



October 7, 1998

Via Federal Express

Blanco S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

981284-uu

**Re: In re: Request for Approval of Tariff Filing to Provide Reclaimed Water Service
in Deltona by Florida Water Services**

Dear Ms. Bayo:

Enclosed for filing is the original and fifteen copies of Florida Water Services Corporation's "Request for Approval to Provide Reclaimed Water Service to Certain Areas of Deltona" and the original and two copies of revised tariff sheets.

Please acknowledge receipt of the foregoing by "Filed" stamping the enclosed copy of this letter and returning it in the enclosed self-addressed stamped envelope. Thank you for your assistance with this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk D. Martin", written over a horizontal line.

Kirk D. Martin
Legal Research Analyst

enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Approval of Tariff
Filing to Provide Reclaimed Water
Service in Deltona by Florida Water
Services

DOCKET NO. 981284-WU
FILED:

**REQUEST FOR APPROVAL TO PROVIDE
RECLAIMED WATER SERVICE TO CERTAIN AREAS OF DELTONA**

Florida Water Services, Inc. ("Florida Water"), by and through its undersigned counsel, hereby requests that the Florida Public Service Commission ("Commission"), pursuant to Section 367.091(4), Florida Statutes, approve Florida Water's request to implement a tariff to provide rates and charges for potable replacement Reclaimed Water Service to be provided to Florida Water's customers in the Deltona service area. In support of this request, and in accordance with Rule 25-9.005(4), Florida Administrative Code, and Sections 367.091(4) and 367.091(5), Florida Statutes, Florida Water states as follows:

I. BACKGROUND & PURPOSE FOR FILING

Rule 25-9.005(4), Florida Administrative Code, requires that whenever a new service classification or rate schedule is filed, the utility shall provide a statement of the purpose and reason for the new service. The purpose for the new service is explained as follows:

1. Florida Water presently generates reclaimed water from its Deltona wastewater treatment plant and provides it to a golf course and a drainfield. As required by Section 122-185 of Volusia County Ordinance No. 96-15, several new residential developments have installed dual piping systems to accommodate reclaimed water service. A copy of the ordinance is attached hereto as Exhibit A. These developments are located along and near the existing

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reclaimed water transmission pipelines. The homeowners in these subdivisions desire reclaimed water service for irrigation use as a substitute for irrigating their landscapes with potable water. A map showing these subdivisions is attached hereto as **Exhibit B**.

2. Deltona is located within a Water Resource Caution Area as designated by the St. Johns River Water Management District. The St. Johns River Water Management District encourages the implementation of reuse programs to the greatest extent possible.

3. Florida Water's Deltona Lakes wastewater treatment plant has the capacity, under normal conditions, to provide the described service. Florida Water believes that providing the service will not cause Florida Water's Deltona Lakes wastewater treatment plant to be out of compliance with any applicable regulatory standards and does not anticipate that providing the service will cause any functional problems at Florida Water's Deltona Lakes wastewater treatment plant. DEP has approved Florida Water's providing the described service and, therefore, concurs with this assessment.

4. Florida Water can provide service to Twin Lakes Subdivision through the existing reclaimed water transmission line and has a written agreement for reclaimed water service with the Developer of Twin Lakes for use only on the common areas of the development at the rate of \$0.54 per thousand gallons, subject to Commission approval. A copy of the agreement with the Developer is attached as **Exhibit C**. The homeowners also desire to obtain reclaimed water service for their landscaping needs at this rate.

II. ESTIMATED REVENUES AND CUSTOMERS

Rule 25-9.005(4), Florida Administrative Code, requires that whenever a new service classification or rate schedule is filed, the utility shall provide, if determinable, the estimated

annual revenues to be derived from the service and estimated number of customers to be served. The required estimates are as follows:

5. The Twin Lakes subdivision presently contains ten homes with a planned build out of 150 single-family homes. Based on the rate of \$0.54 requested in this filing, total annual revenues derived from the residential reuse service to the ten existing homes in Twin Lakes are estimated to be five hundred eighty four dollars (\$584.00). This assumes that each of the ten homes presently connected to water service in Twin Lakes will use an average of 4,000 gallons of reuse a month¹ and the common area will require an estimated 50,000 gallons per month.

6. At build out of Twin Lakes of 150 single-family homes, the expected annual revenues would be \$4,212. This estimate is based on the following calculation: $150 \times 4,000 \times 12 / 1,000 \times \$0.54 = \$3,888$ + the common area which is: $50,000 \times 12 / 1,000 \times \$0.54 = \$324$, for a total of \$4,212. The developer of Twin Lakes plans to complete the first phase of the subdivision with 56 lots by January 2000. This developer plans to begin marketing Phase II in the fall of 1999 with build out by about 2003.

7. Upon completion of additional extensions to the existing reuse transmission line, customers in the following subdivisions would be eligible for the described service: Autumn Woods with a build out of 166 single-family homes; Pine Trace with a build out of 78 single-family homes, and one elementary school. The transmission line extension for these areas is planned to be completed in May, 2000. It is anticipated that the 244 homes in the two subdivisions will not be completed until after completion of the line extensions. At build out of these subdivisions, additional annual revenues are projected to be \$7,620.48. This estimate is based on the following assumptions: 244 homes @ 4,000 gallons per month, two common areas

¹ Irrigation only accounts at Florida Water's Buenaventura Lakes service area use approximately 4,000 gallons per month.

@ 50,000 gallons per month, and the elementary school @ 100,000 gallons per month. This estimate is calculated as follows: $((244 \times 4,000) + (2 \times 50,000) + 100,000) \times 12 / 1,000 \times \$0.54 = \$7,620.48$.

III. COST JUSTIFICATION

Section 367.091(5), Florida Statutes, requires that a request to establish a new rate or charge not made in the context of a Section 367.081 or Section 367.101 proceeding must be accompanied by a cost justification. Florida Water justifies this rate as follows:

8. Florida Water proposes the rate of \$0.54 per thousand gallons for potable replacement reclaimed water service in Deltona. The proposed rate for reclaimed water used for residential irrigation is approximately half of what those customers would pay for irrigation using potable water. This is the same rate applicable to Florida Water's reclaimed water customers in Marco Island.

9. Florida Water believes that the \$0.54 per thousand rate encourages customers to use reuse where available for irrigation because it is approximately one-half of the potable rate, but at the same time it also sends the customers the message that reuse is a valuable resource by charging a reasonable volumetric charge.

10. In consideration of the above, Florida Water submits that the rate proposed is fair, just, reasonable and compensatory under Section 367.081(4), Florida Statutes.

IV. IMPLEMENTATION

Section 367.091(4), Florida Statutes, addresses implementation of new classes of service.

11. Section 367.091(4), Florida Statutes, provides as follows:

If any request for service of a utility shall be for a new class of service not previously approved, the utility may furnish the new class of service and fix and charge just, reasonable, and compensatory rates or charges therefor. A schedule

of rates or charges so fixed shall be filed with the Commission within 10 days after the service is furnished. The commission may approve such rates or charges as filed or may approve such other rates or charges for the new class of service which it finds are just, reasonable, and compensatory.

Pursuant to this provision of Chapter 367, Florida Statutes, Florida Water will begin providing the described service to customers immediately upon filing of this request. Florida Water submits that this filing is timely under the statute.

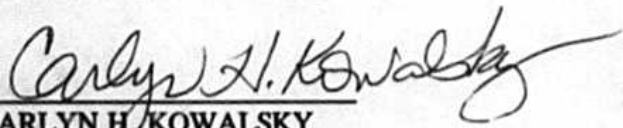
V. TARIFF SHEETS

12. Tariff sheets reflecting the described service, terms, applicable rate, and revised application for service are attached hereto as **Exhibit D** and are by reference incorporated herein.

Florida Water requests that the tariff sheets be approved as filed.

WHEREFORE, in consideration of the foregoing, Florida Water requests that the Commission approve its tariff filing to provide Reclaimed Water Service in the Deltona service area and approve the submitted tariff sheets as filed.

Respectfully submitted,



CARLYN H. KOWALSKY
BRIAN P. ARMSTRONG
MATTHEW J. FEIL
Florida Water Services Corporation
1000 Color Place
Apopka, FL 32703
(407) 880-0058

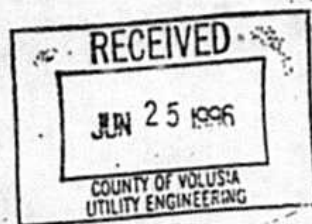


County of Volusia ^{TC} _{BI}

COUNTY MANAGER

THOMAS C. KELLY ADMINISTRATION CENTER
123 WEST INDIANA AVENUE • DeLAND, FLORIDA 32720-4612
TELEPHONE: (904) 736-5920 • (904) 257-6011 • (904) 423-3860

June 24, 1996



ATRICIA NORTHEY
CHAIRMAN
DISTRICT 5

AT PATTERSON
VICE-CHAIRMAN
DISTRICT 1

YVNE PLASKETT
DISTRICT 2

REDDY C. MOORE
DISTRICT 3

STANLEY ROSEVEAR
DISTRICT 4

MIL GIORNO
DISTRICT 6

DEBBY L. TUTTLE
DISTRICT 7

LAWRENCE W. ARRINGTON
COUNTY MANAGER

Mrs. Liz Cloud, Chief
Department of State
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250

Dear Mrs. Cloud:

Enclosed is certified copy of Ordinance No. 96-15, providing for the creation of Article V, Sec. 122-181, ET SEQ., Code of Ordinances, County of Volusia, Relating to the provision of Reclaimed Water. This Ordinance was adopted by the Volusia County Council at its meeting of June 20, 1996.

Please file this ordinance in your office as required by law and acknowledge receipt of same as provided in said Act.

Sincerely,

Lawrence W. Arrington
County Manager

LWA/SW/ef
Enclosure

cc: Doug Weaver
~~XXXXXXXXXX~~

FED EX'D
RETURN RECEIPT REQUESTED

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STATE OF FLORIDA
COUNTY OF VOLUSIA

I, LAWRENCE W. ARRINGTON, County Manager and Clerk to the County Council of Volusia County, Florida, hereby certify that the attached and foregoing Ordinance No. 96-15, is a true and correct copy of that certain Ordinance as adopted by the County Council of Volusia County, Florida, at its Meeting held on June 20, 1996.

WITNESS my hand and official seal at DeLand, Volusia County, Florida, this 20th day of June A.D., 1996.

