Florida Public Service Commission.
- 4.0 "COMMUNITIES SERVED" - The group of Customers who receive water service from the Company and whose service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" - The shortened name for the full name of the utility which is _____.
- 6.0 "CUSTOMER" - Any person, firm or corporation who has entered into an agreement to receive water service from the Company and who is liable for the payment of that water service.
- 7.0 "CUSTOMER'S INSTALLATION" - All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for rendering water service to the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement.
- 8.0 "MAIN" - A pipe, conduit, or other facility used to convey water service to individual service lines or through other mains.
- 9.0 "RATE" - Amount which the Company may charge for water service which is applied to the Customer's actual consumption.
- 10.0 "RATE SCHEDULE" - The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.
- 11.0 "SERVICE" - As mentioned in this tariff and in agreement with Customers, "Service" shall be construed to include, in addition to all water service required by the Customer, the readiness and ability on the part of the Company to furnish water service to the Customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.

(Continued to Sheet No. 5.1)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 "SERVICE CONNECTION" - The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0 "SERVICE LINES" - The pipes between the Company's Mains and the Service Connection and which includes all of the pipes, fittings and valves necessary to make the connection to the Customer's premises, excluding the meter.
- 14.0 "TERRITORY" - The geographical area described, if necessary, by metes and bounds but, in all cases, with township, range and section in a Certificate, which may be within or without the boundaries of an incorporated municipality and may include areas in more than one county.

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

INDEX OF RULES AND REGULATIONS

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 ISSUING OFFICER

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NOTICE OF DEVELOPMENT OF RULEMAKING
UNDOCKETED
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ORIGINAL SHEET NO. 6.1

NAME OF COMPANY _____

WATER TARIFF

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Right-of-way or Easements.....	9.0	15.0
Termination of Service.....	9.0	17.0
Type and Maintenance.....	7.0	7.0
Unauthorized Connections - Water.....	10.0	19.0

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

RULES AND REGULATIONS

- 1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every Customer to whom the Company renders water service.
- The Company shall provide water service to all Customers requiring such service within its Certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.
- 2.0 POLICY DISPUTE - Any dispute between the Company and the Customer or prospective Customer regarding the meaning or application of any provision of this tariff shall upon written request by either party be resolved by the Florida Public Service Commission.
- 3.0 APPLICATION - In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The Company shall provide each Applicant with a copy of the brochure entitled "Your Water and Wastewater Service," prepared by the Florida Public Service Commission.
- 4.0 APPLICATIONS BY AGENTS - Applications for water service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents.
- 5.0 REFUSAL OR DISCONTINUANCE OF SERVICE - The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code.
- 6.0 EXTENSIONS - Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff.
- 7.0 TYPE AND MAINTENANCE - In accordance with Rule 25-30.545, Florida Administrative Code, the Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all laws and governmental regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service. The Company reserves the right to discontinue or withhold water service to such apparatus or device.
- 8.0 DELINQUENT BILLS - When it has been determined that a Customer is delinquent in paying any bill, water service may be discontinued after the Company has mailed or presented a written notice to the Customer in accordance with Rule 25-30.320, Florida Administrative Code.

(Continued on Sheet No. 8.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

(Continued from Sheet No. 7.0)

- 9.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the Company will at all times use reasonable diligence to provide continuous water service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous water service.

If at any time the Company shall interrupt or discontinue its service, all Customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

- 10.0 LIMITATION OF USE - Water service purchased from the Company shall be used by the Customer only for the purposes specified in the application for water service. Water service shall be rendered to the Customer for the Customer's own use and the Customer shall not sell or otherwise dispose of such water service supplied by the Company.

In no case shall a Customer, except with the written consent of the Company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish water service to the adjacent property through one meter even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the Customer's water service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for water service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement is made in full to the Company for all extra expenses incurred for clerical work, testing, and inspections. (This shall not be construed as prohibiting a Customer from remetering.)

- 11.0 CHANGE OF CUSTOMER'S INSTALLATION - No changes or increases in the Customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The Customer shall be liable for any charge resulting from a violation of this Rule.

- 12.0 PROTECTION OF COMPANY'S PROPERTY - The Customer shall exercise reasonable diligence to protect the Company's property. If the Customer is found to have tampered with any Company property or refuses to correct any problems reported by the Company, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code.

In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.

(Continued on Sheet No. 9.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

(Continued from Sheet No. 8.0)

- 13.0 INSPECTION OF CUSTOMER'S INSTALLATION - All Customer's water service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local laws and governmental regulations. Where municipal or other governmental inspection is required by local rules and ordinances, the Company cannot render water service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Notwithstanding the above, the Company reserves the right to inspect the Customer's installation prior to rendering water service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

- 14.0 ACCESS TO PREMISES - In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the Customer shall provide the duly authorized agents of the Company access at all reasonable hours to its property. If reasonable access is not provided, service may be discontinued pursuant to the above rule.

- 15.0 RIGHT-OF-WAY OR EASEMENTS - The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of water service.

- 16.0 CUSTOMER BILLING - Bills for water service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule.

In accordance with Rule 25-30.335, Florida Administrative Code, the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.

A municipal or county franchise tax levied upon a water or wastewater public Company shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.

If a Company utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.

- 17.0 TERMINATION OF SERVICE - When a Customer wishes to terminate service on any premises where water service is supplied by the Company, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, Florida Administrative Code.

