CLASS "C"

#### **OPPICIAL COPV Public Service Commission** Fits Not Remove f this Office

WATER AND/OR WASTEWATER UTILITIES (Gross Revenue of Less Than \$200,000 Each)



OF

WS719-12-AR

CFAT H20, Inc. PO Box 5220 Ocala, FL 34478-5220

Certificate Number

Submitted To The

STATE OF FLORIDA

PUBLIC SERVICE COMMISSION

FOR THE

YEAR ENDED December 31, 2011

Form PSC/ECR 003-W (Rev. 12/99)

RECEIVED COMMISSION 13 MAR 19 AM 7: 39 DIVISION OF ACCOUNTING & FINANCE

# C.F.A.T. H2o, INC.

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# FINANCIAL

# **SECTION**

#### REPORT OF

#### CFAT H2O, INC. PO BOX 5220 OCALA, FL 34478-5220

2330 NE 8th Road MARION COUNTY

Telephone Number 352-622-4949Date Utility First Organized10/28/2003Filed with the Internal Revenue Service as 1120S CorporationName, Address and phone where records are located2330 NE 8th RoadOcala, FL 34470Florida (352) 622-4949 c/o Tradewinds Utilities, Inc.Subdivision where service is provided:Landfair and Hilltop ManorLandfair and Hilltop Manor

Name	Title	Principal Business Address	Salary Charged
Person to send Correspondence Charles deMenzes	President	P.O. Box 5220 Ocala, Fl 34478	o
Person who prepared this report Charles deMenzes	President	P.O. Box 5220 Ocala, Fl 34478	0
Officers and Managers			
Charles deMenzes	President	P.O. Box 5220 Ocala, Fl 34478	22,500
Eugenia Segarra	Vice Pres	P.O. Box 5220 Ocala, Fl 34478	22,500

#### CONTACTS

Report every Corporation or person owning or holding directly or indirectly 5 percent or more of the voting securities of the reporting utility.

Name	Percent of Owner- ship in Utility	Principal Business Address	Salary Charged
Eugenia Segarra TTE	50	P.O. Box 5220 Ocala, FI 34478	0
Charles deMenzes Revocable Trust	50	P.O. Box 5220 Ocala, FI 34478	0

YEAR OF REPORT December 31, 2012

# INCOME STATEMENT

ACCOUNT NAME	REF Page	WATER	WASTEWATER	OTHER	TOTAL COMPANY
Gross Revenue Residential Commercial Other (specify) Turn on Charges		73,035 3,424 (49)	72,086 25,067		145,121 28,491 (49)
Total Gross Revenue		76,410	97,153		173,563
Operation Expense (Must tie to Pages W-3 & S-3)	W-3 S-3	60,309	80,123		140,432
Depreciation Expense	F-5	23,250	14,376		37,626
Amortization Expense	F-8	(3,777)	(8,996)		(12,773)
Taxes other than Income Reg Assessment Fees Total Operating Expenses	F-7 F-7	1,177 3,129 84,088	1,574 4,372 91,449		2,751 7,501 175,537
Net Operating Income (Loss)		(7,678)	5,704		(1,974)
Other Income: Non Utility Income					
Other Deductions: Interest Expense Amort of Loan Costs Amort of Rate Case Exp Net Income (Loss)		10,083 5,061 (22,822)	10,356 1,540 (6,192)		20,439 1,540 5,061 (29,014)

# YEAR OF REPORT December 31, 2012

# COMPARATIVE BALANCE SHEET

Account Name	Reference Page	Current Year	Previous Year
Assets:			
Utility Plant in Service (101-105)	F-5,W-1,S-1	912,283	908,566
Accumulated Depreciation and Amortization (108)	F-5,W-2,S-3	(389,146)	(316,952)
Net Utility Plant:		523,137	557,046
Cash Customer Accts Receivable (141) Other Assets		4,603 22,100	3,534 21,434
Utility Deposit Prepaid Rate Cse Expense Plant Held for Future Use Acquisition Adjustment, net Ind Bank Loan Costs		2,040 10,121 4,250 57,726 1,483	2,040 15,183 4,250 61,127 3,023
Total Assets		625,460	667,637
Liabilities & Capital			
Common Stock Issued (201) Preferred Stock Issued (204)	F-6 F-6	200	200
Other Paid in Capital (211) Retained Earnings (215) Total Capital	F-6	127,483 (284,774) (157,091)	127,483 (255,760) (128,077)
Long Term Debt (224) Accounts Payable (231)	F-6	324,023	341,794
Notes Payable (232) Customer Deposits (235) Accrued Taxes (236) Other Liabilities (Specify)		- 21,782 7,500	19,732 8,169
Refund Checks Returned Stockholder Loan		1,522 26,000	1,522 30,000
Management Fee Payable	F 0	242,955	222,955
Contributions in Aid of Construction-Net (271-272)	F-8	158,769	171,542
Total Liabilities & Capital		625,460	667,637