LAWRENCE W. ARRINGTON
LAWRENCE W. ARRINGTON, COUNTY MANAGER,
CLERK TO THE COUNTY COUNCIL OF VOLUSIA
COUNTY, FLORIDA

BY: Sue Whittaker
SUE WHITTAKER, DEPUTY CLERK



County of Volusia

COUNTY MANAGER

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 TELEPHONE: (904) 736-5920 • (904) 257-6011 • (904) 423-3860

PATRICIA NORTHEY
 CHAIRMAN
 DISTRICT 5

June 24, 1996

PAT PATTERSON
 VICE-CHAIRMAN
 DISTRICT 1

LYNNE PLASKETT
 DISTRICT 2

FREDDY C. MOORE
 DISTRICT 3

R. STANLEY ROSEVEAR
 DISTRICT 4

PHIL GIORNO
 AT LARGE

ROBERT E. TUTTLE
 AT LARGE

LAWRENCE W. ARRINGTON
 COUNTY MANAGER

Ms. Evelyn Jefferson
 Supplement Department
 Municipal Code Corporation
 P. O. Box 2235
 Tallahassee, Florida 32316-2235

Dear Ms. Jefferson:

Enclosed is copy of Ordinance No. 96-15, adopted by the Volusia County Council at its meeting of June 20, 1996.

Sincerely,

Lawrence W. Arrington
 County Manager

LWA/SW/ef

Enclosure

cc: Doug Weaver

~~Lawrence W. Arrington~~

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ORDINANCE NO. 96- 15

1
2
3 AN ORDINANCE OF THE COUNTY COUNCIL, COUNTY OF
4 VOLUSIA, FLORIDA; PROVIDING FOR THE CREATION OF
5 ARTICLE V, SEC. 122-181. ET SEQ., CODE OF
6 ORDINANCES, COUNTY OF VOLUSIA, RELATING TO THE
7 PROVISION OF RECLAIMED WATER SERVICE; BY
8 PROVIDING FOR GENERAL PROVISIONS; BY PROVIDING
9 FOR RECLAIMED WATER SERVICE, USE AND
10 INSTALLATION; BY PROVIDING FOR SYSTEM
11 MAINTENANCE; BY PROVIDING FOR MISCELLANEOUS
12 PROVISIONS; BY AMENDING SECTION 122-57 RELATING
13 TO CERTAIN RATE SCHEDULES; BY PROVIDING THAT
14 THE CODE SHALL REMAIN OTHERWISE UNCHANGED;
15 BY PROVIDING FOR INCLUSION IN THE CODE; BY
16 PROVIDING FOR ENFORCEMENT; BY PROVIDING FOR
17 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
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22 BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA
23 IN OPEN MEETING DULY ASSEMBLED IN THE THOMAS C. KELLY ADMINISTRATION
24 CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA THIS 20TH DAY OF
25 JUNE, 1996, A.D., AS FOLLOWS:

26
27 SECTION I: That Article V relating to the provision of reclaimed water service,
28 Chapter 122, Code of Ordinances, County of Volusia, Florida, is hereby created.

29 SECTION II: That Section 122-181, Code of Ordinances, County of Volusia, Florida, is
30 hereby created to read as follows:

31 Sec. 122-181. Intent

32 The purpose of this Ordinance is to create a reclaimed water reuse program
33 for County of Volusia, Florida. It is the intent of the reclaimed water reuse program
34 to make reclaimed water available for reuse in certain areas of the County where the
35 County Council determines that the construction of a reclaimed water distribution
36 system is practical and economical. The reclaimed water distribution system shall be

1 constructed in sections to provide a service to designated areas as determined by the
2 County Council pursuant to the terms and conditions set forth herein. Chapter
3 62-610, F.A.C., Reuse of Reclaimed Water and Land Application (latest version), is
4 hereby incorporated into this Reclaimed Water Ordinance by reference. If there are
5 any conflicts between the provisions in this Reclaimed Water Ordinance and Chapter
6 62-610, F.A.C., the provisions of Chapter 62-610, F.A.C., shall take precedence.

7 SECTION III: That Section 122-182, Code of Ordinances, County of Volusia, Florida, is
8 hereby created to read as follows:

9 **122-182. Definitions**

10 Unless a provision explicitly states otherwise, the following terms and phrases,
11 as used in this Ordinance, shall have the meanings hereinafter designated.

12 A. Applicant. An individual, firm, association, organization whether
13 social, fraternal or business, partnership, joint venture, trust company, corporation,
14 receiver, syndicate, business trust or other group or combination acting as a unit
15 including any government entity requesting capacity or service for reclaimed water
16 use.

17 B. County. The County of Volusia, Florida, a political subdivision of the
18 State of Florida, and a public body corporate and politic.

19 C. County Council or Council. The County Council of the County of
20 Volusia, Florida.

21 D. Cross-Connection. Any physical connection or arrangement which
22 would allow the movement of fluids between the potable water system and any other
23 piping system, such as the reclaimed water system.

1 E. Customer. The actual user of the reclaimed water.

2 F. Development. As defined in the Volusia County, Florida, Land
3 Development Code, Ordinance No. 88-3, Appendix A.

4 G. Distribution Mains. Those conduits used to supply reclaimed water
5 to service lines from trunk lines.

6 H. Department. The Volusia County Water and Utility Service Group.

7 I. Publicly Owned Treatment Works or POTW. A "treatment
8 works," as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by
9 Volusia County. This definition includes any devices or systems used in the
10 collection, storage, treatment, recycling and reclamation of wastewater or industrial
11 wastes of a liquid nature and any conveyances which convey wastewater to a
12 treatment facility.

13 J. Reclaimed Water. Water that has received at least secondary
14 treatment and is reused after flowing out of a wastewater treatment facility.

15 K. Reclaimed Water Distribution System. Any pipeline, such as water
16 transmission or distribution lines, trunk main and all other water storage, pumping and
17 distribution facilities used to supply non-potable (reclaimed) water pursuant to this
18 Ordinance.

19 L. Reuse. The deliberate application of reclaimed water, in compliance
20 with the Florida Department of Environmental Protections Rules (Chapter 17-610,
21 F.A.C.), for a beneficial use.

22 M. Service Line. The conduit for reclaimed water from the distribution
23 main to the property line.

1 N. State. The State of Florida.

2 O. Trunk Mains. Those conduits used to supply reclaimed water from
3 the pumping station, or Water Reclamation Facility, to the distribution mains.

4 P. User. See "Customer".

5 Q. Director, Water and Utility Service Group. The person designated
6 by the County to supervise the operation of the POTW, and who is charged with
7 certain duties and responsibilities by this Ordinance, or a duly authorized
8 representative.

9 R. Water Reclamation Facility/Wastewater Treatment Facility. That
10 portion of the POTW which is designated to provide treatment of municipal
11 wastewater and industrial waste.

12 SECTION IV: That Section 122-183, Code of Ordinances, County of Volusia, Florida, is
13 hereby created to read as follows:

14 122-183. Reclaimed Water Supply/Distribution System

15 The Volusia County Water and Utility Service Group is hereby authorized to
16 design, construct, operate, maintain and manage a reclaimed water system within
17 Volusia County Utility Service Areas and in incorporated areas of the County where
18 there is a binding agreement with a local municipality; to accept for operation and
19 maintenance any component of the reclaimed water distribution system constructed
20 by others and to enter into water service agreements with potential customers of the
21 system.

22 SECTION V: That Section 122-184, Code of Ordinances, County of Volusia, Florida, is
23 hereby created to read as follows:

1 122-184. Availability of Service

3 The term "available" means that a functioning reclaimed water distribution
4 main is located within one hundred (100) feet of the property to be serviced or, in the
5 alternative, that it is cost effective to extend a reclaimed water distribution main to
6 within one hundred (100) feet of the subject property. Availability shall be determined
7 by the Director, Water and Utility Service Group.

8 SECTION VI: That Section 122-185, Code of Ordinances, County of Volusia, Florida, is
9 hereby created to read as follows:

10 122-185. Requirements for Property Developers to Provide Reclaimed Water
11 Distribution Systems

12 A. Developments constructed within the unincorporated areas of Volusia
13 County shall have a reclaimed water distribution system designed and installed therein
14 for irrigating green areas including all residential, commercial, public and private
15 landscape areas per provisions of the Volusia County Land Development Code, Ord.
16 88-3, as amended.

17 B. For developments receiving central water and sewer service from
18 Volusia County Water and Utilities, there shall be a requirement for evaluation of the
19 incorporation and use of reclaimed water. This evaluation shall be in the form of
20 application to the County as part of the wastewater treatment capacity review. The
21 Director shall review the water reuse capacity of the project and determine if its
22 incorporation into the reclaimed water system represents a beneficial use of the
23 reclaimed water resource. The Director shall determine the requirement for use of
reclaimed water based on:

- 1 1. The multiplicative product of 100 gallons/person/day,
 the number of units per acre and 2.5 persons/unit; or
- 3 2. Engineering data supplied by the applicant.

4 After consideration of the above evaluation, the Director shall recommend if
5 the development will be required to connect to the reclaimed water distribution
6 system and comply with this Code. If so required, connection to the reclaimed water
7 distribution system shall be a condition precedent to receipt of potable water and
8 wastewater service for the subject development.

9 The applicant shall construct, at its expense, all necessary onsite reuse facilities
10 in the nature of pipes, storage lakes, retaining ponds, and spray or sprinkler facilities
11 (low trajectory spray heads) for irrigation with reclaimed water.

12 The County shall construct all necessary transmission lines, pumping stations,
13 and appurtenant improvements for transmitting reclaimed water from the County's
14 reclaimed water distribution system to the applicant's site.

15 SECTION VII: That Section 122-186, Code of Ordinances, County of Volusia, Florida, is
16 hereby created to read as follows:

17 122-186. Connection of Existing Developments, Green Areas and Property
18 Tracts to the Reclaimed Water Distribution System

19 A. General.

20 Customers in designated service areas may connect to the reclaimed water
21 distribution system when service is available and upon submission of a proper
22 application, payment of all applicable fees and charges and compliance with all County
23 requirements.

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B. No Irrigation with Potable Water.

It shall be unlawful to use potable water for irrigation purposes after reclaimed water is available to a particular site. Customers with existing irrigation systems using potable water shall be required to disconnect said systems from the County potable water system and connect to the reclaimed water distribution system within ninety (90) days of written notice of availability. The Director shall have the authority to grant temporary variances from this Section in the event of reclaimed water shortages or other operational problems.

C. Irrigation Wells

Customers may continue to use existing irrigation wells for irrigation purposes after reclaimed water is available. The County shall prohibit the installation of new irrigation wells or the rehabilitation of existing irrigation wells where reclaimed water is available.

