

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**  
2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301  
  
(850) 877-6555

ORIGINAL

CHRIS H. BENTLEY, P.A.  
F. MARSHALL DETERDING  
MARTIN S. FRIEDMAN, P.A.  
JOHN R. JENKINS, P.A.  
STEVEN T. MINDLIN, P.A.  
JOSEPH P. PATTON  
DAREN L. SHIPPY, LL.M. TAX  
WILLIAM E. SUNDSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON

MAILING ADDRESS  
POST OFFICE BOX 1567  
TALLAHASSEE, FLORIDA 32302-1567

TELECOPIER (850) 656-4029

February 28, 2001

ROBERT M. C. ROSE  
OF COUNSEL

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
01 FEB 28 PM 3:50  
RECORDS AND  
REPORTING

Re: **Highlands Utilities Corporation; Docket No. 001660-SU**  
**Our File No. 28087.12**

Dear Ms. Bayo:

This letter is in response to the PSC Staff's request for additional information in the above-referenced docket:

- 1.a) HUC did not amend its certificate at that time it began serving the few properties in question because they believed they were within their certificated territory. Further, at that time, there were no other wastewater providers in the area to bring to HUC's attention that the properties were not within its certificated service area. It was only when HUC began preparing maps in connection with settling its lawsuit against the City of Sebring that it realized it was serving outside of its service area.
- b) Copies of the Agreements are attached hereto.
- c) The description of the facilities which HUC received as a result of the Agreements referenced above are described in such Agreements.
2. On February 9, 2001, we filed an amended Exhibit "C" which is the revised legal description in accordance with Commission Rules.

APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
LEG \_\_\_\_\_  
OPC \_\_\_\_\_  
PAI \_\_\_\_\_  
RGO \_\_\_\_\_  
SEC \_\_\_\_\_  
SER \_\_\_\_\_  
OTH \_\_\_\_\_

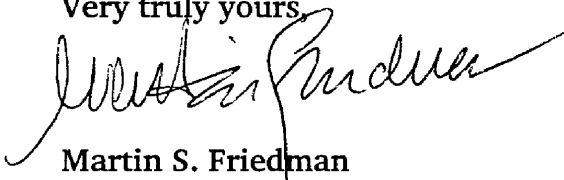
RECEIVED & FILED  
*Mur*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
02726 FEB 28 2001  
FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo, Clerk  
January 9, 2001  
Page 2

Should the Staff have any additional questions regarding this matter, they should feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Martin S. Friedman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Martin S. Friedman  
For the Firm

MSF/brm

Enclosure

cc: Mr. Stan Rieger (via hand delivery)  
Ms. Lorri Lammie

December 8, 1989

Post Office Box 640  
Lake Placid, Florida 33852

Highlands Utilities Corporation, Inc.  
c/o Pugh Septic Tank Service, Inc.  
136 CR 29  
Lake Placid, Florida 33852

RE: Sewer System in WatersEdge  
Plat Book 15, Page 58

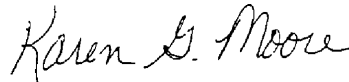
Gentlemen:

As the developers of WatersEdge, we hereby transfer to Highlands Utilities Corporation, Inc., all ownership and title for the sewage collection system, including lines, lift station and appurtenant structures and equipment. In exchange therefore, you have agreed to assume full operation and maintenance responsibilities for the system.

Respectfully yours,



Philip R. Moore



Karen G. Moore

# HIGHLANDS UTILITIES CORP. (HUCO)

136 SR. 29

Lake Placid, Fl. 33852

Telephone #465-1296

July 14, 1987

Highlands County School Board

RE: Job Description-New School Located  
County Road 29, Lake Placid

Highlands Utilities Corp. is capable of furnishing sewer facilities for the new school. The capacity fee which is the amount of flow reserved in our sewer plant as per engineers design is 13,000 gallons per day. The cost to you to allow this flow to enter our plant is based on \$2.00 per gallon. This amount is \$26,000.00. This is a one time charge which pays only for the space which is reserved in our plant for the 13,000 gallons. If this flow is increased above the original 13,000 gallons at any time there will be an additional \$2.00 per gallon charge for the additional flow. The capacity fee payment is required whenever the permits are pulled on the building. At this time an application is required from HUCO to be filled out by the responsible party.

