

### WATER AND/OR WAS

(Gross Revenue of Less Than \$200,000 Each)

### ANNUAL REPORT

OF

WU796-02-AR NHC Utilities, Inc. 3737 El Jobean Road (SR776) Port Charlotte, FL 33953-5699

Submitted To The

### STATE OF FLORIDA



### **PUBLIC SERVICE COMMISSION**

FOR THE

YEAR ENDED DECEMBER 31,

2002

Form PSC/WAW 6 (Rev. 12/99)

### **GENERAL DEFINITIONS**

ADVANCES FOR CONSTRUCTION - This account shall include advances by or in behalf of customers for construction which are to be refunded either wholly or in part. (USOA)

ALLOWANCE FOR FUNDS USED DURING CONSTRUCTION (AFUDC) - This account shall include concurrent credits for allowance for funds used during construction based upon the net cost of funds used for construction purposes and a reasonable rate upon other funds when so used. Appropriate regulatory approval shall be obtained for "a reasonable rate". (USOA)

AMORTIZATION - The gradual extinguishment of an amount in an account by distributing such amount over a fixed period, over the life of the asset or liability to which it applies, or over the period during which it is anticipated the benefit will be realized. (USOA)

CONTRIBUTIONS IN AID OF CONSTRUCTION (CIAC) - Any amount or item of money, services, or property received by a utility, from any person or governmental agency, any portion of which is provided at no cost to the utility, which represents an addition or transfer to the capital of the utility, and which is utilized to offset the acquisition, improvement, or construction costs of the utility's property, facilities, or equipment used to provide utility services to the public. (Section 367.021 (3), Florida Statutes)

CONSTRUCTION WORK IN PROGRESS (CWIP) - This account shall include the cost of water or wastewater plant in process of construction, but not yet ready for services. (USOA)

DEPRECIATION - The loss in service value not restored by current maintenance, incurred in connection with the consumption or prospective retirement of utility plant in the course of service from causes which are known to be in the current operation and against which the utility is not protected by insurance. (Rule 25-30.140 (i), Florida Administrative Code)

EFFLUENT REUSE - The use of wastewater after the treatment process, generally for reuse as irrigation water or for in plant use. (Section 367.021 (6), Florida Statutes)

EQUIVALENT RESIDENTIAL CONNECTION (ERC) - (WATER) - (Rule 25-30.515 (8), Florida Administrative Code.)

- (a) 350 gallons per day;
- (b) The number of gallons a utility demonstrates in the average daily flow for a single family unit; or
- (c) The number of gallons which has been approved by the DEP for a single family residential unit.

EQUIVALENT RESIDENTIAL CONNECTION (ERC) - (WASTEWATER) - Industry standard of 80% of Water ERC or 280 gallons per day for residential use.

GUARANTEED REVENUE CHARGE - A charge designed to cover the utility's costs including, but not limited to the cost of the operation, maintenance, depreciation, and any taxes, and to provide a reasonable return to the utility for facilities, a portion of which may not be used and useful to the utility or its existing customers. (Rule 25-30.515 (9), Florida Administrative Code)

LONG TERM DEBT - All Notes, Conditional Sales Contracts, or other evidences of indebtedness payable more than one year from date of issue. (USOA)

PROPRIETARY CAPITAL (For proprietorships and partnerships only ) - The investment of a sole proprietor, or partners, in an unincorporated utility. (USOA)

RETAINED EARNINGS - This account reflects corporate earnings retained in the business. Credits would include net income or accounting adjustments associated with correction of errors attributable to a prior period. Charges to this account would include net losses, accounting adjustments associated with correction of errors attributable to a prior period or dividends. (USOA)