D. New Irrigation Systems

All new irrigation systems constructed after the effective date of this Ordinance shall be required to connect to the County reclaimed water distribution system upon the earlier of the following two dates except as noted in Paragraph C:

1. When reclaimed water is available at the time of construction of the irrigation system, then connection shall be required within ninety (90) days after receipt of written notice from the County that reclaimed water is available.

- 1 2. When reclaimed water is available at the time of
- 2 construction of the irrigation system, then connection
- 3 shall be required upon completion of construction.
- 4 3. Failure to connect to the reclaimed water distribution
- 5 system required shall be grounds for the termination of
- 6 potable water and wastewater service.

7 **SECTION VIII:** That Section 122-187, Code of Ordinances, County of Volusia, Florida,
8 is hereby created to read as follows:

9 **122-187. Recovery of Capital Costs Associated with Providing Major Storage,**
10 **Pumping and Distribution Facilities**

11 The Volusia County Water and Utility Service Group is authorized to provide
12 a schedule of capital costs associated with the design and construction of major
13 components of the reclaimed water distribution system and the method of computing
14 the share of capital costs that each customer will be required to pay at the time of
15 connection to the system. The schedule may be adopted or amended by resolution of
16 the County Council. After adoption of this schedule by the County Council, no
17 customer shall be connected to the system until payment of that customer's share of
18 capital costs and connection charges as provided by resolution has been made.

19 **SECTION IX:** That Section 122-188, Code of Ordinances, County of Volusia, Florida, is
20 hereby created to read as follows:

21 **122-188. Ownership of Reclaimed Water Distribution and Irrigation Facilities**

22 All components of the reclaimed water systems shall be constructed in
23 accordance with County approved specifications and conveyed to the County and

1 shall become and remain the property of the County. The County shall operate and
maintain same.

3 All irrigation systems constructed on private real property, except
4 components of the reclaimed water supply system located in utility easements, shall
5 remain the property of the owner and shall be operated and maintained by the owner
6 or his designated agent. Should the property owner use, desire or need pressures
7 exceeding those specified by the County, the owner shall be responsible for providing
8 all necessary devices to make adjustments and for obtaining written approval from the
9 County prior to initiating the design and installation of any such devices.

10 SECTION X: That Section 122-189, Code of Ordinances, County of Volusia, Florida, is
11 hereby created to read as follows:

12 **122-189. Authority to Adopt Policies and Procedures**

13 The Director of the Water and Utility Service Group may, as necessary,
14 establish policies and procedures for implementation of this Chapter, for the efficient
15 operation of the reclaimed water system or for the health or safety of the general
16 public or the customer. Policies and procedures may include but not be limited to:

- 17 A. The time(s) of day or night during which reclaimed water may be used
18 by the customer.
- 19 B. The maximum rate of use of reclaimed water.
- 20 C. Construction specifications.
- 21 D. Other administrative or operating procedures for efficient system
22 operation.

1 SECTION XI: That Section 122-190, Code of Ordinances, County of Volusia, Florida, is
hereby created to read as follows:

3 122-190. Authority to Adopt Rates, Fees and Charges

4 The County Council shall have the authority by Resolution to establish fees
5 and charges for the reclaimed water system and to provide terms and conditions for
6 the payment and collection of same. Pursuant to the authority of Section 403.064,
7 Florida Statutes, the County shall have the power to allocate the costs of the
8 reclaimed water system in a reasonable manner and to recover all or a portion of such
9 costs in the rates established for such system.

10 SECTION XII: That Section 122-191, Code of Ordinances, County of Volusia, Florida, is
11 hereby created to read as follows:

12 122-191. Discontinuing Service by the County

13 The County may discontinue reclaimed water service to any customer due to
14 a violation of the terms of this Code or County regulations, non-payment of bills, for
15 tampering with any service, for cross-connections or for any reason that may be
16 detrimental to the system. The County has the right to cease service until the
17 condition is corrected and all costs due the County are paid. These costs may include
18 delinquent billings, connection charges, and payment for any damage caused to the
19 reclaimed water system. Should discontinued service be turned on without
20 authorization, then the Water and Utility Service Group shall remove the service and
21 make such additional charges as are established by Resolution or Ordinance.

22 SECTION XIII: That Section 122-192, Code of Ordinances, County of Volusia, Florida,
23 is hereby created to read as follows:

1 **122-192. Service Interruption**

2 The County reserves the right to temporarily discontinue service to any
3 portion of, or the entire, reclaimed water system as deemed necessary by the Director,
4 Water and Utility Service Group. The Director shall have the authority to establish
5 schedules which restrict the use of the reclaimed water system at certain times in
6 order to reduce maximum pressure demands on the system and to regulate usage
7 during periods of limited reclaimed water availability.

8 **SECTION XIV:** That Section 122-193, Code of Ordinances, County of Volusia, Florida,
9 is hereby created to read as follows:

10 **122-193. Easement Dedications**

11 The applicant shall dedicate land or perpetual easements on land for
12 distribution facilities as required to provide reclaimed water service.

13 **SECTION XV:** That Section 122-194, Code of Ordinances, County of Volusia, Florida, is
14 hereby created to read as follows:

15 **122-194. Permits**

16 The applicant shall obtain and fulfill, at their expense, all necessary permits,
17 licenses, conditions, and approvals for the initial construction and operation of the
18 onsite reclaimed water irrigation facilities.

19 **SECTION XVI:** That Section 122-195, Code of Ordinances, County of Volusia, Florida,
20 is hereby created to read as follows:

21 **122-195. Priorities for Extending Reclaimed Water Service**

22 Extensions of the reclaimed water distribution system shall consider the
23 following priorities:

1 A. Major volume (usage over 1000,000 gallon per day) users adjacent to
the existing system (direct connections).

3 B. Small lot users with dryline distribution systems installed.

4 C. Major volume users in critical water quality areas.

5 D. Major volume users elsewhere.

6 E. Small lot users in critical water quality areas.

7 **SECTION XVII:** That Section 122-196, Code of Ordinances, County of Volusia, Florida,
8 is hereby created to read as follows:

9 **122-196. Potable Water Wells**

10 The County shall not provide reclaimed water service where wells are used as
11 a source of potable water and where buffer zone requirements, as required by the
12 Florida Department of Environmental Protection, cannot be maintained. The County
shall prohibit the installation of wells intended for use as potable water within
14 seventy-five (75) feet of existing or proposed reuse sites.

15 **SECTION XVIII:** That Section 122-197, Code of Ordinances, County of Volusia, Florida,
16 is hereby created to read as follows:

17 **122-197. Right to Refuse Service**

18 No payment of any costs, submittal of any petition, or any other act to receive
19 reclaimed water service shall guarantee such service. The County shall have the
20 right, at all times, to refuse to extend service on the basis of a use detrimental to the
21 system, inadequate supply of reclaimed water, lack of payment of required fees, or for
22 any other reason which, in the judgement of the Director, will cause the extension not
23 to be to the benefit of the County.

1 SECTION XIX: That Section 122-198, Code of Ordinances, County of Volusia, Florida,
is hereby created to read as follows:

3 **122-198. Service Outside of the County Limits**

4 Reclaimed water service may be provided to properties outside of the County
5 limits.

6 All applications for service outside of the County limits shall be reviewed by
7 the Director, who shall refer such applications to the County Council upon
8 determination an adequate supply of reclaimed water is available. Final approval
9 must be obtained from the County Council to provide service outside the County.

10 The Director shall review and technically approve all service line sizes and all
11 other necessary design components.

12 SECTION XX: That Section 122-199, Code of Ordinances, County of Volusia, Florida, is
13 hereby created to read as follows:

14 **122-199. Service Application Requirements**

15 No connection to the County reclaimed water system shall be permitted
16 without either a written reuse agreement for large users or a completed application
17 for service for individual connection as provided herein.

18 The application for service shall be on a form provided by the County and shall
19 be filed with the Volusia County Water and Utility Service Group. The application
20 fee shall be established by resolution.

21 The County shall inspect each property prior to connection to the reclaimed
22 water distribution system. The inspection shall include the following:

1 A. A review of the information in the application for service or written
agreement.

3 B. A review of all applicable construction specifications.

4 C. A cross-connection control review.

5 D. Other matters as the Director shall determine to be applicable.

6 No connection shall be permitted until the customer has an approved backflow
7 prevention device to protect the potable water supply.

8 All connections to the reclaimed water distribution system shall be inspected
9 by the County prior to use of the reclaimed water.

10 **SECTION XXI:** That Section 122-200, Code of Ordinances, County of Volusia, Florida,
11 is hereby created to read as follows:

12 **122-200. Reclaimed Water Metering Requirements**

13 Reclaimed water shall only be supplied through metered connections. There
14 shall be no free service. The Director shall determine the size and type of meter
15 required for each service. All meters for the reclaimed water system shall be installed
16 by the County unless provided otherwise in a written agreement with the County.

17 **SECTION XXII:** That Section 122-201, Code of Ordinances, County of Volusia, Florida,
18 is hereby created to read as follows:

19 **122-201. Supply of Reclaimed Water**

20 The County shall attempt to the best of its ability to deliver an adequate supply
21 of reclaimed water at all times. However, no guarantees can be provided to deliver
22 specific quantities or at specific times.

1 SECTION XXIII: That Section 122-202, Code of Ordinances, County of Volusia, Florida,
is hereby created to read as follows:

3 122-202. Cross-Connection Control

4 In all premises where reclaimed water service is provided, the public or private
5 potable water supply shall be protected by an approved Backflow Prevention Device.
6 No cross connection shall be permitted. All devices and material installed for cross
7 connection control shall be in accordance with the FDEP approved Volusia County
8 Cross-Connection Manual and must be approved by the Director.

9 To determine the presence of any potential hazards to the public potable water
10 system, the Volusia County Public Health Unit and/or the County shall have the right
11 to enter upon the premises of any customer receiving reclaimed water. Each
12 customer of reclaimed water service shall, by application, give written consent to such
13 entry upon his premises.

14 In the event a cross-connection is found on property being provided reclaimed
15 water service, the Director shall have the authority to immediately discontinue potable
16 and reclaimed water service to said property. Before resuming service, the customer
17 shall make such corrections and install such devices as may be required by the
18 Director.

19 SECTION XXIV: That Section 122-203, Code of Ordinances, County of Volusia, Florida,
20 is hereby created to read as follows:

21 122-203. Construction Specifications

22 The following specifications shall apply to irrigation systems, piping and
23 appurtenances to be connected to the reclaimed water system:

1 A. All connections shall meet the following specifications:

2 1. No reclaimed water is permitted inside any structure.

3 2. No above ground hose bibbs (spigots or hand operated
4 connections) shall be permitted.

