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REPLY TO CENTRAL FLORIDA OFFICE

January 15, 2007

WAYNE L. SCHIEFELBEIN, OF COUNSEL
ROBERT M. C. ROSE (1924-2006)

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LONGWOOD, FLORIDA 32779
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MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD
BRIAN J. STREET

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

HAND DELIVERY

RE: Docket No. 060253-WS; Utilities, Inc. of Florida's Application for Rate Increase in Marion, Orange, Pasco, Pinellas and Seminole Counties, Florida
Our File No. 30057.108

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is the supplemental response of Utilities, Inc. of Florida (*Utility*) to Staff's data request dated December 15, 2006.

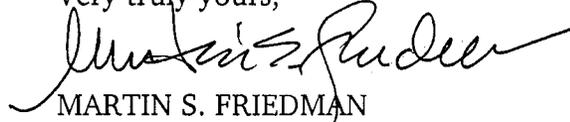
6. Please provide the detail and amount of any and all proceeds received from the condemnation of the land for the Ravenna Park System in Seminole County.

RESPONSE: On November 20, 2002, a Final Judgment was entered awarding the Utility \$850,000.00 for the taking of the land upon which its wastewater treatment plant was located. A copy of the Final Judgment is attached. The net proceeds to the Utility was \$634,413.30. See the Final Disbursement of Funds Accounting from the Utility's condemnation counsel, which is attached hereto.

The County's condemnation resulted in the Utility losing some of its customers, and thus the future revenue stream from such customers. Thus, pursuant to Section 367.0813, Florida Statutes, the gain or loss from that condemnation shall be borne by the shareholders of the Utility.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

DOCUMENT NUMBER-DATE

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PPSC-COMMISSION CLERK

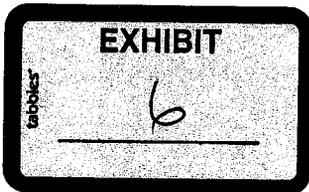
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MSF/tlc
Enclosures

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
January 15, 2007
Page 2

cc: Ralph Jaeger, Esquire, Office of General Counsel (w/o enc. - by hand delivery)
Mary Anne Helton, Esquire, Office of General Counsel (w/o enc. - by hand delivery)
Mr. Marshall Willis, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Michael Springer, Division of Economic Regulation (w/o enc. - by hand delivery)
Ms. Patricia Daniel, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Paul Stallcup, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Richard Redemann, Div. of Economic Regulation (w/o enc. - by hand delivery)
Ms. Sonica Bruce, Division of Economic Regulation (w/o enc. - by hand delivery)
Ms. Anne Marsh, Division of Economic Regulation (w/o enc. - by hand delivery)
Ms. Cheryl Bulecza-Banks, Div. of Economic Regulation (w/o enc. - by hand delivery)
Ms. Betty Gardner, Div. of Economic Regulation (w/o enc. - by hand delivery)
Ms. Christine Romig, Division of Economic Regulation (w/o enc. - by hand delivery)
Ms. Frances Lingo, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. George Slemkewicz, Div. of Economic Regulation (w/o enc. - by hand delivery)
Mr. Jan Kyle, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. John Dunivant, Division of Economic Regulation (w/o enc. - by hand delivery)
Ms. Kathleen Kaproth, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Bart Fletcher, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Thomas Walden, Division of Economic Regulation (w/o enc. - by hand delivery)
Mr. Troy Rendell, Division of Economic Regulation (w/o enc. - by hand delivery)
Stephen Reilly, Esquire, Office of Public Counsel (w/enclosures - by U.S. Mail)
Steven M. Lubertozi, Chief Regulatory Officer (w/enclosures - by U.S. Mail)
Kirsten Weeks, CPA (w/o enclosures - by U.S. Mail)
John Hoy, Regional Vice President for Operations (w/o enclosures - by U.S. Mail)
Patrick C. Flynn, Regional Director (w/enclosures - by U.S. Mail)
Mr. Frank Seidman (w/enclosures - by U.S. Mail)
Ms. Deborah Swain (w/enclosures - by U.S. Mail)