### FINANCIAL SECTION

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### REPORT OF

### NHC Utiliites, Inc. (EXACT NAME OF UTILITY)

2650 Holiday Frail	3737 El Jobean Road					
Kissimmee, FL 34746		Port Charlotte, FL 33953 Charlotte				
Mailing Addre	SS	Street Address County				
Telephone Number 941-624-4511		Date Utility First Organized 12/96				
Fax Number		E-mail Address				
Sunshine State One-Call of Florida, Inc.	Member No.					
Check the business entity of the utility as	s filed with the Internal	Revenue Service:				
Individual Sub Chapter	S Corporation	X 1120 Corporation	Partnership			
Name, Address and phone where record	Is are located:					
			,			
Name of subdivisions where services are	e provided:					
	CONTA	ACTS:				
			Salary			
Name	Title	Dringiple Duginges Address	Charged			
Person to send correspondence:	ride	Principle Business Address 2650 Holiday Trail	Utility			
Robert Pence	Controller	Kissimmee, FL 34746	NONE			
Darson who propored this report						
Person who prepared this report: Thomas E Murtha	CPA	900 E Pine St #126 Englewood, FL 34223	NONE			
		Englowood, 1 E 07220	I			
Officers and Managers:						
			\$ 			
			\$			
			\$			
			\$			
Report every corporation or person owning	ng or holding directly o	or indirectly 5 percent or more of the vot	ing			
securities of the reporting utility:			•			
	Percent		Salary			
	Ownership in	1	Charged			
Name	Utility	Principle Business Address	Utility			
LEMB L.P.	100	6991 E Camelback Rd	\$ NONE			
Delaware Limited Partnership		Suite B360	\$			
		Scottsdale, AZ 85251	\$			
			\$ \$			
			\$			
			<u> </u>			

### **INCOME STATEMENT**

	Ref.				Total
Account Name	Page	Water	Wastewater	Other	Company
Gross Revenue: Residential Commercial Industrial Multiple Family Guaranteed Revenues Other (Specify)		\$178,910	\$	\$	\$ <u>178,910</u>
Total Gross Revenue		\$ 178,910	\$	\$	\$ 178,910
Operation Expense (Must tie to pages W-3 and S-3)	W-3 S-3	\$137,333	\$	\$	\$ 137,333
Depreciation Expense	F-5	18,528		· · · · · · · · · · · · · · · · · · ·	18,528
CIAC Amortization Expense_	F-8	(3,636)			(3,636)
Taxes Other Than Income	F-7	12,413	V-10-10-10-10-10-10-10-10-10-10-10-10-10-		12,413
Income Taxes	F-7	593	Name of the second second		593_
Total Operating Expense		\$ 165,231			\$165,231
Net Operating Income (Loss)		\$13,679	\$	\$	\$ 13,679
Other Income: Nonutility Income Interest		\$31	\$	\$	\$31
Other Deductions: Miscellaneous Nonutility Expenses Interest Expense		\$300	\$	\$	\$300
Net Income (Loss)		\$13,41 <u>'0</u>	\$	\$	\$ 13,410

YEAR OF REPORT DECEMBER 31,

### COMPARATIVE BALANCE SHEET

ACCOUNT	Reference	Current	Previous	
ACCOUNT NAME	Page	Year	Year	
Assets:				
Utility Plant in Service (101-105)  Accumulated Depreciation and	F-5,W-1,S-1	\$ 562573	\$561671	
Amortization (108)	F-5,W-2,S-2	284366	265838	
Net Utility Plant		\$ 278207	\$295833	
CashCustomer Accounts Receivable (141)Other Assets (Specify):		3896	4040	
Prepaid FIT  Due from LEMB		0 177666	1617 140482	
Total Assets		\$ 459769	\$ 441972	
Liabilities and Capital:				
Common Stock Issued (201)Preferred Stock Issued (204)	F-6 F-6	1000	1000	
Other Paid in Capital (211)Retained Earnings (215)	F-6	295337 80214	295337 66804	
Propietary Capital (Proprietary and partnership only) (218)	F-6			
Total Capital		\$ 376551	\$ 363141	
Long Term Debt (224)Accounts Payable (231)	F-6	\$	\$	
Notes Payable (232)Customer Deposits (235)		1500	3300	
Accrued Taxes (236) Other Liabilities (Specify)		8644	7493	
Advances for Construction				
Contributions in Aid of Construction - Net (271-272)	F-8	64243	67879	
Total Liabilities and Capital	ъ	\$ 459769	\$ 441972	