5 3. Below ground hose bibbs are permitted when they are clearly
6 labeled as "non-potable" and can only be operated by use of
7 a special tool to be approved by the Director.

8 4. Reclaimed water shall not be furnished to fire hydrants or
9 sprinkler systems for fire protection purposes.

10 B. Existing residential irrigation systems may connect provided there are
11 no above ground hose bibbs, no cross-connections and the potable water supply is
12 protected by an approved backflow prevention device.

13 C. New residential irrigation systems must be built to conform with
14 construction specifications of Chapter 74 of this Code. There shall be no above
15 ground hose bibb connections, no cross-connections and the potable water supply
16 shall be protected by an approved backflow prevention device.

17 D. Existing non-residential irrigation systems shall have no above ground
18 hose bibbs, no cross-connections and the potable water supply shall be protected by
19 an approved backflow prevention device. In addition, the Director may impose such
20 additional requirements as are necessary to protect the public health.

21 E. Persons installing improvements and connections shall be subject to
22 licensure requirements as provided by Florida State Statutes.

1 SECTION XXV: That Section 122-204, Code of Ordinances, County of Volusia, Florida,
2 is hereby created to read as follows:

3 122-204. System Maintenance

4 A. Maintenance by the Customer.

5 The property owner and/or customer shall be responsible for the maintenance
6 of all irrigation lines and appurtenances on the customer side of the meter on the
7 property served by the County. The County reserves the right to disconnect the
8 service to any property when the irrigation system and appurtenances are not properly
9 maintained. In addition, should the customer require the reclaimed water at different
10 pressures, or different quality, or in any way different from that normally supplied by
11 the County, he shall be responsible for the necessary devices to make these
12 adjustments and obtaining approval by the Director.

13 B. Maintenance by the County.

14 All facilities that have been accepted by the County shall become property of
15 the County and will be operated and maintained by the County. No person shall
16 perform any work nor be reimbursed for any work on the system unless written
17 authorization from the County is received prior to the work being accomplished.

18 The County shall make a reasonable effort to inspect and keep its facilities in
19 good repair but assumes no liability for any damage caused by the system or the use
20 of reclaimed water.

21 SECTION XXVI: That Section 122-205, Code of Ordinances, County of Volusia, Florida,
22 is hereby created to read as follows:

1 **122-205. Unauthorized work on the Reclaimed Water System**

2 No person, unless expressly authorized by the Director or his/her designee,
3 shall tamper with, work on, or in any way alter or damage any County reclaimed
4 water facility. Tampering or work shall include, but is not limited to, opening and
5 closing valves, or causing any water to flow from the system. No unauthorized
6 person shall cut into or make connection to a reclaimed water distribution system line.
7 The offending person shall be liable for the cost of all charges attributable to the
8 correction of such tampering, including legal expenses. Payment for or correcting
9 of such damage shall not relieve the offending person from civil or criminal penalties
10 the County or Court of Law may impose for a violation of this Code.

11 The service valve located between the reclaimed water customer's irrigation
12 system and the County's reclaimed water distribution system may be operated by the
13 customer only when the private valve, required on customer's premises, requires
14 repair.

15 **SECTION XXVII:** That Section 122-206, Code of Ordinances, County of Volusia, Florida,
16 is hereby created to read as follows:

17 **122-206. Chemical Injections**

18 Users wishing to add chemicals to irrigation systems shall be required to install
19 an approved Backflow Prevention Device on the reclaimed water service connection
20 as provided in Chapter 74 of this Code.

21 **SECTION XXVIII:** That Section 122-207, Code of Ordinances, County of Volusia, Florida,
22 is hereby created to read as follows:

1 **122-207. Common Service Lines**

2 The Director has the authority to approve one service line with multiple
3 meters to connect two or more customers when sufficient capacity is available. In
4 these cases, property owners shall each pay the full connection charge. Common
5 service lines will be sized to provide adequate service to each customer serviced.

6 **SECTION XXIX:** That Section 122-208, Code of Ordinances, County of Volusia, Florida,
7 is hereby created to read as follows:

8 **122-208. Public Easement**

9 No facilities will be installed and accepted by the County for maintenance
10 unless it is in a dedicated public right-of-way or dedicated public easement. Any new
11 easement shall be adequately sized to accommodate construction and maintenance of
12 any reuse system component. No obstruction of whatever kind shall be planted, built,
13 or otherwise created within the limits of the easement or right-of-way without the
14 written permission of the Director.

15 **SECTION XXX:** That Section 122-209, Code of Ordinances, County of Volusia, Florida,
16 is hereby created to read as follows:

17 **122-209. Ownership by the County**

18 All reclaimed water facilities and appurtenances within dedicated public
19 easements when constructed or accepted by the County, shall become and remain the
20 property of the County. No person shall by payment of any charges provided herein,
21 or by causing any construction of facilities accepted by the County, acquire any
22 interest or right in any of these facilities or any portions thereof, other than the

1 privilege of having their property connected thereto for reclaimed water service in
2 accordance with this Ordinance and any amendments thereof.

3 SECTION XXXI: That Section 122-210, Code of Ordinances, County of Volusia, Florida,
4 is hereby created to read as follows:

5 **122-210. Inspections**

6 In order to ascertain and insure compliance with the provisions of this
7 Ordinance and all regulations relating to reclaimed water, the County shall have the
8 right to inspect, secure and disconnect all facilities and devices wherever located
9 which connect to or control any discharge from the reclaimed water distribution
10 system.

11 Upon the execution of an application for reclaimed water service, the
12 customer shall be deemed to have consented to the entry by the County upon the
13 property described in said application for the purpose of conducting all inspections
14 permitted or required by the Ordinance and waives the right to receive further notice
15 by the County of inspections conducted pursuant to this Ordinance.

16 The denial of access to an authorized agent or employee of the County,
17 bearing proper credentials and identification, to any property receiving reclaimed
18 water service for the purpose of conducting any inspection permitted under this
19 Ordinance shall constitute a violation of this Ordinance and shall be grounds for the
20 immediate discontinuance of reclaimed water service by the County to the subject
21 property.

22 SECTION XXXII: That Section 122-211, Code of Ordinances, County of Volusia, Florida,
23 is hereby created to read as follows:

1 **122-211. Liability and Indemnity**

2 The County shall not be liable for any damages caused by the use of reclaimed
3 water or for any damages caused by a failure to deliver or supply reclaimed water.

4 The customer shall indemnify the County, its agents and employees, from all
5 claims, damages, judgments and expenses (including attorneys' fees) incurred by the
6 County as a direct result of the use or discharge of reclaimed water by the customer
7 in violation of the terms of this Ordinance or other applicable laws or regulations,
8 including, but not limited to, cross-connection.

9 **SECTION XXXIII:** That Section 122-212, Code of Ordinances, County of Volusia, Florida,
10 is hereby created to read as follows:

11 **122-212. Rates and Charges for Reclaimed Water Service and Use**

12 Billing procedures, rates and charges for reclaimed water service, connection
13 and use are provided in Section 122-57 of this Code.

14 The County Council shall establish and from time to time amend by resolution
15 the connection charges for connecting a service line to the reclaimed water
16 distribution system and the rates for use of the system.

17 **SECTION XXXIV:** That Section 122-57, Code of Ordinances, County of Volusia, Florida,
18 be amended so that such Section shall read as follows:

19 **122-57. Rate Schedules Established; Amendments to Rate Schedules**

20 Rate schedules for each utility are ~~attached to Resolution No. 86-116 as~~
21 ~~exhibits,~~ being identified as follows:

- 22 1. Schedule A, Water and Sewer Rates and Charges.
23 2. Schedule B, Contributions-in-Aid-of-Construction.

1 3. Schedule C, Water and Sewer Connection Charges.

2 4. Schedule D, Water and Sewer Inspection Fees.

3 These rate schedules and charges may be amended from time to time by
4 resolution of the county council by reference to the affected exhibit and utility service,
5 and it shall not be necessary to amend this article or any part thereof.

6 SECTION XXXV: Except as created herein, the previously existing provisions of the Code
7 of Ordinances of the County of Volusia remain in full force and effect.

8 SECTION XXXVI: The provisions of this Ordinance shall be included and incorporated
9 into the Code of Ordinances of the County of Volusia as an addition thereto.

10 SECTION XXXVII: ENFORCEMENT. Violation of this ordinance shall be punishable
11 as provided in Chapter 1, s.1-7 of the Code of Ordinances of the County of Volusia.

12 SECTION XXXVIII: SEVERABILITY. Should any word, phrase, sentence, subsection
13 or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or
14 unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from
15 this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full
16 force and effect.

17 SECTION XXXIX: A certified copy of this Ordinance shall be filed with the Department
18 of State by the County Manager within ten (10) days after enactment by the County Council and this
19 Ordinance shall take effect upon filing with the Department of State.

20 ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN
21 MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL, CHAMBERS AT THE THOMAS
22 C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND,
23 FLORIDA THIS 20TH DAY OF JUNE, A.D., 1996.

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COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA

BY: Patricia Northey
Patricia Northey
Chairman

ATTEST:

BY: Lawrence W. Arrington
Lawrence W. Arrington
County Manager

Prepared By and Return To:
Carlyn H. Kowalsky
Florida Water Services Corporation
P.O. Box 609520
Orlando, Florida 32860-9520

RECLAIMED WATER AGREEMENT

THIS RECLAIMED WATER AGREEMENT (hereinafter "Agreement") is made and entered into this 13th day of November, 1997, by TWIN LAKES DEVELOPMENT OF DELTONA, LTD., a Florida limited partnership (hereinafter "Customer"), whose mailing address is 204 Martindale Rd., St. Catharines, Ontario, and FLORIDA WATER SERVICES CORPORATION, a Florida corporation (hereinafter "Florida Water"), whose mailing address is P.O. Box 609520 Orlando, Florida 32860-9520.

WHEREAS, Florida Water Services Corporation is a private utility corporation which provides reclaimed water services; and

WHEREAS, Twin Lakes Development of Deltona, Ltd. owns and operates a residential development in Deltona, Volusia County, Florida known as Twin Lakes at Deltona; and

WHEREAS, the Customer has a need for reclaimed water services for the common area landscaping of this development; and

WHEREAS, subject to the terms and conditions set forth below, Florida Water desires to provide reclaimed water service and the Customer desires to utilize the reclaimed water service.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises set forth below, the parties, intending to be legally bound, agree as follows:

1. The recitals set forth above are true and accurate and are adopted and incorporated herein.
2. Florida Water shall provide reclaimed water service to the Customer only for irrigation of the common area landscaping of the development. No residential lawn irrigation shall occur until Florida Water implements a residential reuse program and revised cross-connection control program for the Deltona service area.