M:\1 ALTAMONTE\UTILITIES INC\UIF\(.108) 2005 RATE CASE\PSC Clerk 15.ltr (Data Request 1- supp).wpd



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND SEMINOLE
COUNTY VS. A. K. SHOEMAKER, JR., ET AL

Final Disbursement of Funds Accounting
As of December 20, 2002

Client: Utilities Inc. of Florida
Parcel: 265

RESULTS TO CLIENTS:

Final Award Inclusive of Fees and Costs.....\$ 850,000.00

DISBURSEMENT OF AWARD:

| | | |
|--|--------------|--------------|
| 1. To Seminole County Tax Collector for Prorated 1999 Real Estate Taxes the amount of.....\$ | 69.67 | |
| 2. For Expense Incurred in the Defense of the Case as per attached Breakdown..... | 130,517.03 | |
| 3. For Lawyers' Fees..... | 85,000.00 | |
| 4. To Utilities Inc. of Florida - a. Check 1571, dated 6/21/1999..... | 154,190.33 | |
| b. Check 5271, dated 12/20/2002.... | 480,222.97 | |
| Total Disbursements..... | \$850,000.00 | \$850,000.00 |
| | ===== | ===== |

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FILE NUM 20029B1243
 DR BOOK 04608 PAGE 1834

shall indemnify and hold harmless the Department Transportation for any and all claims arising from contractual agreements between Utilities, Inc. or its predecessors and A. K. Shoemaker and Shoemaker Construction Company for water and sewer service to the proposed subdivision on property encompassing parcel 264 and adjacent thereto and it is further,

ORDERED AND DIRECTED that within thirty (30) days of the date of receipt of a conformed copy of this Final Judgment, the Petitioner shall deposit the additional sum of **\$678,800.00 (SIX HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED AND 00/100 DOLLARS)** into the Registry of the Clerk of the Court, and it is further

ORDERED AND DIRECTED that the Clerk of this Court pay to the Trust Account of **BRIGHAM MOORE, LLP**, c/o S.W. Moore, Esquire, 100 Wallace Ave., Suite 310, Sarasota, FL 34237, on behalf of the Respondent, **UTILITIES INC. OF FLORIDA**, subject to the interest if any of the County of Seminole Tax Collector, the aforesaid sum of **\$678,800.00 (SIX HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED AND 00/100 DOLLARS)**, said sum representing the total sum of **\$850,000.00 (EIGHT HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS)** minus the **\$171,400.00 (ONE HUNDRED SEVENTY-ONE THOUSAND FOUR HUNDRED AND 00/100 DOLLARS)** previously deposited by the Petitioner, to be disbursed as set forth hereinabove, including without limitations, real property taxes, and it is further,

ORDERED that title to the following described property, to wit:

SECTION 77310-2502 STATE ROAD 417 SEMINOLE CO. DESCRIPTION

FEE SIMPLE - LIMITED ACCESS-RIGHT OF WAY

PARCEL NO. 265

SECTION 77310-2502

A portion of Block 41, M.M. Smith's Subdivision as recorded in Plat Book 1, Page 55 of the Public Records of Seminole County, Florida, and a portion of Lot 37, Block B, M.M. Smith's Second Subdivision as recorded in Plat Book 1, Page 101 of the Public Records of Seminole County, lying in Section 34, Township 19 South, Range 30 East, Seminole County, Florida being more particularly described as follows:

PART A:

Commence at a found 1 inch iron pipe (No. #) marking the Northwest corner of the Northeast 1/4 of said Section 34 as shown on Florida Department of Transportation Right-of-Way Map, Section 77310-2502; thence run South 00°18'00" East along the West line of the Northeast 1/4 of said Section 34, a distance of 992.15 feet to the North line of the South 1/2 of Block 40, M.M. Smith's Subdivision; thence departing the West line of the Northeast 1/4 of said Section 34 run South 89°51'09" East along the North line of the South 1/2 of said Block 40 and the North line of the South 1/2 of said Block 41, M.M. Smith's subdivision a distance of 678.11 feet to a point on the Westerly line of a 75.00 foot drainage easement as recorded in Official Records Book 442, Page 140 of the Public Records of Seminole County, Florida; thence departing the North line of the South 1/2 of said Block 41, M.M. Smith's Subdivision run South 00°12'44" East along the Westerly line of said 75.00 foot drainage easement, a distance of 75.00 feet for a POINT OF BEGINNING; thence departing the Westerly line of said 75.00 foot drainage easement run North 85°49'39" East 59.46 feet; thence South 51°01'33" East 297.51 feet; thence South 40°01'42" East 268.45 feet to the beginning of a curve concave northeasterly, having a radius of 5779.58 feet, a central angle of 01°01'23", and a chord bearing of South 01°58'59" West; thence southerly along the arc of said curve a distance of 103.20 feet to a point on the Southerly line of said 75.00 foot drainage easement; thence North 89°51'09" West along the Southerly line of said 75.00 foot drainage easement, a distance of 458.24 feet to its intersection with the Westerly line of said 75.00 foot drainage easement; thence departing the Southerly line of said 75.00 foot drainage easement run North 00°12'44" West along the Westerly line of said 75.00 foot drainage easement, a distance of 490.01 feet to the POINT OF BEGINNING.

Containing 3.602 acres, more or less.

PART B:

SECTION 77310-2502 STATE ROAD 417 SEMINOLE CO. DESCRIPTION

FEE SIMPLE - LIMITED ACCESS-RIGHT OF WAY

PARCEL NO. 265 - CONT.

Commence at a found 1' iron pipe (No #) marking the Southeast corner of the Northeast 1/4 of said Section 34 as shown on Florida Department of Transportation Right-of-Way Map, Section 77310-2502; thence run North 89°53'09" West along the South line of the Northeast 1/4 of said Section 34, a distance of 1,314.32 feet to the Westerly right-of-way line of Bevier Avenue (a 25.00 foot right-of-way as now established); thence, departing the South line of the Northeast 1/4 of said Section 34, run South 00°28'51" East along the Westerly right-of-way line of said Bevier Avenue a distance of 14.84 feet to the Northeast corner of Block A, Second Ravenna Park Section of Loch Arbor, as recorded in Plat Book 13, Pages 29 through 31, of the Public Records of Seminole County, Florida for a POINT OF BEGINNING; thence departing the Westerly right-of-way line of said Bevier Avenue run North 89°53'01" West along the North line of said Block A, Second Ravenna Park Section of Loch Arbor, a distance of 76.34 feet to a point on the Westerly line of a 75.00 foot drainage easement as recorded in Official Records Book 442, Page 140 of the Public Records of Seminole County, Florida; thence along said westerly line run North 00°12'44" West 903.50 feet to a point on a non-tangent curve concave Northeasterly having a radius of 5669.58 feet, a central angle of 03°48'22", and a chord bearing of South 02°21'38" East; thence southerly along the arc of said curve a distance of 376.63 feet; thence North 88°48'48" East 34.29 feet; thence South 00°12'44" East 286.04 feet; thence South 89°57'54" East 27.88 feet to a point on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 34; thence South 00°12'44" East, along said East line, a distance 171.16 feet; thence South 56°52'54" East, a distance of 57.21 feet to a point on the Northerly right of way line of Hughey Street (a 50.00 foot right of way as now established); thence North 89°53'09" West, along said North line, a distance of 47.80 feet to a point on the aforementioned East line of the Southwest 1/4 of the Northeast 1/4 of Section 34; thence South 00°12'44" East 25.00 feet to the aforesaid South line of the Northeast 1/4 of Section 34; thence South 00°28'51" East 14.84 feet to the Point of Beginning.