YEAR OF REPORT	
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### **GROSS UTILITY PLANT**

Plant Accounts: (101 - 107) inclusive	Water	Wastewater	Plant other Than Reporting Systems	Total
Utility Plant in Service	\$ 562573	\$	\$	\$ 562573
Construction Work in				
Other (Specify)				
Total Utility Plant	\$562573	\$	\$	\$562573_

### ACCUMULATED DEPRECIATION (A/D) AND AMORTIZATION OF UTILITY PLANT

Account 108	Water	Wastewater	Other Than Reporting Systems	Total
Balance First of Year	\$ 265838	\$	\$	\$ 265838
Add Credits During Year:  Accruals charged to  depreciation account Salvage Other Credits (specify)	\$ 18528	\$	\$	\$ <u>18528</u>
Total Credits	\$ 18528	\$	\$	\$18528
Deduct Debits During Year:  Book cost of plant retired_ Cost of removal_ Other debits (specify)	\$	\$ 	\$	\$
Total Debits	\$	\$	\$	\$
Balance End of Year	\$284366	\$	\$	\$284366

### CAPITAL STOCK (201 - 204)

	Common Stock	Preferred Stock
Par or stated value per share	10	
Shares authorized	100	-
Shares issued and outstanding	100	
Total par value of stock issued	1000	
Dividends declared per share for year	0	

### RETAINED EARNINGS (215)

	Appropriated	Un- Appropriated	
Balance first of yearChanges during the year (Specify):  Net Income for the Year	\$	\$ <u>66804</u> 13410	
Balance end of year	\$	\$ 80214	

### PROPRIETARY CAPITAL (218)

	Proprietor Or Partner	Partner
Balance first of year Changes during the year (Specify):	\$	\$
Balance end of year	\$	\$

### LONG TERM DEBT (224)

Description of Obligation (Including Date of Issue and Date of Maturity):	Interest Rate # of Pymts	Principal per Balance Sheet Date
		\$
Total		\$

YEAR OF REPORT DECEMBER 31, 2002

### TAXES ACCRUED (236)

(a)		Water (b)	Wastewater (c)	Other (d)		Total (e)
Income Taxes: Federal income tax State income Tax	\$	593	\$	\$	\$	593
Taxes Other Than Income:  State ad valorem tax  Local property tax  Regulatory assessment fee  Other (Specify)		4212 8051				4212 8051
Annual Corp Report		150			·	150
Total Taxes Accrued	<u></u> \$	13006	\$	\$	=	13006

### PAYMENTS FOR SERVICES RENDERED BY OTHER THAN EMPLOYEES

Report all information concerning outside rate, management, construction, advertising, labor relations, public relations, or other similiar 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
Flischel Townsend Murtha, PA	\$ 3000	\$	Tax & Report Preparation
LEMB, LP	\$ 22500	\$	Labor
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	

### CONTRIBUTIONS IN AID OF CONSTRUCTION (271)

	(a)	Water (b)	Wastewater (c)	Total (d)
1) 2)	Balance first of yearAdd credits during year	\$ 102221	\$	\$ 102221
3) 4) 5)	Total Deduct charges during the year Balance end of year	102221	\$	102221
6)	Less Accumulated Amortization	37978		37978
7)	Net CIAC	\$64243_	\$	\$64243

### ADDITIONS TO CONTRIBUTIONS IN AID OF CONSTRUCTION DURING YEAR (CREDITS)

Report below all developers or agreements from which cash or received during the year.	contractors r property was	Indicate "Cash" or "Property"	Water	Wastewater
		•		
Sub-total			\$	\$
	pacity charges, main			
extension charges charges received o	and customer connec	ction		
	Number of	Charge per		
Description of Charge	Connections	Connection		
		\$	\$	\$
			.,,	
tal Cradite During Voor (Must ag	roo with line # 2 above			
tal Credits During Year (Must ag	ree with line # 2 abov	'e.)	\$	\$
				1

### ACCUMULATED AMORTIZATION OF CIAC (272)

Balance First of YearAdd Credits During Year:	<u>Water</u> \$ 34342	Wastewater \$	<u>Total</u> \$ 34342
Deduct Debits During Year:	3636		3636
Balance End of Year (Must agree with line #6 above.)	\$ 37978	\$	\$37978

### \*\* COMPLETION OF SCHEDULE REQUIRED ONLY IF AFUDC WAS CHARGED DURING YEAR \*\*

UTILITY N	AME NHC Utilities	s, Inc.