3. Subject to approval of this agreement by the Florida Public Service Commission ("PSC") or other applicable regulatory authority, Customer shall pay rates for reclaimed water service of \$0.54 per 1,000 gallons. This rate may be amended from time to time in accordance with the requirements of the PSC or other applicable regulatory authority.

4. In the event Florida Water, in its sole discretion, deems it necessary for the purpose of providing reclaimed water service, to obtain easements across the real property owned by the Customer, Customer agrees to convey Easements to Florida Water at no cost, in substantially the same form contained in Exhibit "A" which is attached hereto and incorporated herein. In the event monitoring wells are required, such wells shall be located in an area which is mutually agreed upon by the parties.

5. The Customer shall provide Florida Water representatives with access to Customer's property at all reasonable hours for the purpose of installing, maintaining, testing, inspecting or removing Florida Water property, reading meters and other purposes incident to performance under or termination of Florida Water's agreement to provide service.

6. Florida Water shall install, own, operate and maintain a meter at the point of Delivery for the purpose of measuring the quantity of reclaimed water provided to the Customer. The Point of Delivery shall be at the interconnection between Florida Water's reclaimed water transmission system and Customer's reclaimed water distribution facilities. Florida Water shall examine and test the meter annually to determine whether it is correctly registering the volume of water being delivered. Upon completion of each annual test, Florida Water shall submit a copy of the test results to the Customer. The Customer shall have the right to read and test the meters at any time, at its expense. Either party shall have the right to be present during any calibration or testing of the meter. The party performing any test of the meter shall provide the other party with at least forty-eight (48) hours' prior written notice prior to the testing or calibration as well as a copy of the test or calibration results. If, at any time, a test of the meter discloses a deviation of more than two percent (2%) of the annual average daily volume delivered, Florida Water shall adjust its charges up or down using the percentage of error as determined by such test and Florida Water shall repair and correct the meter. If the approximate date the meter inaccuracy began can be determined, the charges shall be adjusted from that date, which shall not exceed six months from the date the error is reported. If the approximate date of the meter error cannot be determined, the charges shall be adjusted for the previous three months.

7. Customer shall at its sole expense, construct and maintain the irrigation facilities, including a backflow prevention device in good, operable condition and repair which meets the requirements of Rule 62-555.360, Florida Administrative Code, and Florida Water's cross-connection control policy as both may be amended from time to time. (A current copy of Rule 62-555.360 is attached for reference as Exhibit "B").

8. Customer shall comply with the provisions of all permits issued to Customer by DEP including, but not limited to the following:

a. All reclaimed water hose bibbs, hand-operated connections and outlets shall be contained in underground service vaults and shall be appropriately tagged or labeled to warn the public and employees that the water is not intended for drinking. All reclaimed water piping, pipelines, valves and outlets shall be color coded, or otherwise marked, to differentiate reclaimed water from potable or other water.

b. Vaults for reclaimed water, hose bibbs and outlets shall be locked or require a special tool for operation of hose bibbs and outlets.

c. Signs shall be posted in the vicinity of public reclaimed water reuse irrigation systems, advising the public that reuse is practiced.

9. Florida Water shall obtain a permit from the Florida Department of Environmental Protection (DEP) authorizing the distribution of reclaimed water on the Customer's property. Both parties agree to comply with this permit and all other applicable permits and regulations issued by St. Johns River Water Management District (SJRWMD), DEP or any other governmental agency with applicable legal authority.

10. If the Customer shall fail to perform any obligation identified in this Agreement, then Florida Water shall have the right to disconnect the Service, charge a fee for reconnecting the service and pursue any remedy provided by law.

11. Florida Water may record a memorandum of this Agreement in the Public Records of Volusia County, Florida.

12. This Agreement shall remain effective in perpetuity and shall be binding upon and inure to the benefit of the parties and their respective successors, heirs and assigns, unless modified in writing by both parties.

13. Customer may not assign its rights under this Agreement unless Customer, Florida Water and any proposed assignee execute an agreement in form acceptable to Florida Water, in its sole discretion, whereby the proposed assignee expressly assumes all of the obligations of Customer under this Agreement and agrees to be bound by the terms and conditions hereof.

14. This Agreement constitutes the entire agreement between the parties and supersedes all prior oral or written agreements. No amendment or modification of this Agreement shall be effective unless set forth in writing executed by both parties.

15. Neither party shall be in default of the terms hereof if such action is due to a natural calamity, act of government, or similar causes beyond the control of such party.

16. The validity, construction, and performance of this Agreement shall be governed by the laws of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

FLORIDA WATER:

CUSTOMER:

FLORIDA WATER SERVICES CORPORATION, a Florida corporation

TWIN LAKES DEVELOPMENT OF DELTONA, LTD., a Florida limited partnership

By: [Signature]
Name: ERIC TEITTINEN
Title: Sr Vice President

By: [Signature]
Name: ALLAN VISSER
Title: PRESIDENT: VISCO HOLDING INC
MANAGING GENERAL PARTNER

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 17th day of NOVEMBER, 1997 by ERIC TEITTINEN as Sr. VICE PRESIDENT for Florida Water Services Corporation. He/she is personally known to me ~~or has produced~~ as identification.

[Signature]
Signature of person taking acknowledgment

KIRK D. MARTIN
Name of acknowledger typed, printed or stamped

OFFICIAL NOTARY SEAL
KIRK D MARTIN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC561441
MY COMMISSION EXP. JUNE 16,2000

PROVINCE
STATE OF ONTARIO
COUNTY OF NIAGARA
REGION

The foregoing instrument was acknowledged before me this 13th day of NOVEMBER, 1997 by ALLAN VISSER as MANAGING GENERAL PARTNER for Twin Lakes Development of Deltona, Ltd. He/she is personally known to me ~~or has produced~~ as identification.

[Signature]
Signature of person taking acknowledgment

ALAN W. RALPH
Name of acknowledger typed, printed or stamped

Alan William Ralph, a Commissioner, etc.,
Regional Municipality of Niagara, for
Deloitte & Touche, Chartered Accountants and
Deloitte & Touche Inc., Trustee in Bankruptcy.
Expires February 7, 1999.

Prepared By and Return To:
Carlyn H. Kowalsky
Florida Water Services Corp.
P.O. Box 609520
Orlando, Florida 32860-9520

UTILITY EASEMENT

THIS UTILITY EASEMENT (the "Easement") is made this _____ day of _____, 19____ by TWIN LAKES DEVELOPMENT OF DELTONA, LTD. , a Florida corporation, whose address is _____, hereinafter referred to as "Grantor" to and in favor of Florida Water Services Corporation, a Florida corporation, whose address is P.O. Box 609520, Orlando, Florida 32860.

WITNESSETH:

WHEREAS, Grantor owns certain property located in Volusia County, Florida, more particularly described on Exhibit "1" attached hereto and made a part hereof ("Grantor's Property"); and

WHEREAS, Grantor desires to establish various easements in favor of Florida Water Services Corporation, a Florida corporation, and its respective employees, agents, invitees, guests, contractors, successors and assigns ("Florida Water"), and to impose certain conditions and obligations in connection therewith.

NOW THEREFORE, in consideration of the mutual covenants, promises and benefits contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, for itself, and its successors and assigns, declares that Grantor's Property shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and easements hereinafter set forth.

1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by this reference.

2. Grant of Permanent Utility Easement. Grantor hereby grants, sells and conveys to Florida Water a perpetual, non-exclusive easement in gross on, over, under, across and through that portion of Grantor's Property, more particularly described on Exhibit "2" attached hereto and made a part hereof (the "Utility Easement"), for the purposes of construction, installation, operation, inspection, maintenance, repair and replacement of certain facilities used in connection with the delivery of water, wastewater or reclaimed water including, without limitation, transmission pipelines, together with all surface and subsurface apparatus, pumping equipment, and monitor wells, (the "Facilities.")

3. Obligations of Florida Water. In the event Florida Water constructs any facilities,

Florida Water shall:

- (a) Obtain all necessary permits, approvals and governmental authorizations necessary from the appropriate governmental entities to construct the Facilities;
- (b) Construct the Facilities in compliance with all applicable ordinances, codes and regulations;
- (c) Design, locate, construct, install, maintain, repair and replace the Facilities at Florida Water's sole cost and expense;
- (d) Oversee that all construction activities by Florida Water shall cause the least reasonably possible interference with Grantor's use of Grantor's Property and not unreasonably interfere with Grantor's ingress and egress to Grantor's Property;
- (e) After Florida Water constructs or maintains the Facilities, return Grantor's Property to the same or reasonably comparable condition than prior to such installation or maintenance.

Florida Water shall indemnify and hold Grantor harmless from and against all loss, cost, expense and liability whatsoever (including Grantor's cost of defending against the foregoing, such cost to include attorneys' fees) resulting or occurring by reason of Florida Water's activities on the Utility Easement.

Grantor hereby reserves to itself, its successors and assigns, the use and enjoyment of the Utility Easement, provided such use does not interfere with the purposes for which the Utility Easement was granted.

4. No Public Dedication. Nothing contained in this Utility Easement shall create or shall be deemed to create any easements or use rights in the general public or constitute a public dedication for any public use whatsoever.

5. Successors and Assigns. The easements shall run with the land in perpetuity and shall be binding upon and inure to the benefit of the Grantor and Florida Water and their respective guests, invitees, employees, contractors, agents, successors and assigns.

6. Amendment. Except as otherwise specifically set forth herein, this Utility Easement may be amended, modified or terminated only by written instrument executed by Grantor and Florida Water, or their successors or assigns, and recorded in the Public Records of Collier County, Florida.

7. Severability. The invalidity of any one of the covenants, agreements, conditions or provisions of this Utility Easement, or any portion thereof, shall not affect the remaining

portions thereof, and this Utility Easement shall be construed as if such covenant, agreement, condition or provision had not been included herein.

8. Attorneys' Fees. In connection with any litigation arising out of this Utility Easement, including appellate and bankruptcy proceedings, the prevailing party shall be entitled to recover all costs and reasonable attorney's fees.

9. Authority to Grant Easements. Grantor hereby represents and warrants that it is duly organized and validly existing under the laws of the State of Florida and has full right and authority to execute and deliver this Utility Easement. The person or entity executing this Utility Easement on behalf of Grantor, is duly authorized to execute and deliver the same and all required authorizations for such execution and delivery have been obtained. The provisions of this Utility Easement are binding and enforceable upon Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this ____ day of _____, 199__.