F-4

Plant Accounts (101-107) Inclusive	Water	Wastewater	Total
Utility Plant in Service (101)	542,179	366,387	908,566
ADDITIONS	186	3,531	3,717
			-
			-
			-
Total Utility Plant	542,365	369,918	912,283

### GROSS UTILITY PLANT

# ACCUMULATED DEPRECIATION AND AMORTIZATION OF UTILITY PLANT

Account (108)	Water	Wastewater	Total
Balance first of Year	162,085	189,435	351,520
Add Credits During Year	23,250	14,376	37,626
Accruals charged to Depreciation Account			-
Total Credits	185,335	203,811	389,146
Deduct Debits During Year			-
			_
Balance End of year	185,335	203,811	389,146

# YEAR OF REPORT December 31, 2012

# CAPITAL STOCK (201-204)

	Common	Preferred
	Stock	Stock
Par or stated value per share	1.00	
Shares authorized	200	
Shares issued and outstanding	200	
Total par value of stock issued	200	
Dividends declared per share for year	-	
•		

# RETAINED EARNINGS (215)

	Appropriated	Un-Appropriated
Balance first of year		(255,760)
Changes during the year (specify) per Auditor Report Less Current Year operating profit		(29,014)
Accounting transfer to Capital Acct		
Balance End of year		(284,774)

#### LONG TERM DEBT (224)

Description of Obligation (Including Nominal Date of		nterest	Principal per Balance
Issue and Date of Maturity)	Rate	Pymts	Sheet Date
CenterState Bank	6.50	60	324,023
Total			324,023

YEAR OF REPORT December 31, 2012

TAX EXPENSE				
	Water	Wastewater	Other	Total
	(b)	©	(d)	(e)
Income Taxes:				-
Federal income tax				
State income Tax				
Taxes Other Than Income:				-
County ad valorem tax	1,177	1,574		2,751
Payroll Tax Expense				-
Other tax				-
Regulatory assessment fee	3,129	4,372		7,501
Other (Specify)				
Total Tax Expense	4,306	5,946		10,252

#### PAYMENTS FOR SERVICES RENDERED BY OTHER THAN EMPLOYEES

Report all information concerning rate, management, construction, advertising, labor relations, public relations, or other similar professional services rendered the respondent for which aggregate payments during the year to any corporation, partnership, individual, or organization of any kind whatever, amounting to \$500 or more.

Name of Recipient	Water Amount	Wastewater Amount	Description of Service
MIRA International, Inc.	10,080	9,003	Management & Maintenance
US Water	6341		Plant operation
Ben Fitzgerald, CPA	856		Accounting Fees

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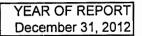
#### YEAR OF REPORT December 31, 2012

#### CONTRIBUTIONS IN AID OF CONSTRUCTION (271)

(a)	Water (b)	Wastewater ©	Total (d)
1) Balance first of year 2) Add Credits during year	125,836	262,882	388,718 -
3) Total	125,836	262,882	388,718
<ul><li>4) Deduct charges during year</li><li>5) Balance end of year</li><li>6) Less Accumulated Amortization</li></ul>	125,836 (69,952)	262,882 (159,997)	388,718 (229,949)
7) Net CIAC	55,884	102,885	158,769

#### ACCUMULATED AMORTIZATION OF CIAC

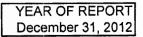
	Water	Wastewater	Total
Balance First of Year Add Credits During Year	(66,175) (3,777)	(151,001) (8,996)	
Deduct Debits During Year			
Balance End of Year (must agree with line #6 above)	(69,952)	(159,997)	(229,949)



Schedule "A"

Schedule of Cost of Capital used for AFUDC Calculation

# N/A



Schedule "B"

Schedule of Capital Structure Adjustments

# N/A

C.F.A.T.H2o, INC.