YEAR OF REPORT
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### SCHEDULE "A" SCHEDULE OF COST OF CAPITAL USED FOR AFUDC CALCULATION (1)

Class of Capital (a)	Dollar Amount (b)	Percentage of Capital (c)	Actual Cost Rates (d)	Weighted Cost [ c x d ] (e)
Common Equity	\$	%	%	%
Preferred Stock		%	%	%
Long Term Debt		%	%	%
Customer Deposits		%	%	%
Tax Credits - Zero Cost		%	0.00 %	%
Tax Credits - Weighted Cost		%	%	%
Deferred Income Taxes		%	%	%
Other (Explain)		%	%	%
Total	\$	100.00_%		%

(1) Must be calculated using the same methodology used to calculate AFUDC rate approved by the Commission.

### **APPROVED AFUDC RATE**

Current Commission approved AFUDC rate:	 %
Commission Order Number approving AFUDC rate:	

### \*\* COMPLETION OF SCHEDULE REQUIRED ONLY IF AFUDC WAS CHARGED DURING YEAR \*\*

UTILITY	NAME NHC Utilities, Inc.

YEAR OF REPORT DECEMBER 31, 2002

### SCHEDULE "B"

### SCHEDULE OF CAPITAL STRUCTURE ADJUSTMENTS

Class of Capital (a)	Per Book Balance (b)	Non-utility Adjustments (c)	Non-juris. Adjustments (d)	Other (1) Adjustments (e)	Capital Structure Used for AFUDC Calculation (f)
Common Equity Preferred Stock Long Term Debt Customer Deposits Tax Credits-Zero Cost Tax Credits-Weighted Cost of Capital Deferred Income Taxes Other (Explain)	\$	\$	\$	\$	\$

(1) Explain below all adjustments made in Column (e):

t .

### WATER OPERATING SECTION

### WATER UTILITY PLANT ACCOUNTS

Acct. No. (a)	Account Name (b)	Previous Year (c)	Additions (d)	Retirements (e)	Current Year (f)
301	Organization	<b>\$</b> 8065	\$	\$	\$ 8065
302	Franchises			\$	
303	Land and Land Rights				
304	Structures and Improvements				
305	Collecting and Impounding				
	Reservoirs				
306	Lake, River and Other				
	Intakes				
307	vveils and Springs				
308	Infiltration Galleries and				
200	Tunnels				
309 310	Supply Mains	220052			220052
310	Power Generation Equipment				
320	Pumping Equipment Water Treatment Equipment	155412		-//4544-4	455440
330	Distribution Reservoirs and	100412	<del></del>		155412
550	Standpipes	129830			129830
331	Transmission and Distribution				129030
	Lines				<del> </del>
333	Services	33275			33275
334	Meters and Meter				
	Installations		902		902
335	Hydrants	9935			9935
336	Backflow Prevention Devices				
339	Other Plant and				
	Miscellaneous Equipment				
340	Office Furniture and				
244	Equipment	5102	THE STATE OF THE S		5102
341 342	Transportation Equipment				
342	Stores Equipment Tools, Shop and Garage				
343					
344	Equipment Laboratory Equipment				
345	Power Operated Equipment				
346	Communication Equipment				
347	Miscellaneous Equipment				
348	Other Tangible Plant				
		<b>C C C C C C C C C C</b>			
	Total Water Plant	\$561671	\$902	\$0	\$562573

UTILITY NAME: NHC Utilities, Inc.