Signed, sealed and delivered in the presence of:

By: _____ Corporation

Signature

Printed Name

Title

Signature

Printed Name

Signature

Printed Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 19__ by _____. He/she is personally known to me or has produced _____ as identification.

Signature of person taking acknowledgment

Name of acknowledger typed, printed or stamped

PERMITTING AND CONSTRUCTION OF PUBLIC WATER SYSTEMS
DEP 62-555.350(1)

12/96

PART III: CONSTRUCTION, OPERATION, AND MAINTENANCE

The supplier shall maintain a minimum free chlorine residual of 0.2 mg/l or its equivalent throughout the distribution system at all times. The capacity of the treatment plant and distribution facilities including pumps and pipes shall be increased as system demand is increased to maintain a minimum pressure of 20 psi throughout the distribution system except in extenuating circumstances. The system shall be maintained and operated in accordance with the rules of the Department and the approved plans.

(2) The supplier of water shall provide responsible operation personnel in accordance with Chapters 62-602 and 62-699, F.A.C., and the permit.

(3) No new source of water shall be introduced into the system and no purification process or protection provision shall be altered or discontinued unless the operator secures written approval from the Department. In case of a breakdown in purification or protective works, a break in a main transmission line causing a major interruption in service, or any suspicious circumstance, abnormal taste, or abnormal odor occurring in connection with a public water supply, the person responsible for the operation of the works or the treatment plant operator shall notify the Department or the Approved County Public Health Unit, if applicable, by wire or telephone within 24 hours of the occurrence. The Department shall notify the appropriate local public health unit(s) or the Approved County Public Health Unit shall notify the Department.

(4) A maintenance log of all water plant equipment which directly affects the quality of treatment shall be maintained on-site by the plant's lead operator and shall be available at all times at all water treatment plants that treat water for a community water system. Log information shall include, as a minimum, all maintenance performed, date performed, and problems encountered with equipment.

Specific Authority: 403.861(9), F.S.

Law Implemented: 403.861(9), F.S.

History: New 11-19-87, Formerly 17-22.650, Amended 1-18-89, 1-1-93, Formerly 17-555.350.

62-555.360 Cross-Connection Control for Public Water Systems.

(1) Cross-connection, as defined in Rule 62-550.200, F.A.C., is prohibited. However, a person who owns or manages a public water system may interconnect to another public water system if that system is operated and maintained in accordance with this chapter.

(2) Community water systems, and all public water systems which have service areas that are also served by reclaimed water systems as defined in Chapter 62-610, Part III, F.A.C., shall establish a routine cross-connection control program to detect and prevent cross-connections that create or may create an imminent and substantial danger to public health. This program shall include a written plan that is developed using accepted practices of the American Water Works Association as set forth in the reference documents cited in Rules 62-555.330(6) and (7), F.A.C.

(3) Upon discovery of a prohibited cross-connection, public water systems shall either eliminate the cross-connection by installation of an appropriate backflow prevention device

PERMITTING AND CONSTRUCTION OF PUBLIC WATER SYSTEMS

DEP 62-555.360(3)

12/96

PART III: CONSTRUCTION, OPERATION, AND MAINTENANCE

acceptable to the Department or shall discontinue service until the contaminant source is eliminated.

(4) Only the following are considered to be backflow prevention devices. They shall be installed in agreement with and under the supervision of the supplier of water or his designated representative (plumbing inspector, etc.) at the consumer's meter, at the property line of the consumer when a meter is not used, or at a location designated by the supplier of water or the Department. The devices are:

(a) Air gap separation - A physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An "approved air gap separation" shall be at least double the diameter of the supply pipe measured vertically above the top of the rim of the vessel. In no case shall it be less than 1 inch.

(b) Reduced pressure backflow preventer - A device containing within its structure a minimum of two independently acting approved check valves, together with an automatically operating pressure differential relief valve located between the two check valves. The first check valve reduces the supply pressure a predetermined amount so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

(c) Atmospheric vacuum breaker - A backflow prevention device which is operated by atmospheric pressure in combination with the force of gravity. The unit is designed to work on a vertical plane only. The one moving part consists of a poppet valve which must be carefully sized to slide in a guided chamber and effectively shut off the reverse flow of water when a negative pressure exists.

(d) Pressure vacuum breaker - A pressure vacuum breaker is similar to an atmospheric vacuum breaker except that the checking unit poppet valve is activated by a spring. This type of vacuum breaker does not require a negative pressure to react and can be used on the pressure side of a valve.

(e) Double check valve assembly - An assembly composed of two single, independently acting, check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve. A check valve is a valve that is drip-tight in the normal direction of flow when the inlet pressure is one psi and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g., clapper) shall be internally weighted or otherwise internally loaded to promote rapid and positive closure.

(f) Residential dual check - A compact unit manufactured with two independent spring actuated check valves. The residential dual check is acceptable only as added backflow prevention in areas served by reuse systems defined in Chapter 62-610, Part III, F.A.C., when the cross-connection control program identifies activities specific to (5)(a) and (5)(b) of this section.

PERMITTING AND CONSTRUCTION OF PUBLIC WATER SYSTEMS
DEP 62-555.360(5)

12/96

PART III: CONSTRUCTION, OPERATION, AND MAINTENANCE

(5) Cross-connection control programs specific to reuse systems defined in Chapter 62-610, Part III, F.A.C., shall consider the following:

- (a) Enhanced public education efforts towards prevention of cross-connections.
- (b) Enhanced inspection programs for portions of the distribution system in areas of reuse for detection and elimination of cross-connections.
- (c) Dual check valves shall be considered acceptable for reducing risks from backflow only at residential properties served by reclaimed water unless:
 1. Local codes, ordinances, or regulations require greater levels of backflow prevention.
 2. Other hazards exist on the property that require a greater level of backflow prevention.

Specific Authority: 403.861(9), F.S.

Law Implemented: 403.861(9), F.S.

History: New 11-19-87, Formerly 17-22.660, Amended 1-18-89, 1-3-91, 1-1-93, Formerly 17-555.360.

FLORIDA WATER SERVICES CORPORATION
WATER TARIFF

VOLUME I SECTION VI
1st Revised Sheet No. 1.2
Cancels Original Sheet No. 1.2

INDEX OF SERVICE AVAILABILITY CHARGES (Cont.)

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Meter Installation Charge	3.0
Stand Alone Backflow Prevention Device	3.0
Service Installation Charge	3.0
Plant Capacity Charge	3.0
List of Plants	3.1

Effective Date:

By: *Forrest L. Ludsen*
Forrest L. Ludsen, Vice President
Business Development

FLORIDA WATER SERVICES CORPORATION
WATER TARIFFVOLUME I SECTION VI
2nd Revised Sheet No. 3.0
Cancels 1st Revised Sheet No. 3.0SERVICE AVAILABILITY CHARGESAVAILABILITY:

See Sheets Nos. 3.1 - 3.3 for List of Plants.

Main Extension Charges:

Per ERC	\$446.00
Per Foot Equivalent	\$5.81 (1)

Meter Installation Charges:Standard Meter:

Per Connection - 5/8" X 3/4"	\$90.00
Per Connection - 3/4"	\$110.00
Per Connection - 1"	\$140.00
Per Connection - 1-1/2"	\$300.00
Per Connection - 2"	\$385.00
Per Connection - Over 2"	Actual Cost

Meter With Built-In Backflow Preventer:

All Meter Sizes	Actual Cost
-----------------	-------------

Stand Alone Backflow Prevention Device:

All Types	Actual Cost
-----------	-------------

Service Installation Charges:

Per Connection - 5/8" X 3/4"	\$143.00
Per Connection - 3/4"	\$143.00
Per Connection - 1"	\$154.00
Per Connection - 1-1/2"	\$202.50
Per Connection - 2"	\$245.00
Per Connection - Over 2"	Actual Cost


Plant Capacity Charges:

Per ERC	\$700.00
Per Gallon Equivalent	\$2.74 (2)

- (1) Per foot equivalent based upon 83 feet per lot.
 (2) Per gallon equivalent based upon average usage of 255 gallons per day per ERC.

Effective Date:

By:


 Forrest L. Ludsen, Vice President
 Business Development

FLORIDA WATER SERVICES CORPORATION
WASTEWATER TARIFF

VOLUME II SECTION V
Original Sheet No. 13.5.5

RATE SCHEDULE: DELTONA - EF
EFFLUENT SERVICE

AVAILABILITY:

Available within the area served by the following system and where public access reuse has been made available by Florida Water Services.

<u>System</u>	<u>County</u>	<u>Previous Sheet No.</u>	<u>Previous Effective Date</u>	<u>Previous Order No.</u>
DELTONA	VOLUSIA	N/A	N/A	N/A

APPLICABILITY:

To residential, multi-family and general service customers who are replacing potable water for irrigation with effluent, where available.

LIMITATIONS:

The Company cannot guarantee an unlimited supply of public access reuse. Weather and consumption patterns can affect the availability of public access reuse.

Subject to all of the Company's Rules and Regulations of this tariff, all applicable service agreement conditions, and all applicable riders.

All the rates, conditions and regulations referred to herein are subject to approval, amendment and change by any regulatory body having jurisdiction thereof.

TERMS OF PAYMENT:

Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING:

Filing Description:	Application for New Class of Service
Rate Description:	Rates per Contractual Agreement
Filing Date:	
Authority No.:	Refer to stamp on reverse side
Docket No.:	N/A
Order No.:	N/A
Order Date:	N/A

NOTES:

Effective Date:

By: *Forrest L. Ludson*
Forrest L. Ludson, Vice President
Business Development

FLORIDA WATER SERVICES CORPORATION
WASTEWATER TARIFF

VOLUME II SECTION V
Original Sheet No. 13.5.6

RATE SCHEDULE: DELTONA - EF
EFFLUENT SERVICE

BILLING PERIOD: BILLING PERIOD:

Monthly billing cycle.