The monthly rate at the present time is figured as follows:

\$11.00 for the first 4,000 gallons  
\$2.00 per additional 1,000 gallons of sewage treated

The flow rate is figured on the meter readings per month. I suggest that the water that is used for irrigation not be tied in with the in house water so that the readings will only reflect flow from the building.

Our company is at the present time awaiting a rate increase from P.S.C. (Florida Public Service Commission) in Tallahassee. This new rate should become in effect after September 1987. The preliminary rates from P.S.C. is figured on a base facility charge according to the size of meter. The meter sizes are listed below since we do not know what size meter your building will require.

<u>Present</u>	<u>Recommended</u>	
	<u>Meter Size</u>	<u>Base Facility Charge</u>
\$11.00 for the first 4,000 gallons	5/8"x3/4"	\$ 14.46
	1"	36.15

HIGHLANDS UTILITIES CORP. (HUCO)

136 SR. 29

Lake Placid, Fl. 33852

Telephone #465-1296

Continued meter sizes:

<u>Present</u>	<u>Recommended</u>	
	<u>Meter Size</u>	<u>Base Facility Charge</u>
\$2.00 per 1,000 gallons over the minimum	1 1/2"	\$ 72.30
	2"	115.68
	3"	231.36
	4"	361.50
	6"	723.00
	Gallorage Charge Per 1,000 Gallons of Water Use	\$1.93

For example if the school uses a 3" meter the base facility charge would be \$231.36 plus the \$1.93 per additional 1,000 gallons treated. If you use 100,000 gallons per month the cost of treating this amount of flow would be \$424.36.

Highlands Utilities Corp. will do the force main to the school site at our cost. Our company will not be responsible for any on site construction.

There will be a lift station required to pump this flow to our sewer plant. Pugh Septic Tank Service, Inc. does all of the biddings on the lift stations for Highlands Utilities. If Highlands Utilities maintains the lift station and pays the electric the lift station must be put in according to HUCO specifications. Pugh Septic Tank Service bid for the lift station is \$9,000.00, which is according to HUCO's specifications.

If the boards engineers has its own design and would like to maintain the system as well as pay the electric, Pugh also would bid on this lift station if the board would desire.

If you are in need of further information please do not hesitate to call.

Respectfully submitted,

Dixon Pugh, President  
Highlands Utilities Corp.

# HIGHLANDS COUNTY SCHOOL BOARD

MIS 11.02  
REVISED 7.85

426 SCHOOL STREET, SEBRING, FLA. 33870

## Requisition-PURCHASE ORDER

FLORIDA SALES TAX NUMBER 03-00003-07-38  
 FEDERAL EXCISE TAX EXEMPTION NUMBER 59-74-0194K  
PURCHASE ORDER NUMBER MUST APPEAR ON THE INVOICE  
 AND SHIPMENT.

DATE - 11/3/87

P.O. NO. - D-02820

SHIPPING INSTRUCTIONS- SEND PREPAID, ADD TO INVOICE, DO NOT SHIP COLLECT.

BILLING INSTRUCTIONS- SEND TWO COPIES OF FINAL INVOICE TO THE HIGHLANDS COUNTY SCHOOL BOARD.  
 (BACK ORDERS ARE AUTOMATICALLY CANCELLED EXCEPT BID ITEMS.)

SHIPPING MEMORANDUM MUST ACCOMPANY ORDER.