# WATER OPERATING SECTION

#### YEAR OF REPORT December 31, 2012

#### WATER UTILITY PLANT ACCOUNTS

ACCT	ACCOUNT DESCRIPTION	PREVIOUS			CURRENT
NO.		YEAR	ADDITIONS	DELETIONS	YEAR
(a)	(b)	©	(d)	(e)	(f)
301	ORGANIZATIONAL	-			-
302	FRANCHISES	-			-
303	LAND AND LAND RIGHTS	19,500			19,500
304	STRUCTURE AND IMPROVEMENTS	2,029			2,029
307	WELL AND SPRINGS	38,888			38,888
310	POWER GENERATION EQUIPMENT	22,587			22,587
311	PUMPING EQUIPMENT	115,816			115,816
320	WATER TREATMENT EQUIPMENT	9,486	186		9,672
330	DIST RESERVOIR & STANDPIPES	200,081			200,081
331	TRANSMISSION & DISTRIBUTION MAINS	71,569			71,569
333	SERVICES	15,635			15,635
334	METER AND METER INSTALLATIONS	46,381			46,381
343	TOOL SHOP AND GARAGE EQUIPMENT	207			207
	TOTALS	542,179	186	-	542,365

# YEAR OF REPORT December 31, 2012

# ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - WATER

ACCT	ACCOUNT DESCRIPTION	AVERAGE	DEPR	ACCUM			ACCUM
NO.		SERVICE	RATE	BALANCE	DEBITS	CREDITS	
		LIFE	APPLIED	PREV YR			BALANCE
(a)	(b)	©	(d)	(e)	(f)	(g)	(h)
301	ORGANIZATIONAL	5	20.0000				-
302	FRANCHISES	29	3.4483				-
304	STRUCTURES & IMPROV	27	3.7037	348		75	423
307	WELL PUMPS (15HP)	27	3.7037	13,661		1,438	15,099
310	POWER GENERATION EQ	15	6.6667	9,119		1,505	10,624
311	PUMPING EQUIPMENT	15	6.6667	38,885		7,721	46,606
320	WATER TREATMENT EQ	11	9.0909	3,464		879	4,343
330	DISTRIBUTION RESERVOIR	30	3.3333	44,247		6,669	50,916
331	TRANS & DIST MAINS	40	2.5000	32,674		1,789	34,463
333	SERVICES	35	2.8571	9,813		446	10,259
334	METERS & METER INSTAL	17	5.8824	9,667		2,728	12,395
335	HYDRANTS	40	2.5000	-			-
339	OTHER PLANT & MISC EQ	20	5.0000				-
340	OFFICE FURNITURE & EQ	6	16.6667	-			-
341	TRANSPORTATION EQ	5	20.0000	-			-
343	TOOL,SHOP & GARAGE	15	6.6667	207			207
	TOTALS			162,085	-	23,250	185,335

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YEAR OF REPORT December 31, 2012

# WATER OPERATION AND MAINTENANCE EXPENSE

ACCT	ACCOUNT NAME	AMOUNT
NO.		
603	SALARIES & WAGES OFFICERS	27,000
615	PURCHASED POWER	2,185
616	FUEL FOR POWER PRODUCTION	87
618	CHEMICALS	415
631	CONTRACTUAL EXPENSE (ENGINEERING, ACCOUNTING)	440
630	CONTRACTUAL EXPENSE BILLING	12,711
635	CONTRACTUAL SERVICES - OPERATIONS	10,080
635	CONTRACTUAL SERVICES - TESTING	175
655	INSURANCE EXPENSE	
675	OFFICE SUPPLIES	
675	BANK SERVICE CHARGES	469
675	MAINTENANCE EXPENSE	569
675	MISCELLANEOUS EXPENSE	5,178
	Dep Exp	1,000
	TOTAL OPERATION AND MAINTENANCE EXPENSE	60,309