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u>
All	\$0.00

Gallonge Charge:

All Gallonge \$0.54 per 1,000 gallons

Minimum Charge:

Not Applicable

Utility Tax Rider:

Not Applicable

OTHER CHARGES:

Allowance For Funds Prudently Invested (AFPI) Charges	See Section VI
Customer Deposits	See Section VII
Miscellaneous Service Charges	See Section VII
Service Availability Charges	See Section VI

Effective Date:

By: *Forrest L. Ludsen*
Forrest L. Ludsen, Vice President
Business Development

FLORIDA WATER SERVICES CORPORATION
WATER TARIFF

VOLUME i SECTION VII
1st Revised Sheet No. 1.0
Cancels Original Sheet No. 1.0

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Effective Date:

By:



Forrest L. Ludsen, Vice President
Finance and Administration

FLORIDA WATER SERVICES CORPORATION
WATER TARIFFVOLUME I SECTION VII
2nd Revised Sheet No. 7.0
Cancels 1st Revised Sheet No. 7.0

Florida Water Services

P.O. Box 609520, Orlando, FL 32860-9520 (407) 880-0100 1-800-432-4501

APPLICATION FOR SERVICE

Service Connect Date _____
 Service Requested for: Water _____ Wastewater _____ Reclaimed Water _____
 (if available)
 Name of Customer (Person responsible for payment of Service/s)
 Last Name _____ First _____ Middle _____
 Service Address _____ Apartment No. _____
 City _____ State _____ ZIP _____
 Subdivision/Condominium _____ Lot _____ Block _____ Unit _____
 Customer's Mailing Address _____
 _____ Phone (____) _____
 Employer _____ Phone (____) _____
 Driver's License No. _____ Social Security No. _____
 Previous Address _____
 Spouse/Co-Applicant's Name _____
 Name and Address of Nearest Relative (Not living at same address)

 _____ Relationship _____
 Own/Rent (O/R) _____
 If Rented or Leased, Name of Landlord _____ Phone (____) _____

This Application is notice that the service(s) identified above is (are) desired by the Applicant until Florida Water Services Corporation ("the Company") receives written notice from Applicant requesting discontinuance of such service(s). Upon compliance with the Policies, Tariffs, Rules and Regulations regarding service initiation, the Company shall initiate service without unreasonable delay. The Applicant hereby agrees to thereafter comply with the Company's Policies, Tariffs, Rules and Regulations which are currently in effect and any amendments thereto. Copies of said Policies, Tariffs, Rules and Regulations are available for inspection at the Company's customer service offices. The Applicant agrees to comply with Florida Water's Backflow Prevention and Cross Connection Control Policy, as may be amended from time to time. In addition, all Applicants for reclaimed water service agree to abide by the Requirements for Reclaimed Water Service which is attached as an addendum to this Application.

The Applicant agrees that the duly authorized agents of the Company shall have access at all reasonable hours to the premises of the Applicant for the purpose of installing, maintaining, inspecting or removing Company property; reading the meter; temporarily shutting off service at the meter or at any point of the Company's property while repairs or investigations are performed; or for performance or termination of service; and in so doing, the Company shall not be liable for trespass. This shall include the right of access to individual units, for any of the purposes stated above, where the meter is or will be located within a unit of a condominium, apartment, cooperative, or multi-family complex.

The point of delivery for service shall be the outlet connection of the Company's meter, except in cases where 1) there is no meter, 2) the meter is not located at the property boundary, or 3) the meter is located within a multifamily dwelling unit. In each of these three exceptions, the point of delivery for service shall be the point at which the Company's piping connects with the on-site pipes at or near the property boundary. The Company has no responsibility relative to service or product on the customer's side of the point of delivery.

Applicant's Signature _____ Date _____

Effective Date:

By:


 Forrest L. Ludsen, Vice President
 Business Development

FLORIDA WATER SERVICES CORPORATION
WATER TARIFF

VOLUME I SECTION VII
Original Sheet No. 11.0



REQUIREMENTS FOR
RECLAIMED WATER SERVICE

Definitions

Backflow: A reverse flow condition created by a difference in water pressures that causes water or other fluids to flow back into the distribution pipes of a potable water supply from any source other than an intended one.

Backflow prevention device: A backflow prevention device shall mean any effective device, method or construction used to prevent backflow into a potable water supply.

Cross connection: Any physical arrangement of piping or fixtures whereby a potable water supply system is connected, either directly or indirectly, with an otherwise separate system which may contain potable or non-potable water or fluids of questionable safety, through which, or because of which, backflow or backsiphonage may occur into the potable water system.

Requirements

Before water or reclaimed water service can occur, the customer must pay for and Florida Water must install a backflow prevention device on the customer's side of the potable water meter.

Customers may use reclaimed water to:

- ✓ irrigate lawns and outdoor landscaping,
- ✓ spray irrigate fruits and vegetables that will be peeled, skinned, or thermally processed, or
- ✓ drip irrigate fruits and vegetables that will not be peeled, skinned, cooked, or thermally processed.

Customers may not use reclaimed water to:

- X drink,
- X fill hot tubs, swimming or wading pools,
- X connect to a garden hose or outdoor spigot, or
- X spray irrigate fruits and vegetables that will not be peeled, skinned, or thermally processed.

The use of reclaimed water is governed by the Florida Department of Environmental Protection. For additional information concerning the use of reclaimed water see Rules 62-610.475 and 62-610.479, Florida Administrative Code.

Variability in customer consumption and weather patterns can affect the availability of reclaimed water. Therefore, Florida Water cannot guarantee that an unlimited supply of reclaimed water will be available at all times. The applicant agrees to hold Florida Water harmless from all damages, claims and judgements arising from use of reclaimed water or in the event reclaimed water becomes unavailable for any reason.

Failure to comply with any of the requirements described herein may result in denial of service or immediate disconnection of service.

I agree to abide by the requirements described herein.

Customer's Signature: _____

Printed Name: _____

P.O. Box 609520 Orlando, FL 32860-9520

(407) 880-0100 or 1-800-432-4501

Effective Date:

By:

Forrest L. Ludsen, Vice President
Business Development

FLORIDA WATER SERVICES CORPORATION
WASTEWATER TARIFFVOLUME II SECTION VII
1st Revised Sheet No. 1.0
Cancels Original Sheet No. 1.0

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Effective Date:

By:


Forrest L. Ludsen, Vice President
Finance and Administration

FLORIDA WATER SERVICES CORPORATION
WASTEWATER TARIFFVOLUME II SECTION VII
2nd Revised Sheet No. 5.0
Cancels 1st Revised Sheet No. 5.0

Florida Water Services

P.O. Box 609520, Orlando, FL 32860-9520 (407) 880-0100 1-800-432-4501

APPLICATION FOR SERVICE

Service Connect Date _____

Service Requested for: Water _____ Wastewater _____ Reclaimed Water _____
(if available)

Name of Customer (Person responsible for payment of Service/s)

Last Name _____ First _____ Middle _____

Service Address _____ Apartment No. _____

City _____ State _____ ZIP _____

Subdivision/Condominium _____ Lot _____ Block _____ Unit _____

Customer's Mailing Address _____

Phone (____) _____

Employer _____ Phone (____) _____

Driver's License No. _____ Social Security No. _____ - _____ - _____

Previous Address _____

Spouse/Co-Applicant's Name _____

Name and Address of Nearest Relative (Not living at same address)

_____ Relationship _____

Own/Rent (O/R) _____

If Rented or Leased, Name of Landlord _____ Phone (____) _____

This Application is notice that the service(s) identified above is (are) desired by the Applicant until Florida Water Services Corporation ("the Company") receives written notice from Applicant requesting discontinuance of such service(s). Upon compliance with the Policies, Tariffs, Rules and Regulations regarding service initiation, the Company shall initiate service without unreasonable delay. The Applicant hereby agrees to thereafter comply with the Company's Policies, Tariffs, Rules and Regulations which are currently in effect and any amendments thereto. Copies of said Policies, Tariffs, Rules and Regulations are available for inspection at the Company's customer service offices. The Applicant agrees to comply with Florida Water's Backflow Prevention and Cross Connection Control Policy, as may be amended from time to time. In addition, all Applicants for reclaimed water service agree to abide by the Requirements for Reclaimed Water Service which is attached as an addendum to this Application.

The Applicant agrees that the duly authorized agents of the Company shall have access at all reasonable hours to the premises of the Applicant for the purpose of installing, maintaining, inspecting or removing Company property; reading the meter; temporarily shutting off service at the meter or at any point of the Company's property while repairs or investigations are performed; or for performance or termination of service; and in so doing, the Company shall not be liable for trespass. This shall include the right of access to individual units, for any of the purposes stated above, where the meter is or will be located within a unit of a condominium, apartment, cooperative, or multi-family complex.

The point of delivery for service shall be the outlet connection of the Company's meter, except in cases where 1) there is no meter, 2) the meter is not located at the property boundary, or 3) the meter is located within a multifamily dwelling unit. In each of these three exceptions, the point of delivery for service shall be the point at which the Company's piping connects with the on-site pipes at or near the property boundary. The Company has no responsibility relative to service or product on the customer's side of the point of delivery.

Applicant's Signature _____ Date _____

Effective Date:

By:

Forrest L. Ludsen
Forrest L. Ludsen, Vice President
Business Development

FLORIDA WATER SERVICES CORPORATION
WASTEWATER TARIFFVOLUME II SECTION VII
Original Sheet No. 9.0REQUIREMENTS FOR
RECLAIMED WATER SERVICEDefinitions

Backflow: A reverse flow condition created by a difference in water pressures that causes water or other fluids to flow back into the distribution pipes of a potable water supply from any source other than an intended one.

Backflow prevention device: A backflow prevention device shall mean any effective device, method or construction used to prevent backflow into a potable water supply.

Cross connection: Any physical arrangement of piping or fixtures whereby a potable water supply system is connected, either directly or indirectly, with an otherwise separate system which may contain potable or non-potable water or fluids of questionable safety, through which, or because of which, backflow or backsiphonage may occur into the potable water system.

Requirements

Before water or reclaimed water service can occur, the customer must pay for and Florida Water must install a backflow prevention device on the customer's side of the potable water meter.

Customers may use reclaimed water to:

- ✓ irrigate lawns and outdoor landscaping,
- ✓ spray irrigate fruits and vegetables that will be peeled, skinned, or thermally processed, or
- ✓ drip irrigate fruits and vegetables that will not be peeled, skinned, cooked, or thermally processed.

Customers may not use reclaimed water to:

- X drink,
- X fill hot tubs, swimming or wading pools,
- X connect to a garden hose or outdoor spigot, or
- X spray irrigate fruits and vegetables that will not be peeled, skinned, or thermally processed.

The use of reclaimed water is governed by the Florida Department of Environmental Protection. For additional information concerning the use of reclaimed water see Rules 62-610.475 and 62-610.479, Florida Administrative Code.

Variability in customer consumption and weather patterns can affect the availability of reclaimed water. Therefore, Florida Water cannot guarantee that an unlimited supply of reclaimed water will be available at all times. The applicant agrees to hold Florida Water harmless from all damages, claims and judgements arising from use of reclaimed water or in the event reclaimed water becomes unavailable for any reason.

Failure to comply with any of the requirements described herein may result in denial of service or immediate disconnection of service.

I agree to abide by the requirements described herein.