Containing 0.801 acres, more or less.

PART C:

Commence at a found 1' iron pipe (No #) marking the Southeast corner of the Northeast 1/4 of said Section 34 as shown on Florida Department of Transportation Right-of-Way Map, Section 77310-2502;

SECTION 77310-2502 STATE ROAD 417 SEMINOLE CO. DESCRIPTION

FEE SIMPLE - LIMITED ACCESS-RIGHT OF WAY

PARCEL NO. 265 - CONT.

thence run North 89°53'09" West along the South line of the Northeast 1/4 of said Section 34, a distance of 1,190.58 feet; thence, departing the South line of the Northeast 1/4 of said Section 34, North 00°12'44" West 25.00 feet to the existing Northerly right of way line of Hughy Street (a 50.00 foot right-of-way as now established); thence continue North 00°12'44" West 1452.75 feet for a POINT OF BEGINNING; thence continue North 00°12'44" West 176.93 feet; thence North 89°50'45" West 125.00 feet; thence South 00°12'44" East 206.02 feet; thence North 33°37'08" East 34.92 feet; thence South 89°49'19" East 105.56 feet to the Point of Beginning.

Containing 0.514 acres, more or less.

PART D:

Commence at a found 1 inch iron pipe (No. #) marking the Northwest corner of the Northeast 1/4 of said Section 34 as shown on Florida Department of Transportation Right-of-Way Map, Section 77310-2502; thence run South 00°12'44" East along the West line of the Northeast 1/4 of said Section 34, a distance of 992.15 feet to the North line of the South 1/2 of Block 40, M.M. Smith's Subdivision; thence departing the West line of the Northeast 1/4 of said Section 34 run South 89°51'09" East along the North line of the South 1/2 of said Block 40 and the North line of the South 1/2 of said Block 41, M.M. Smith's Subdivision a distance of 678.11 feet to a point on the Westerly line of a 75.00 foot drainage easement as recorded in Official Records Book 442, Page 140 of the Public Records of Seminole County, Florida for a POINT OF BEGINNING; thence continue along said North line South 89°51'09" East 141.50 feet to the beginning of a curve concave southwesterly, having a radius of 244.00 feet, a central angle of 42°24'06", and a chord bearing of South 53°45'11" East; thence southeasterly along the arc of said curve a distance of 96.11 feet; thence South 40°07'40" East 387.92 feet to the beginning of a non-tangent curve concave Easterly, having a radius of 5779.58 feet, a central angle of 01°17'35", and a chord bearing of North 04°13'45" East; thence Northerly along the arc of said curve a distance of 130.42 feet to the beginning of a reversed curve concave Westerly, having a radius of 17138.75 feet, a central angle of 00°44'42", and a chord bearing of North 04°35'34" East; thence Northerly along the arc of said curve a distance of 222.81 feet to the end of said curve; thence South 89°51'09" East 144.03 feet; thence South 00°12'44" East 588.14 feet; thence South 89°33'16" West 75.00 feet; thence North 00°12'44" West 98.90 feet; thence North 49°44'25" West 361.59 feet; thence North 51°01'33"

SECTION 77310-2502 STATE ROAD 417 SEMINOLE CO. DESCRIPTION

FEE SIMPLE - LIMITED ACCESS-RIGHT OF WAY

PARCEL NO. 265 - CONT.

West, 297.51 feet; thence South 85°49'39" West, 59.46 feet to the aforesaid Westerly line of said 75.00 foot drainage easement; thence along said westerly line North 00°12'44" West 75.00 feet to the Point of Beginning.

Containing 3.013 acres, more or less.