#### WATER CUSTOMERS

DESCRIPTION (a)	TYPE OF METER (b)	EQUIVALENT FACTOR ©	NUM OF ACTIVE START OF YR (d)		TOT NUMER OF EQUIVALENT (c x e)
5/8" 3/4" 1" 2"	D D D D	1.0 1.5 2.5 8.0	217 4	217 4	217 10
		TOTAL	221	221	227

# PUMPING AND PURCHASED WATER STATISTICS

	Water	Finished water	Accounted	Total Water	Water sold to
(a)	Purchased for	from Wells	for loss thru	Pumped and	Customers
(~)	Resale	(omit 000)	line flushing	Purchased	(omit 000)
	(omit 000)	· · /	etc. (omit 000)	(omit 000)	
	(b)	©	(d)	(e)	(f)
January	None	799	64	735	735
February	••	738	28	710	710
March	"	803	161	642	642
April	"	765	44	721	721
May	11	926	219	707	707
June	17	861	178	683	683
July	"	760	100	660	660
August	"	821	162	659	659
September	11	681	25	656	656
October	"	755	117	638	638
November		710	(40)	750	750
December	"	837	222	615	615
Total for Year	None	9,456	1,280	8,176	8,176

#### MAINS (Feet)

Kind of Pipe	Diameter of	First of	Added	Removed or	End of Year
	Pipe	Year		Abandoned	
PVC - 16 years	6"	4270	0	0	4270
PVC - 16 years	4"	4210	0	0	4210
PVC - 16 years	8"	13360	0	0	13360

### WELLS AND WELL PUMPS

(a)	(b)	©	(d)
Year Constructed	1989	2006	
Type fo well construction	Steel Grouted	Steel Grouted	
and casing.			
Depth of Wells	160'	160'	
Diameters of Wells	8"	8"	
Pump GPM	250	250	
Motor HP	10	10	
Yields of Wells in GPD	15,000	15,000	
Auxiliary Power	Diesel Gen	Diesel Gen	

#### RESERVOIRS

(a)	(b)	©	
Description	Steel	Steel	
Capacity of Tank	20,000	200,000	
Ground or Elevated	Ground	Ground	

#### YEAR OF REPORT December 31, 2012

#### SOURCE OF SUPPLY

List for each source of supply:		
Gals. per day of source	100,000	
Type of Source	Well	

#### WATER TREATMENT FACILITIES

List for each water t	reatment facility:	
Type Make Gals per day Method of Measure	Liquid Chlorinated VT 100 100,000 ment Flow meter	

#### OTHER WATER SYSTEMS INFORMATION

Furnish information below for each system not physic	cally connected with another facility.
<ol> <li>Present ERC's * now being served 227</li> <li>Maximum ERC's * that system can efficiently serv</li> <li>Present system connection capacity (in ERC's) us</li> <li>Future connection capacity (in ERC's) upon servic</li> <li>Estimated annual increase in ERC's 2</li> <li>List fire fighting facilities and capacities 200,000 C</li> </ol>	ing existing lines <b>250</b> e area buildout <b>350</b>
<ol> <li>7. List percent of certificated area where service con</li> <li>8. What is the current need for system upgrading and</li> <li>9. What are plans for future system upgrading and/o</li> <li>10. Have questions 8 and 9 been discussed with an</li> <li>11. Has an application for a construction permit beer</li> </ol>	nections are installed (total for each county) <b>30%</b> d/or expansion? <b>NONE</b> r expansion? <b>NONE</b> engineer? <b>YES</b>
12. Department of Environmental Protection ID #. Water Management District ID #	3424620 2-83-0220AN

\* ERC = (Total Gallons Sold / 365 days / 350 Gallons per Day

\*\* TOTAL PLANT CAPACITY / 350

C.F.A.T.H2o, INC.