(Continued on Sheet No. 10.0)

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

(Continued from Sheet No. 9.0)

- 18.0 PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY - In accordance with Rule 25-30.320(2)(g), Florida Administrative Code, when both water and wastewater service are provided by the Company, payment of any water service bill rendered by the Company to a Customer shall not be accepted by the Company without the simultaneous or concurrent payment of any wastewater service bill rendered by the Company.
- 19.0 UNAUTHORIZED CONNECTIONS - WATER - Any unauthorized connections to the Customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
- 20.0 METERS - All water meters shall be furnished by and remain the property of the Company and shall be accessible and subject to its control, in accordance with Rule 25-30.230, Florida Administrative Code.
- 21.0 ALL WATER THROUGH METER - That portion of the Customer's installation for water service shall be so arranged to ensure that all water service shall pass through the meter. No temporary pipes, nipples or spaces are permitted and under no circumstances are connections allowed which may permit water to by-pass the meter or metering equipment.
- 22.0 ADJUSTMENT OF BILLS - When a Customer has been undercharged as a result of incorrect application of the rate schedule, incorrect reading of the meter, incorrect connection of the meter, or other similar reasons, the amount may be refunded or billed to the Customer as the case may be pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 23.0 ADJUSTMENT OF BILLS FOR METER ERROR - When meter tests are made by the Commission or by the Company, the accuracy of registration of the meter and its performance shall conform with Rule 25-30.262, Florida Administrative Code and any adjustment of a bill due to a meter found to be in error as a result of any meter test performed whether for unauthorized use or for a meter found to be fast, slow, non-registering, or partially registering, shall conform with Rule 25-30.340, Florida Administrative Code.
- 24.0 METER ACCURACY REQUIREMENTS - All meters used by the Company should conform to the provisions of Rule 25-30.262, Florida Administrative Code.
- 25.0 FILING OF CONTRACTS - Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.

ISSUING OFFICER

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NAME OF COMPANY _____

WATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

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Meter Test Deposit.....	15.0
Miscellaneous Service Charges.....	16.0
Residential Service, RS.....	13.0

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water service to all Customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.

BILLING PERIOD -

RATE -

MINIMUM CHARGE -

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water service for all purposes in private residences and individually metered apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD -

RATE -

MINIMUM CHARGE -

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

CUSTOMER DEPOSITS

ESTABLISHMENT OF CREDIT - Before rendering water service, the Company may require an Applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the Customer from complying with the Company's rules for prompt payment. Credit will be deemed so established if the Customer complies with the requirements of Rule 25-30.311, Florida Administrative Code.

AMOUNT OF DEPOSIT - The amount of initial deposit shall be the following according to meter size:

	<u>Residential</u>	<u>General Service</u>
5/8" x 3/4"	_____	
1"	_____	
1 1/2"	_____	
Over 2"	_____	

ADDITIONAL DEPOSIT - Under Rule 25-30.311(7), Florida Administrative Code, the Company may require a new deposit, where previously waived or returned, or an additional deposit in order to secure payment of current bills provided.

INTEREST ON DEPOSIT - The Company shall pay interest on Customer deposits pursuant to Rules 25-30.311(4) and (4a).

REFUND OF DEPOSIT - After a residential Customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the Company shall refund the Customer's deposit provided the Customer has met the requirements of Rule 25-30.311(5), Florida Administrative Code. The Company may hold the deposit of a non-residential Customer after a continuous service period of 23 months and shall pay interest on the non-residential Customer's deposit pursuant to Rules 25-30.311(4) and (5), Florida Administrative Code.

Nothing in this rule shall prohibit the Company from refunding a Customer's deposit in less than 23 months.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

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NAME OF COMPANY _____

WATER TARIFF

METER TEST DEPOSIT

METER BENCH TEST REQUEST - If any Customer requests a bench test of his or her water meter, in accordance with Rule 25-30.266, Florida Administrative Code, the Company may require a deposit to defray the cost of testing; such deposit shall not exceed the schedule of fees found in Rule 25-30.266, Florida Administrative Code.

<u>METER SIZE</u>	<u>FEE</u>
5/8" x 3/4"	\$20.00
1" and 1 1/2"	\$25.00
2" and over	Actual Cost

REFUND OF METER BENCH TEST DEPOSIT - The Company may refund the meter bench test deposit in accordance with Rule 25-30.266, Florida Administrative Code.

METER FIELD TEST REQUEST - A Customer may request a no-charge field test of the accuracy of a meter in accordance with Rule 25-30.266, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

NAME OF COMPANY _____

WATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms stated herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

INITIAL CONNECTION - This charge may be levied for service initiation at a location where service did not exist previously.

NORMAL RECONNECTION - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

VIOLATION RECONNECTION - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

Schedule of Miscellaneous Service Charges

Initial Connection Charge	\$ _____
Normal Reconnection Charge	\$ _____
Violation Reconnection Charge	\$ _____
Premises Visit Charge (in lieu of disconnection)	\$ _____

EFFECTIVE DATE -

TYPE OF FILING -

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 17.0

NAME OF COMPANY _____

WATER TARIFF

INDEX OF SERVICE AVAILABILITY POLICY AND CHARGES

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ISSUING OFFICER

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ORIGINAL SHEET NO. 18.0

NAME OF COMPANY _____

WATER TARIFF

SERVICE AVAILABILITY POLICY

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 19.0

NAME OF COMPANY _____

WATER TARIFF

SERVICE AVAILABILITY CHARGES

ISSUING OFFICER

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ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 21.0

NAME OF COMPANY _____

WATER TARIFF

APPLICATION FOR WATER SERVICE

ISSUING OFFICER

TITLE

ORIGINAL SHEET NO. 22.0

NAME OF COMPANY _____

WATER TARIFF

COPY OF CUSTOMER'S BILL

ISSUING OFFICER

TITLE