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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Merritt Island Utility Company, Inc., Application)
For Approval of Transfer of Colony Waste Services, LLC)
in Brevard County, Florida)
Colony Waste Services, LLC Application for Approval of)
Transfer of Colony Park Development Utilities, LLC in)
Brevard County, Florida)

Docket No. 170018-SU
Filed: January 17, 2017

**MERRITT ISLAND UTILITY COMPANY, INC.
APPLICATION FOR APPROVAL OF TRANSFER
OF COLONY WASTE SERVICES, LLC WASTEWATER SYSTEM
IN BREVARD COUNTY, FLORIDA**

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COMMISSION
CLERK

Merritt Island Utility Company, Inc. ("Merritt Island" or "Buyer"), by and through its undersigned representative, and pursuant to Sections 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code, hereby files this Application for approval of the transfer of the Wastewater System of Colony Waste Services, LLC ("Seller") Certificate Nos. 137-S. In support of this Application, Merritt Island states as follows:

APPLICANT INFORMATION

1. The name and address of the Buyer for purposes of this Application, and as it should appear on Merritt Island Utility Company, Inc. Commission-issued wastewater certificate are:

Gary A. Deremer, President
Merritt Island Utility Company, Inc.
4939 Cross Bayou Blvd.
New Port Richey, Florida, 34652
Tel: (727) 848 8292
Fax: (727) 848 7701

2. The name and address of Merritt Island Utility Company, Inc.'s authorized representatives are:

Representative's Name and Title:

Gary A. Deremer, President
Merritt Island Utility Company, Inc.
4939 Cross Bayou Blvd.
New Port Richey, Florida, 34652

Troy Rendell, Manager of Regulated Utilities
Merritt Island Utility Company, Inc.
4939 Cross Bayou Blvd.
New Port Richey, Florida, 34652
727-848-8292

3. The Seller's representatives for purposes of this Application are:

Joseph Foody
Colony Waste Services, LLC
161 SW 11 Ct
Boca Raton, FL 33486
(561) 926-4858

4. Attached hereto is Merritt Island's Application for Approval of Purchase of the Seller's system in Brevard County, Florida (the "Application"). The attached Application includes all of the information required by Rule 25-30.037, Florida Administrative Code.

5. Also attached hereto is Colony Waste Services, LLC's Application for Approval of Purchase of Colony Park Development Utilities, LLC wastewater utility system in Brevard County, Florida. Merritt Island purchased the wastewater utility system from Colony Waste Services, LLC subsequent to the closing thereof.

6. Merritt Island entered into a Commercial Contract with Colony Waste Services, LLC on December 7, 2016. (Exhibit A) The closing of the sales transaction took place on December 22, 2016. (Exhibit B). Prior to this transaction, Cypress Strand Properties, LLC entered into a Purchase and Sale Agreement and Escrow Agreement for the purchase of both the mobile home park and the wastewater utility on January 27, 2016. The sale and purchase of the

utility was placed into escrow pending approval by the Florida Public Service Commission. The Purchase and Sale Agreement was amended by First Amendment on March 14, 2016. The Escrow Agreement was further amended to reflect Colony Waste Services, LLC on March 28, 2016. At that time, Colony Waste Services, LLC took over the operation and management of the wastewater utility pending FPSC approval.

8. Colony Waste Services, LLC entered into negotiations to sell the wastewater utility to the current owner, Merritt Island Utility Company, LLC soon thereafter. Subsequent to the Commercial Contract was entered into, the Escrow Agreement was released and the final sale closing of the utility to Colony Waste Services, LLC took place on November 28, 2016.

9. Merritt Island is a Florida corporation authorized to do business in Florida as of November 28, 2016.

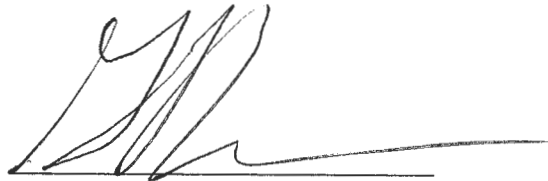
10. Attached hereto is Merritt Island's application for transfer of the Wastewater Systems of Colony Waste Services, LLC

WHEREFORE, Utility Company requests that this Commission:

- A. Grant Colony Waste Services, LLC's Application
- B. Grant Merritt Island Utility Company, Inc.'s Application;
- B. Approve the transfer of the Wastewater Utility System owned by Colony Park Development Utilities, LLC to Colony Waste Services, LLC and simultaneously approve the transfer of the Wastewater Utility System owned by Colony Waste Services, LLC to Merritt Island Utility Company, Inc. as described herein and in the attached application and,

C. Grant such other relief as appropriate.

Respectfully submitted this 17th day of January 2017.

A handwritten signature in black ink, appearing to read 'G. Deremer', written over a horizontal line.

Name: Gary A. Deremer
Title: President
Merritt Island Utility Company, Inc.
4939 Cross Bayou Blvd.
New Port Richey, FL 34652

Merritt Island Utility Company, Inc.
Filing Fee Pursuant to Rule 25-30.020, Florida Administrative
Code

Wastewater

Permitted Capacity:	70,000 gallons
350 gpd per ERC:	<u>280 gpd</u>
Number of ERCs	250 ERCs

Filing Fee: \$750