Highlands Utility Corp. (HUCO)  
 136 County Road 29  
 Lake Placid, Florida 33852

SHIP TO- Highlands County School Board  
 426 School Street  
 Sebring, FL 33870

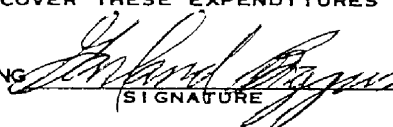
Attn: Walter Shirey

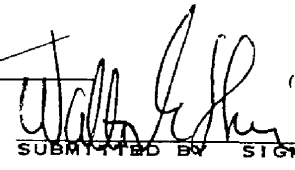
ITEM NO XX	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
	To pay for initial capacity charge to reserve 13,000 gallons of sewage flow			26,000.00
	To provide a lift station necessary to pump the flow from the school to the plant site			9,000.00

442914	VENDOR NUMBER	TOTAL AMOUNT	35,000.00
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ITEM NUMBER OR %	SUFFIX	LOCATION XXXX	COST CENTER XX	FUNCTION XXXX	PROGRAM XXXX	FUND XXX	OBJECT XXX,00	AMOUNT
	—	9045	00	7400	3117	345	670 .00	35,000.00
	A						.00	
	B						.00	
	C						.00	
	D						.00	
	E						.00	

THIS FORM IS A VALID PURCHASE ORDER ONLY WHEN SIGNED BY COORDINATOR OF PURCHASING. I HEREBY CERTIFY THAT FUNDS TO COVER THESE EXPENDITURES ARE AUTHORIZED IN THE BUDGET AND HAVE NOT BEEN ENCUMBERED.

COORDINATOR OF PURCHASING   
 SIGNATURE

  
 SUBMITTED BY SIGNATURE 11/03/87  
 DATE

- WHITE COPY \_\_\_\_\_ VENDOR COPY
- BLUE COPY \_\_\_\_\_ RECEIVING COPY-RETURN TO COUNTY OFFICE AFTER RECEIPT OF GOODS OR SERVICES
- GREEN COPY \_\_\_\_\_ ACCOUNTS PAYABLE/PROPERTY CONTROL
- ANALY COPY \_\_\_\_\_ PROPERTY CONTROL COPY
- PINK COPY \_\_\_\_\_ SCHOOL OR DEPARTMENT COPY
- DETACH AND RETAIN

RECEIVED BY SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

INC

HIGHLANDS UTILITIES CORPORATION  
APPLICATION FOR GENERAL SERVICE & MULTI-RESIDENTIAL SERVICE

1111111111

Complete

CUSTOMER NAME Highlands County School Board / Lake Placid Elementary School

ADDRESS 426 School Street / County Road 29

CITY Sebring, FL 33870 / Lake Placid, FL 33852

PHONE ( ) -- PHONE ( ) --

LEGAL DESCRIPTION OF PROPERTY:

SUBDIVISION	BLOCK	LOT	PARCEL
SECTION	TWNP	RANGE	NO. OF ACRES IF ACREAGE

STREET OR ROAD NAME County Road 29

PROPERTY ZONED PROPOSED USE Elementary School

APPLICATION FOR COMMERCIAL FLOW AND COST:

TYPE & SIZE - OFFICE	WAREHOUSE	SHOPPING CENTER
TYPE & NO OF - RESTAURANT	LAUNDRIES	CAR WASHES
TYPE & NO OF - APARTMENT	CONDOMINIUM	DUPLEX
TYPE & NO OF - MOTEL	OTHER	SCHOOL XX

METER -- SIZE.....CODE..... APPLICATION DATE / /

NO. OF UNIT X GAL. PER UNIT = DAILY FLOW X PER GAL. RATE = CAPACITY FEE

NO X GAL 13,000 GPD X \$ 2.00 PER GAL. = \$ 26,000.00

CAPACITY FEE DATE PAID / / AND CHECK NO.

GUARANTEE DEPOSIT NOT LESS THAN \$100 OR 5% OF CAPACITY FEE \$ 26,000.00

GUARANTEE DEPOSIT PAID DATE / / DEPOSIT OF \$ N/A

GUARANTEE DEPOSIT RETURN DATE / / RETURN OF \$

DEPOSIT 8% INTEREST PAID BY HUCO DATE / / \$

THIS APPLICATION MUST INCLUDE ONE COMPLETE SET OF CONSTRUCTION PLANS ONE PLOT PLAN, BOUNDARY SURVEY, DEDICATION OF UTILITY EASEMENT, & FINANCIAL STATEMENT FROM CORPORATION.