YEAR OF REPORT DECEMBER 31, 2002

# ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - WATER

Accum. Depr. Balance End of Year (f-g+h=i) (i)	6246 85268 85268 12895 12895 12895 5333 5333	\$ 284366 *
Credits (h)		\$ 18528
Debits (9)		\$
Accumulated Depreciation Balance Previous Year (f)		\$ 265838
Depr. Rate Applied (e)	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
Average Salvage in Percent (d)	% % % % % % % % % % % % % % % % % % %	
Average Service Life in Years (c)	20 	
Account (b)	Structures and Improvements  Collecting and Impounding Reservoirs Lake, River and Other Intakes Wells and Springs Infiltration Galleries & Tunnels Supply Mains Power Generating Equipment Pumping Equipment Pumping Equipment Pumping Equipment Standpipes Standpipes Trans. & Dist. Mains Services Meter Installations Hydrants Backflow Prevention Devices Other Plant and Miscellaneous Equipment Office Furniture and Equipment Transportation Equipment Stores Equipment Tools, Shop and Garage Equipment Tools, Shop and Garage Equipment Communication Equipment Communication Equipment Communication Equipment Communication Equipment Miscellaneous Equipment Other Tangible Plant	l otals
Acct. No. (a)	304 305 306 307 309 311 320 331 333 334 334 334 342 342 344 345 345 345 346 347	

\* This amount should tie to Sheet F-5.

### WATER OPERATION AND MAINTENANCE EXPENSE

Acct.		
No.	Account Name	Amount
601	Salaries and Wages - Employees	\$ 7156
603	Salaries and Wages - Officers, Directors, and Majority Stockholders	
604	Employee Pensions and Benefits	
610	Purchased Water	87193
615	Purchased Power	
616	Fuel for Power Production	***
618	Chemicals	
620	Materials and Supplies	2545
630	Contractual Services:	2010
	Billing	7800
	Professional	22500
l	Testing	1609
	Other	1003
640	Rents	4855
650	Transportation Expense	4000
655	Insurance Expense	
665	Regulatory Commission Expenses (Amortized Rate Case Expense)	
670	Bad Debt Expense	
675	Miscellaneous Expenses	3675
0.0		30/3
	Total Water Operation And Maintenance Expense	\$ 137333 *
	* This amount should tie to Sheet F-3.	

### WATER CUSTOMERS

Description (a)	Type of Meter ** (b)	Equivalent Factor (c)	Number of Ad Start of Year (d)	ctive Customers End of Year (e)	Total Number of Meter Equivalents (c x e) (f)
Residential Service  5/8" 3/4" 1" 1 1/2" General Service  5/8" 3/4" 1" 1 1/2" 2" 3" 3" 3" 3" Unmetered Customers Other (Specify)	D D D,T D D,C,T D,C,T C	1.0 1.5 2.5 5.0 1.0 1.5 2.5 5.0 8.0 15.0 16.0 17.5	459	459	459
** D = Displacement C = Compound T = Turbine		, Total	459	459	459

YEAR OF REPORT DECEMBER 31,

2002

SYSTEM NAME:

### PUMPING AND PURCHASED WATER STATISTICS

(a)	Water Purchased For Resale (Omit 000's)	Finished Water From Wells (Omit 000's) (c)	Recorded Accounted For Loss Through Line Flushing Etc. (Omit 000's) (d)	Total Water Pumped And Purchased (Omit 000's) [ (b)+(c)-(d) ] (e)	Water Sold To Customers (Omit 000's)
January	2692 2715 2471 1367 646 900 1219 1061 2189 2434 2251			1681 2692 2715 2471 1367 646 900 1219 1061 2189 2434 2251	1681 2692 2715 2471 1367 646 900 1219 1061 2189 2434 2551
If water is purchased for VendorPoint of delivery  If water is sold to other	Charlotte Count	y Utilities		below:	

### MAINS (FEET)

Kind of Pipe (PVC, Cast Iron, Coated Steel, etc.)	Diameter of Pipe	First of Year	Added	Removed or Abandoned	End of Year
PVC PVC DR255CH900 DR255DH900 CL51DIP	8" 6" 12" 8" 6"	10420' 5470' 2874' 76' 6'			10420' 5470' 2874' 76' 6'
				and the second s	
		В			

	WELLS AND WELL PUMP	S		
SYSTEM NAME:		DECE	EMBER 31,	2002
UTILITY NAME:	NHC Utilities, Inc.		AR OF REPORT	

(a)	(b)	(c)	(d)	(e)
Year Constructed Types of Well Construction and Casing				
Depth of Wells Diameters of Wells				
Pump - GPM Motor - HP Motor Type *				
Yields of Wells in GPD Auxiliary Power				
* Submersible, centrifugal, etc.				