# SEWER OPERATING SECTION

#### YEAR OF REPORT December 31, 2012

#### SEWER UTILITY PLANT ACCOUNTS

ACCT	ACCOUNT DESCRIPTION	PREVIOUS YEAR	ADDITIONS	DELETIONS	CURRENT YEAR
NO. (a)	(b)	©	(d)	(e)	(f)
351	ORGANIZATIONAL	2,500	(4)	(0/	2,500
352	FRANCHISES	2,062			2,062
353	LAND & LAND RIGHTS	39,000			39,000
354	STRUCTURES AND IMPROVEMENTS	11,659			11,659
360	FORCE MAIN COLL LINES	81,058			81,058
361	GRAVITY FEED COLL LINES	45,657			45,657
362	SPECIAL COLL STRUCTURES	17,856			17,856
363	SERVICES TO CUSTOMERS	8,500			8,500
364	FLOW MEASURING DEVICES	90			90
365	FLOW MEASURING INSTALLATIONS	5,610			5,610
370	RECEIVING WELL - MANHOLES, LIFT STATIONS	130,532	3,531		134,063
380	TREATMENT AND DISPOSAL EQ	21,863			21,863
389	OTHER PLANT & MISC EQUIP	-			-
390	OFFICE FURNITURE & EQUIP	-			-
393	TOOLS, SHOP & GARAGE EQUIP	-			-
	TOTALS	366,387	3,531		369,918

#### YEAR OF REPORT December 31, 2012

#### ACCOUNT DESCRIPTION AVERAGE DEPR ACCUM ACCT ACCUM CREDITS DEBITS SERVICE RATE BALANCE DEPR NO. PREV YR LIFE APPLIED BALANCE (e) (b) C (d) (f) (g) (h) (a) ORGANIZATIONAL 5 20.0000 2,500 2,500 351 352 FRANCHISES 3 33.3333 2,062 2,062 27 3.7037 5,446 431 5,877 354 STRUCTURES AND IMPROV 360 FORCE MAIN COLL LINES 27 3.7037 37,463 3,002 40,465 40 2.5000 28,314 GRAVITY FEED COLL LINES 27,173 1,141 361 510 SPECIAL COLL STRUCTURES 35 2.8571 10,863 11,373 362 2.8571 6,059 242 6,301 363 SERVICES TO CUSTOMERS 35 FLOW MEASURING DEVICES 5 20.0000 90 90 364 160 4,127 FLOW MEASURING INSTAL 35 2.8571 3,967 365 7,433 370 18 5.5556 73,699 81,132 RECEIVING WELL - MANHOLES LIFT STATIONS 20,113 1,457 21,570 TREATMENT AND DISPOSAL EQ 15 6.6667 380 OTHER PLANT & MISC EQUIP 15 6.6667 389 6 16.6667 OFFICE FURNITURE & EQUIP 390 TOOLS, SHOP & GARAGE EQUIP 15 6.6667 393 14,376 203,811 0 189,435 TOTALS

#### ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT -SEWER

YEAR OF REPORT December 31, 2012

# SEWER OPERATION AND MAINTENANCE EXPENSE

ACCT	ACCOUNT NAME	AMOUNT
NO.		
703	SALARIES & WAGES OFFICERS	27,000
711	SLUDGE REMOVAL EXPENSE	7,200
715	PURCHASED POWER	11,151
718	CHEMICALS	2,134
731	PROFESSIONAL FEES (ENGINEERING - ACCOUNTING)	1,025
730	CONTRACTUAL SERVICES SEWER	8,446
735	CONTRACTUAL EXPENSE - PROFESSIONAL	18,139
775	BANK SERVICE CHARGES	469
775	MISC EXPENSE	1,350
775	DEP Permit Fees	3,209
	TOTAL OPERATION AND MAINTENANCE EXPENCE	80,123

#### WASTEWATER CUSTOMERS

DESCRIPTION (a)	TYPE OF METER (b)	EQUIVALENT FACTOR ©	NUM OF ACTIVE START OF YR (d)	CUSTOMERS END OF YR (e)	TOT NUMER OF EQUIVALENT (c x e)
5/8" 3/4" 1" 2"	D D D D	1.0 1.5 2.5 8.0	221 3	218 3	218 7.5
		TOTAL	224	221	225.5

#### YEAR OF REPORT December 31, 2012

#### PUMPING EQUIPMENT

Lift Station Number	1	2	3&4
Name or Type and Nameplate data of pump	STA-RITE	STA-RITE	STA-RITE
Year Installed Rated Capacity Size	1990 100 GPM 4"	1990 100 GPM 4"	2000 80 GPM 4"
Power	Electric	Electric	Electric
Nameplate Data of Motor	2.8 HP 12.6 AMP	2.8 HP 12.6 AMP	5 HP