I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION IS CORRECT AND THAT SAID FLOWS USED WILL BE IN CONFORMANCE WITH ALL HIGHLANDS UTILITIES CORP. RULES AND REGULATIONS.

ESTIMATED DATE SERVICE WILL BE NEEDED 8 / 15 / 88

Stanford Boggs  
COORDINATOR OF PURCHASING  
SIGNATURE OF APPLICANT

SIGNATURE REQUIRED ON BACK OF APPLICATION

136 COUNTY ROAD 29  
LAKE PLACID, FLORIDA 33852  
TELEPHONE: (813) 465-1296

JULY 27, 1989

MR. TOM MANNAUSA  
3711 CORTEZ ROAD  
BRADENTON, FLORIDA 34210

RE: SEWER AVAILABILITY  
HERON'S LANDING I

DEAR MR. MANNAUSA,

HIGHLANDS UTILITIES CORP. IS SEWER UTILITY REGULATED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

IT IS UNDERSTOOD THAT THE DEVELOPER IS WANTING TO CONSTRUCT AN APARTMENT COMPLEX KNOWN AS HERON'S LANDING I LOCATED ON HILLCREST STREET IN LAKE PLACID. IT IS ALSO UNDERSTOOD THAT THE APARTMENT COMPLEX WILL CONSIST OF 38-1 BEDROOM UNITS AND 11-2 BEDROOM UNITS.

HIGHLANDS UTILITIES CORP. DOES HAVE SEWER SERVICE IN THE APPROXIMATE AREA OF THE PROPERTY IN QUESTION. SEWER SERVICE CAN BE MADE AVAILABLE UPON WRITTEN CONTRACT BETWEEN HIGHLANDS UTILITIES CORP. AND THE DEVELOPER.

THE CAPACITY FEE FOR THIS COMPLEX SHALL BE \$27,000.00 BASED ON A 9,000 GALLON FLOW PER DAY. THIS IS A ONE TIME CHARGE.

THE MONTHLY RATE IS GOVERNED BY THE SIZE OF WATER METER. THIS RATE WILL CONSIST OF A BASE RATE PLUS \$2.18 PER 1,000 GALLON FLOW THEREAFTER.

THE PRICES LISTED ABOVE ARE SUBJECT TO CHANGE ONLY UNDER THE PROVISIONS AND RULES SET FORTH BY THE FLORIDA PUBLIC SERVICE COMMISSION.

I HOPE THAT ALL YOUR QUESTIONS HAVE BEEN ANSWERED AND IF I CAN BE OF FURTHER ASSISTANCE IN THIS MATTER PLEASE DO NOT HESITATE TO LET ME KNOW.

SINCERELY,

DIXON PUGH, PRESIDENT  
HIGHLANDS UTILITIES CORP.

c: CAROL CHUBIN



This instrument prepared by:  
Ramona M. Sabis, Esquire  
5700 SW 34th Street, Suite 1112  
Gainesville, FL 32608

#### UTILITY EASEMENT

HERON'S LANDING RRH, LTD., a Florida limited partnership, whose mailing address is 1343 Main Street, Fifth Floor, Sarasota, Florida 34236, hereinafter referred to as "Grantor", in consideration of the mutual benefits to be derived and other good and valuable consideration, does hereby grant and set over unto the HIGHLANDS UTILITY CORPORATION, a Florida corporation, with its mailing address being 136 County Road, Lake Placid, Florida, 33852, hereinafter referred to as the "Grantee" a perpetual right, easement and privilege to construct, operate, maintain, repair or replace the force main and lift station, through and across real property located in Highlands County, Florida, described as follows:

An easement for utility purposes over the Easterly 10.00 feet of the Southerly 140.00 feet, also the Southerly 10.00 feet thereof, also the Westerly 30.00 feet of the Southerly 70.00 feet of the following described parcel of land:

A portion of the Northwest 1/4 of Section 31, Township 38 South, Range 30 East, Highlands County, Florida, and being more particularly described as follows:

Commencing at the centerline intersection of Roy Pendarvis Road (formerly Hillcrest Avenue by Plat) and Hillcrest Street (formerly Magnolia Street by Plat) and further identified as the Northeast corner of the plat or map entitled "Hill Crest Addition" as recorded in plat book 2, page 98, of the Public Records of Highlands County, Florida; thence N. 89 deg. 45 min. 05 sec. E., along the centerline of the said Roy Pendarvis Road, a distance of 25.01 feet; thence S. 01 deg. 29 min. 00 sec. E., a distance of 35.02 feet to a point on the Southerly right-of-way line of the said Roy Pendarvis Road; thence N. 89 deg. 45 min. 05 sec. E., along said Southerly right-of-way line, a distance of 430.00 feet to the "Point of Beginning"; thence continuing N. 89 deg. 45 min. 05 sec. E., a distance of 185.00 feet; thence S. 01 deg. 29 min. 00 sec. E., parallel to and 640.00 feet Easterly of the centerline of the said Hillcrest Street, a distance of 515.00 feet; thence S. 89 deg. 45 min. 05 sec. W., parallel to and 550.00 feet Southerly of the centerline of the said Roy Pendarvis Road, a distance of 615.00 feet to a point on the Easterly right-of-way line of the said Hillcrest Street; thence N. 01 deg. 29 min. 00 sec. W., along said Easterly right-of-way line, a distance of 175.00 feet; thence N. 89 deg. 45 min. 05 sec. E., a distance of 430 feet; thence N. 01 deg. 29 min. 00 sec. W., a distance of 340.00 feet to the "Point of Beginning"

Containing 0.2124 Acres more or less.

This is a nonexclusive utility easement with the Grantor reserving unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

The Grantor covenants that it has the right to convey this Easement and that the Grantee, its successors and assigns shall have quiet and peaceable possession, use and enjoyment of said Easement.

At such time as the facilities of Grantee are removed or abandoned, this easement shall terminate and all rights shall revert to the Grantor, its heirs, successors or assigns.

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly executed, this 19 day of October, 1992.

Signed, Sealed and  
Delivered in the presence of:

HERON'S LANDING RRH, LTD.

Judith Morrow  
Judith Morrow

[Signature]  
Ronnie C. Davis, General Partner  
5700 SW 34th Street, Suite 1307  
Gainesville, FL 32608

Ramona M. Sabis  
Ramona M. Sabis

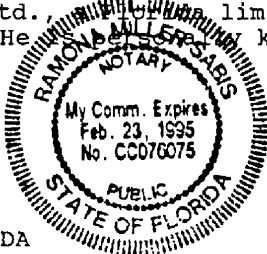
[Signature]  
Thomas J. Mannausa  
General Partner  
1343 Main Street, Fifth Floor  
Sarasota, FL 34236

Cindy Fredrickson  
Cindy Fredrickson  
Type or Print Name

Melissa Clark  
Melissa Clark  
Type or Print Name

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of October, 1992, by Ronnie C. Davis a General Partner of Heron's Landing RRH, Ltd., a Florida limited partnership, on behalf of the partnership. He is personally known to me and did take an oath.



Ramona Miller Sabis  
Notary Public  
Ramona Miller Sabis  
My Commission Expires: 2/23/95

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 19 day of October, 1992, by Thomas J. Mannausa, a General Partner of Heron's Landing RRH, Ltd., a Florida limited partnership, on behalf of the partnership. He is personally known to me and did take an oath.

Cindy Fredrickson  
Notary Public  
Cindy Fredrickson  
Print or Type Name  
My Commission Expires: ~~2/23/95~~  
Notary Public, State of Florida  
My Commission Expires Nov. 23, 1993  
Bonded By American Fire & Casualty Company