### **RESERVOIRS**

(a)	(b)	(c)	(d)	(e)
Description (steel, concrete) Capacity of Tank Ground or Elevated				

### HIGH SERVICE PUMPING

(a)	(b)	(c)	(d)	(e)
Motors  Manufacturer Type Rated Horsepower				
Pumps  Manufacturer Type Capacity in GPM Average Number of Hours Operated Per Day Auxiliary Power	P			

UTILITY NAME:	NHC Utilities, Inc.	YEAR OF REPORT
		DECEMBER 31, ******

### SOURCE OF SUPPLY

	······································		
List for each source of supply ( Gro	ound, Surface, Purcha	sed Water etc.)	
Permitted Gals. per day			
Type of Source			
	WATER TREATMEN	IT FACILITIES	
List for each Water Treatment Facil	lity:		-
Type			
Make			
Permitted Capacity (GPD)			
High service pumping			
Gallons per minute			
Reverse Osmosis			
Lime Treatment			
Unit Rating			
Filtration			
Pressure Sq. Ft			•
Gravity GPD/Sq.Ft			
Disinfection			
Chlorinator			
Ozone			
Other			
Other			
Auxiliary Power			1

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NHC Utilities, Inc.

YEAR OF REPORT	
DECEMBER 31,	200 <b>2</b>

SYSTEM NAME:\_

### **GENERAL WATER SYSTEM INFORMATION**

Fui	Furnish information below for each system. A separate page should be supplied where necessary.  MASTER METER CHARLOTTE COUNTY UTILITIES			
1.	. Present ERC's * the system can efficiently serve.			
2.	Maximum number of ERCs * which can be served.			
3.	Present system connection capacity (in ERCs *) using existing lines.			
4.	Future connection capacity (in ERCs *) upon service area buildout.			
	Estimated annual increase in ERCs *.			
6.	Is the utility required to have fire flow capacity?			
7.	Attach a description of the fire fighting facilities.			
8.	3. Describe any plans and estimated completion dates for any enlargements or improvements of this system.			
۵	When did the company last file a conseity analysis senset with the DEDO			
	When did the company last file a capacity analysis report with the DEP?			
10.	If the present system does not meet the requirements of DEP rules, submit the following:			
	a. Attach a description of the plant upgrade necessary to meet the DEP rules.			
	b. Have these plans been approved by DEP?			
	c. When will construction begin?			
	d. Attach plans for funding the required upgrading.			
	e. Is this system under any Consent Order with DEP?			
11.	Department of Environmental Protection ID #			
12.	Water Management District Consumptive Use Permit #			
	a. Is the system in compliance with the requirements of the CUP?			
	b. If not, what are the utility's plans to gain compliance?			
	<ul> <li>* An ERC is determined based on one of the following methods: <ul> <li>(a) If actual flow data are available from the proceding 12 months:</li> <li>Divide the total annual single family residence (SFR) gallons sold by the average number of single family residents (SFR) gallons sold by the average number of single family residence customers for the same period and divide the result by 365 days.</li> </ul> </li> <li>(b) If no historical flow data are available use: <ul> <li>ERC = (Total SFR gallons sold (omit 000/365 days/350 gallons per day).</li> </ul> </li> </ul>			

## WASTEWATER OPERATING SECTION

### **CERTIFICATION OF ANNUAL REPORT**

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

YES N	NO 1.	The utility is in substantial compliance with the Uniform System of Accounts prescribed by the Florida Public Service Commission in Rule 25-30.115 (1), Florida Administrative Code.
YES N	2.	The utility is in substantial compliance with all applicable rules and orders of the Florida Public Service Commission.
YES N	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 N	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.
1. X	fied 2. 3. X	4. (signature of chief executive officer of the utility)
1 '	2 3	

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.