Customer's Signature: _____

Printed Name: _____

P.O. Box 609520 Orlando, FL 32860-9520

(407) 880-0100 or 1-800-432-4501

Effective Date:

By:

Forrest L. Ludsen

 Forrest L. Ludsen, Vice President
 Business Development

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Plant Capacity Charge	3.0
List of Plants	3.1

Effective Date:

By:


Forrest L. Ludsen, Vice President
Business Development

SERVICE AVAILABILITY CHARGES

AVAILABILITY:

See Sheets Nos. 3.1 - 3.3 for List of Plants.

Main Extension Charges:

Per ERC	\$446.00
Per Foot Equivalent	\$5.81 (1)

Meter Installation Charges:

Standard Meter:

Per Connection - 5/8" X 3/4"	\$90.00
Per Connection - 3/4"	\$110.00
Per Connection - 1"	\$140.00
Per Connection - 1-1/2"	\$300.00
Per Connection - 2"	\$385.00
Per Connection - Over 2"	Actual Cost

Meter With Built-In Backflow Preventer:

All Meter Sizes	Actual Cost
-----------------	-------------

Stand Alone Backflow Prevention Device:

All Types	Actual Cost
-----------	-------------

Service Installation Charges:

Per Connection - 5/8" X 3/4"	\$143.00
Per Connection - 3/4"	\$143.00
Per Connection - 1"	\$154.00
Per Connection - 1-1/2"	\$202.50
Per Connection - 2"	\$245.00
Per Connection - Over 2"	Actual Cost

Plant Capacity Charges:

Per ERC	\$700.00
Per Gallon Equivalent	\$2.74 (2)

- (1) Per foot equivalent based upon 83 feet per lot.
(2) Per gallon equivalent based upon average usage of 255 gallons per day per ERC.

Effective Date:

By:


Forrest L. Ludsen, Vice President
Business Development

RATE SCHEDULE: DELTONA - EF
EFFLUENT SERVICE

AVAILABILITY:

Available within the area served by the following system and where public access reuse has been made available by Florida Water Services.

<u>System</u>	<u>County</u>	<u>Previous Sheet No.</u>	<u>Previous Effective Date</u>	<u>Previous Order No.</u>
DELTONA	VOLUSIA	N/A	N/A	N/A

APPLICABILITY:

To residential, multi-family and general service customers who are replacing potable water for irrigation with effluent, where available.

LIMITATIONS:

The Company cannot guarantee an unlimited supply of public access reuse. Weather and consumption patterns can affect the availability of public access reuse.

Subject to all of the Company's Rules and Regulations of this tariff, all applicable service agreement conditions, and all applicable riders.

All the rates, conditions and regulations referred to herein are subject to approval, amendment and change by any regulatory body having jurisdiction thereof.

TERMS OF PAYMENT:

Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the Customer separate and apart from any other bill, service may then be discontinued.

TYPE OF FILING:

Filing Description:	Application for New Class of Service
Rate Description:	Rates per Contractual Agreement
Filing Date:	
Authority No.:	Refer to stamp on reverse side
Docket No.:	N/A
Order No.:	N/A
Order Date:	N/A

NOTES:

Effective Date:

By: 
Forrest L. Ludsen, Vice President
Business Development

RATE SCHEDULE: DELTONA - EF
EFFLUENT SERVICE

BILLING PERIOD: BILLING PERIOD:

Monthly billing cycle.

RATE:

Base Facility Charge:

Meter Size

Charge Per Billing Period

All

\$0.00

Gallage Charge:

All Gallage

\$0.54 per 1,000 gallons

Minimum Charge:

Not Applicable

Utility Tax Rider:

Not Applicable

OTHER CHARGES:

Allowance For Funds Prudently Invested (AFPI) Charges

See Section VI

Customer Deposits

See Section VII

Miscellaneous Service Charges

See Section VII

Service Availability Charges

See Section VI

Effective Date:

By: _____

Forrest L. Ludsen

Forrest L. Ludsen, Vice President
Business Development

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Requirements for Reclaimed Water Service	11.0

Effective Date:

By:


Forrest L. Ludsen, Vice President
Finance and Administration



Florida Water Services
P.O. Box 609520, Orlando, FL 32860-9520 (407) 880-0100 1-800-432-4501

APPLICATION FOR SERVICE

Service Connect Date _____
Service Requested for: Water _____ Wastewater _____ Reclaimed Water _____
(If available)
Name of Customer (Person responsible for payment of Service/s)
Last Name _____ First _____ Middle _____
Service Address _____ Apartment No. _____
City _____ State _____ ZIP _____
Subdivision/Condominium _____ Lot _____ Block _____ Unit _____
Customer's Mailing Address _____
Phone (____) _____
Employer _____ Phone (____) _____
Driver's License No. _____ Social Security No. _____-____-____
Previous Address _____
Spouse/Co-Applicant's Name _____
Name and Address of Nearest Relative (Not living at same address)

Relationship _____
Own/Rent (O/R) _____
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Applicant's Signature _____ Date _____

Effective Date:

By:


Forrest L. Ludsen, Vice President
Business Development



REQUIREMENTS FOR
RECLAIMED WATER SERVICE

Definitions

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I agree to abide by the requirements described herein.

Customer's Signature: _____

Printed Name: _____

P.O. Box 609520 Orlando, FL 32860-9520

(407) 880-0100 or 1-800-432-4501

Effective Date:

By:


Forrest L. Ludsen, Vice President
Business Development

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Miscellaneous Service Charges	2.0
Customer Deposit	3.0
Returned Check Charge	4.0
Standard Forms	
Application for Service	5.0
Sample of Customer's Bill	6.0
Customer's Guarantee Deposit and/or Service Charge Receipt	7.0
Service Availability Fees Receipt	8.0
Requirements for Reclaimed Water Service	9.0

Effective Date:

By:


Forrest L. Ludsen, Vice President
Finance and Administration



Florida Water Services

P.O. Box 609520, Orlando, FL 32860-9520 (407) 880-0100 1-800-432-4501

APPLICATION FOR SERVICE

Service Connect Date _____
Service Requested for: Water _____ Wastewater _____ Reclaimed Water _____
(If available)
Name of Customer (Person responsible for payment of Service/s)
Last Name _____ First _____ Middle _____
Service Address _____ Apartment No. _____
City _____ State _____ ZIP _____
Subdivision/Condominium _____ Lot _____ Block _____ Unit _____
Customer's Mailing Address _____
_____ Phone () _____
Employer _____ Phone () _____
Driver's License No. _____ Social Security No. _____
Previous Address _____
Spouse/Co-Applicant's Name _____
Name and Address of Nearest Relative (Not living at same address)

_____ Relationship _____
Own/Rent (O/R) _____
If Rented or Leased, Name of Landlord _____ Phone () _____

This Application is notice that the service(s) identified above is (are) desired by the Applicant until Florida Water Services Corporation ("the Company") receives written notice from Applicant requesting discontinuance of such service(s). Upon compliance with the Policies, Tariffs, Rules and Regulations regarding service initiation, the Company shall initiate service without unreasonable delay. The Applicant hereby agrees to thereafter comply with the Company's Policies, Tariffs, Rules and Regulations which are currently in effect and any amendments thereto. Copies of said Policies, Tariffs, Rules and Regulations are available for inspection at the Company's customer service offices. The Applicant agrees to comply with Florida Water's Backflow Prevention and Cross Connection Control Policy, as may be amended from time to time. In addition, all Applicants for reclaimed water service agree to abide by the Requirements for Reclaimed Water Service which is attached as an addendum to this Application.

The Applicant agrees that the duly authorized agents of the Company shall have access at all reasonable hours to the premises of the Applicant for the purpose of installing, maintaining, inspecting or removing Company property; reading the meter; temporarily shutting off service at the meter or at any point of the Company's property while repairs or investigations are performed, or for performance or termination of service; and in so doing, the Company shall not be liable for trespass. This shall include the right of access to individual units, for any of the purposes stated above, where the meter is or will be located within a unit of a condominium, apartment, cooperative, or multi-family complex.

The point of delivery for service shall be the outlet connection of the Company's meter, except in cases where 1) there is no meter, 2) the meter is not located at the property boundary, or 3) the meter is located within a multifamily dwelling unit. In each of these three exceptions, the point of delivery for service shall be the point at which the Company's piping connects with the on-site pipes at or near the property boundary. The Company has no responsibility relative to service or product on the customer's side of the point of delivery.

Applicant's Signature _____ Date _____

Effective Date:

By:


Forrest L. Ludsen, Vice President
Business Development



REQUIREMENTS FOR
RECLAIMED WATER SERVICE

Definitions

Backflow: A reverse flow condition created by a difference in water pressures that causes water or other fluids to flow back into the distribution pipes of a potable water supply from any source other than an intended one.

Backflow prevention device: A backflow prevention device shall mean any effective device, method or construction used to prevent backflow into a potable water supply.

Cross connection: Any physical arrangement of piping or fixtures whereby a potable water supply system is connected, either directly or indirectly, with an otherwise separate system which may contain potable or non-potable water or fluids of questionable safety, through which, or because of which, backflow or backsiphonage may occur into the potable water system.

Requirements

Before water or reclaimed water service can occur, the customer must pay for and Florida Water must install a backflow prevention device on the customer's side of the potable water meter.

Customers may use reclaimed water to:

- ✓ irrigate lawns and outdoor landscaping,
- ✓ spray irrigate fruits and vegetables that will be peeled, skinned, or thermally processed, or
- ✓ drip irrigate fruits and vegetables that will not be peeled, skinned, cooked, or thermally processed.

Customers may not use reclaimed water to:

- X drink,
- X fill hot tubs, swimming or wading pools,
- X connect to a garden hose or outdoor spigot, or
- X spray irrigate fruits and vegetables that will not be peeled, skinned, or thermally processed.

The use of reclaimed water is governed by the Florida Department of Environmental Protection. For additional information concerning the use of reclaimed water see Rules 62-610.475 and 62-610.479, Florida Administrative Code.

Variability in customer consumption and weather patterns can affect the availability of reclaimed water. Therefore, Florida Water cannot guarantee that an unlimited supply of reclaimed water will be available at all times. The applicant agrees to hold Florida Water harmless from all damages, claims and judgements arising from use of reclaimed water or in the event reclaimed water becomes unavailable for any reason.

Failure to comply with any of the requirements described herein may result in denial of service or immediate disconnection of service.

I agree to abide by the requirements described herein.

Customer's Signature: _____

Printed Name: _____

P.O. Box 609520 Orlando, FL 32860-9520

(407) 880-0100 or 1-800-432-4501

Effective Date:

By:


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Business Development