

March 9, 2017

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

RE: Docket No. 170016-WS; Application of MSKP Town and Country Utility, LLC for Transfer of Water and Wastewater Facilities to Babcock Ranch Community Independent Special District in Charlotte and Lee County, Florida

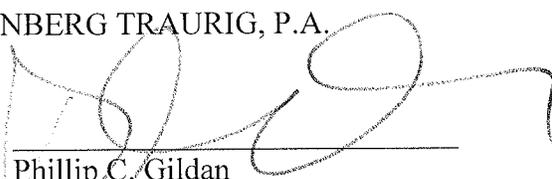
Attached for filing is MSKP Town and Country Utility, LLC Amended Application for Transfer of Water and Wastewater Facilities to Babcock Ranch Community Independent Special District in Charlotte and Lee County, Florida, pursuant to §367.071(4)(a), Fla. Stat.

Should you or the Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,

GREENBERG TRAUIG, P.A.

By:



Phillip C. Gildan
Authorized Representative of Applicant

cc: Jonathan Johnson, Esquire
Hopping Green & Sams, P.A.
Authorized Representative of
Babcock Ranch Community Independent Special District

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of:
MSKP Town and Country Utility, LLC for the
Transfer of Water and Wastewater facilities to
Babcock Ranch Community Independent
Special District in Charlotte and Lee County,
Florida

DOCKET NO.: 170016-WS

**AMENDED APPLICATION FOR TRANSFER OF WATER AND WASTEWATER
FACILITIES TO A GOVERNMENTAL AUTHORITY**

Applicant, MSKP TOWN AND COUNTRY UTILITY, LLC or (“Applicant”), by and through its undersigned attorneys, and pursuant to § 367.071, Fla. Stat., files this Amended Application for Transfer of Facilities to a Governmental Authority and in support thereof states as follows:

1. Applicant operates under Water Certificate No. 613W and Sewer Certificate No. 543S in Charlotte and Lee County, Florida.
2. The name and address of Applicant and its authorized representatives, for purposes of this application, are:

MSKP Town and Country Utility, LLC
4500 PGA Boulevard
Suite 400
Palm Beach Gardens, FL 33418
Attn: Erica S. Woods, Esq.
(941) 235-6900

Authorized Representatives:
Phillip C. Gildan, Esquire
Greenberg Traurig, P.A.
777 So. Flagler Drive, Suite 300 East
West Palm Beach, FL 33401
561-650-7967 (telephone)
561-838-8867 (facsimile)
gildanp@gtlaw.com

3. The name and address of the governmental authority is the Babcock Ranch Community Independent Special District (the “District”) and its authorized representatives, for purposes of this application, are:

Babcock Ranch Community Independent Special District
c/o Fishkind & Associates
12051 Corporate Blvd
Orlando, FL 32817

Authorized Representative:
Jonathan Johnson, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, FL 32301
(850) 222-7500
jonathanj@hgslaw.com

4. The District is a unit of special-purpose government, created pursuant to Chapter 2007-306, Laws of Florida, as amended by Chapter 2016-257 Laws of Florida.

5. The District assumed operation, management and control of the utility on December 15, 2016. A copy of the document transferring operation, management and control of the utility to the District is attached as Exhibit “A” (the “Agreement”).

6. This Application must be approved as a matter of right as a sale to a governmental authority pursuant to §367.071(4)(a), Fla. Stat.

7. Subsequent to December 15, 2016, Applicant will retain control of no assets that would constitute a system providing or proposing to provide water or wastewater service to the public for compensation.

8. Prior to the transfer, the District obtained from Applicant its most recent available income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction.

9. As of the transfer, the Applicant retained all closing accounts receivables and unbilled revenues for all service rendered prior to transfer. The Applicant does not hold any customer deposits.

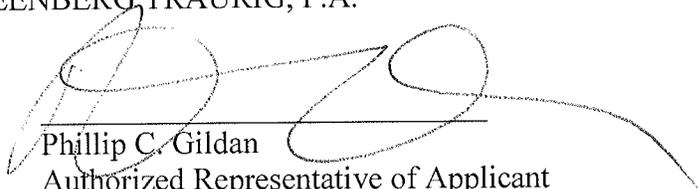
10. There are no fines owed relative to the Applicant's water and wastewater facilities at the date of transfer. Applicant will file a final Regulatory Assessment Fee Return with the Division of Administration of this Commission for the period through the date of transfer, December 15, 2016 prior to the Commission's approval of this Application.

WHEREFORE, the Applicant respectfully requests that this Commission approve the transfer of its water and wastewater facilities to the District as a matter of right and cancel the water and sewer certificate of this Applicant.

Respectfully submitted on this 9th day of March,
2017, by:

GREENBERG, TRAUIG, P.A.

By:


Phillip C. Gildan
Authorized Representative of Applicant