PART E:

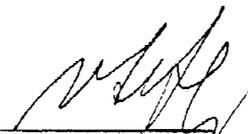
Commence at a found 1 inch iron pipe (No. #) marking the Northwest corner of the Northeast 1/4 of said Section 34 as shown on Florida Department of Transportation Right-of-Way Map, Section 77310-2502; thence run South 00°18'00" East along the West line of the Northeast 1/4 of said Section 34, a distance of 992.15 feet to the North line of the South 1/2 of Block 40, M.M. Smith's Subdivision; thence departing the West line of the Northeast 1/4 of said Section 34 run South 89°51'09" East along the North line of the South 1/2 of said Block 40 and the North line of the South 1/2 of said Block 41, M.M. Smith's Subdivision a distance of 678.11 feet to a point on the Westerly line of a 75.00 foot drainage easement as recorded in Official Records Book 112, Page 140 of the Public Records of Seminole County, Florida; thence departing the North line of the South 1/2 of said Block 41, M.M. Smith's subdivision run South 00°12'44" East along the Westerly line of said 75.00 foot drainage easement, a distance of 75.00 feet; thence departing the Westerly line of said 75.00 foot drainage easement run North 85°49'39" East 59.46 feet; thence South 51°01'13" East 297.51 feet for a POINT OF BEGINNING; thence South 40°07'42" East 268.45 feet to the beginning of a curve concave Northeasterly, having a radius of 5779.58 feet, a central angle of 01°01'23", and a chord bearing of South 01°58'59" West; thence southerly along the arc of said curve a distance of 103.20 feet to a point on the Southerly line of said 75.00 foot drainage easement; thence South 89°51'09" East along the Southerly line of said 75.00 foot drainage easement, a distance of 106.77 feet to its intersection with the Westerly line of said 75.00 foot drainage easement; thence departing the Southerly line of said 75.00 foot drainage easement run North 00°12'44" West a distance of 75.00 feet; thence North 49°44'25" West 361.59 feet to the Point of Beginning.

Containing 17,483 square feet, more or less.

Parts A, B, C, D, and E all being a portion of lands as described in Official Records Book 1109, Page 1532, Public Records of Seminole County, Florida.

which vested in the Petitioner pursuant to the Order of Taking and deposit of money heretofore made, is approved, ratified and confirmed, and it is further,

DONE AND ORDERED at Sanford, Seminole County, Florida, this 20 day of ~~October~~ ^{Nov}, 2002.


DEBRA NELSON, Nancy E. Alley
CIRCUIT JUDGE

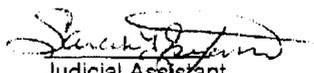
I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail this 20 day of ~~October~~ ^{NOV} 2002 to:

Lawrence S. Gendzier, Esquire, State of Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

S.W. Moore, Esquire, 109 Wallace Ave., Suite 310, Sarasota, FL 34237

Henry Brown, Esquire, Assistant County Attorney, Seminole County Services Bldg., 1101 East First Street, Sanford, Florida 32771.

County of Seminole, Ray Valdes, County Tax Collector, 1101 E. First Street Sanford, FL 32771.


Judicial Assistant

This is not a certified copy

JOINT MOTION

COME NOW the parties to this action, by and through their undersigned attorneys
and respectfully move this Honorable Court for entry of the foregoing Final Judgment this

13th ^{November} day of ~~October~~, 2002.



Lawrence S. Gendzier, Esq.
State of Florida
Department of Transportation
719 S. Woodland Blvd.
Deland, Florida 32720
(386) 943-5493
Florida Bar No.: 279110



Henry Brown, Esquire
Assistant County Attorney
Seminole County Services Bldg.,
101 East First Street,
Sanford, Florida 32771.
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Fla. Bar No.: 0760445



S.W. Moore, Esquire
BRIGHAM MOORE, LLP
100 Wallace Ave., Suite 310
Sarasota, FL 34237
(941) 365-3800
Fla. Bar No: 157268
Attorney For Respondent:
Utilities, Inc.

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