#### SERVICE CONNECTIONS

Size (inches)	4"	
Туре	PVC	
Average Length	30'	
Number of Active		
Service Connections		
Beginning of Year	120	
Added during Year	0	
Retired during Year		
End of Year	120	
Age	16 years	

#### COLLECTING AND FORCE MAINS

	Collecting Mains	Collecting Mains	Force Mains
Size (inches)	8"	6"	4"
Type of Main	PVC	PVC	PVC
Length of Main (nearest foot)			
Beginning of Year	9287	803	3912
Added during Year	0	0	7600
Retired during Year	0	0	0
End of Year	9287	803	11512
Age	16 years	16 years	16 years

MANHOLES			
Size (inches)	48"	16 years	
Number of Manholes	Concrete		
Beginning of Year	22		
Added during Year	0		
Retired during Year	0		
End of Year	22		

#### TREATMENT PLANT

Manufacturer	Marlof	
Туре	Concrete	
Total Capacity - Gal Per Day	125,000	
Average Daily flow	25,905	
Total Gallons of Sewage treated	9,455,500	

# MASTER LIFT STATION PUMPS

Manufacturer		
Capacity		
Motor: Mfr		
Horsepower	7.5 HP	
Power (Electric or Mechanical)	Electric	
,		

#### PUMPING WASTEWATER STATISTICS

Months	Gallons of Treated	Effluent Reuse Gallons	Effluent Gallons
	Wastewater	to Customers	
January	799,000	0	799,000
February	738,000	0	738,000
March	803,000		803,000
April	764,500	0	764,500
May	926,000	0	926,000
June	861,000	0	861,000
July	760,000	0	760,000
August	821,000	0	821,000
September	681,000	0	681,000
October	755,000	0	755,000
November	710,000	0	710,000
December	837,000	0	837,000
Total for Year	9,455,500	0	9,455,500

OTHER WASTEWATER SYSTEM INFORMATION

- 1. Present ERC's \* being served 165
- 2. Maximum ERC's \*\* that system can efficiently serve 410
- 3. Present system connection capacity (in ERC'S) using existing lines. 250
- 4. Future connection capacity (in ERC'S) upon service area buildout. 125
- 5. Estimates annual increase in ERC'S \* 2
- 6. State any plans and estimated completion date for any enlargements of this system.
- 7. In what percent of your certificated area have service connections been installed? 68%
- 8. If present systems do not meet the requirements of DEP rule 62-4, Florida Asministrative Code, submit the following
  - a. Evaluation of the present plant or plants in regard to meeting the DEP'S rules.
  - b. Plans for funding and construction of the required upgrading.
  - c. Have these plans been coordinated with the DEP?
  - d. Do they concur?
  - e. When will construction begin?
- 9. Do you discharge effluent to surface waters? No\_
- 10. Department of Environmental Protection I.D. **#3042P01551** and Water Management District I.D. **# 2-083-0220ANF** 
  - \* ERC = (Total Gallons Treated / 365 days / 280 Gallons per Day
  - Note: Total Gallons Treated includes both sewage treated and purchased sewage treatment.
  - \*\* Total plant capacity/115,000 gpd

#### CERTIFICATION OF ANNUAL REPORT

I HEREBY CERTIFY, to the best of my knowledge and belief:

YES NO

(X) () 1. The utility is in substantial compliance with the Uniform System of Accounts prescribed by the Florida Public Service Commission.

#### YES NO

- (X) () 2. The utility is in substantial compliance with all applicable rules and orders of the Florida Public Service Commission.
- YES NO
- (X) () 3. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial statement of the utility.
- YES NO
- (X) () 4. The annual report fairly represents the financial condition and results of operations of the respondent for the period presented and other information and statements presented in the report as to the business affairs of the respondent are true, correct and complete for the period for which it represents.

#### Items Certified

Charles de Menzes 1. 2. 3. 4.

- (X) (X) (X) (X) (signature of chief executive officer of the utility)
- 1. 2. 3. 4.
- ()()()() (signature of chief financial officer of the utility)
- \* Each of the four items must be certified YES or NO. Each item need not be certified by both officers. The items being certified by the officer should be indicated in the appropriate area to the left of the signature.
- NOTICE: Section 837.06, Florida Statutes, provides that any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree.