

FOUR POINTS UTILITY CORP.
P.O. BOX 1798
EATON PARK, FL. 33840

RECEIVED-FPSC
12 APR -9 PM 2:38
COMMISSION
CLERK

4/2/2012

Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL. 32399

120080-WS

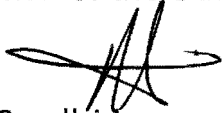
12 APR -9 PM 9:52

RE: Application for amendment of certificate.

Dear Commission Clerk:

Enclosed please find the original and 5 copies of the application for amendment of certificate for Four Points Utility Corporation on Polk County Florida.

On behalf of the Utility,



Mike Smallridge
Court ordered Receiver.

DOCUMENT NUMBER - DATE
02114 APR -9
FPSC-COMMISSION CLERK

APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION OR DELETION)
(Pursuant to Section 367.045, Florida Statutes)

To: Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of Water Certificate No. 634W
and/or Wastewater Certificate No. 5446 (add or delete) territory located in Polk
County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

Four Points Utility Corporation

Name of utility

(352) 302-7406 ()

Phone No. Fax No.

1902 Barton Park

Office street address

Auburndale FL 33823

City State Zip Code

P.O. Box 1798 Eaton Park, FL 33840.

Mailing address if different from street address

Utility message @ yahoo.com.

Internet address if applicable

B) The name, address and telephone number of the person to contact concerning this application:

Mike Smallridge (As Receiver) (352) 302-7406

Name Phone No.

P.O. Box 1798

Street address

Eaton Park FL 33840.

City State Zip Code

- COM _____
- APA _____
- ECR 4
- GCL _____
- RAD _____
- SRC _____
- ADM _____
- OPC _____
- CLK Ng

PART II NEED FOR SERVICE

- A) Exhibit 1 - If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area.
- B) Exhibit N/A - If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit 2 - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

PART III SYSTEM INFORMATION

A) **WATER**

- (1) Exhibit 3 - A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, nonpotable or both).
- (2) Exhibit 4 - A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.
- (3) Exhibit N/A - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (4) Exhibit 5 - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A

- (6) Exhibit 6 - Evidence the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

B) WASTEWATER

- (1) Exhibit 7 - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
- (2) Exhibit N/A - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (3) Exhibit N/A - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) Exhibit N/A - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.
- (5) Exhibit 5 - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A
- (7) Exhibit 6 - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

PART IV FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit N/A - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit N/A - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. N/A
- D) Exhibit 8 - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

PART V TERRITORY DESCRIPTION AND MAPS

A) **TERRITORY DESCRIPTION**

Exhibit 9 - An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

B) **TERRITORY MAPS**

Exhibit 10 - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

C) **SYSTEM MAPS**

Exhibit 11 - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

PART VI NOTICE OF ACTUAL APPLICATION

- A) Exhibit 12 - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
 - (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
 - (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
 - (4) the regional planning council;
 - (5) the Office of Public Counsel;
 - (6) the Public Service Commission's Office of Commission Clerk;
 - (7) the appropriate regional office of the Department of Environmental Protection; and
 - (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit.
THIS MAY BE A LATE-FILED EXHIBIT

- B) Exhibit 13 - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit 14 - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART VII FILING FEE

Indicate the filing fee enclosed with the application:

\$ _____ (for water) and/or \$ _____ (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, the filing fee shall be **\$100**.
- (2) For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, the filing fee shall be **\$200**.
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, the filing fee shall be **\$500**.
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, the filing fee shall be **\$1,000**.
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, the filing fee shall be **\$1,750**.
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be **\$2,250**.

PART VIII TARIFF AND ANNUAL REPORTS

- A) Exhibit N/A - An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) Exhibit N/A - The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (The rules and sample tariff sheets are attached.)

PART IX AFFIDAVIT

I Michael Smallridge as Receiver (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY:

[Signature]
Applicant's Signature

Michael Smallridge
Applicant's Name (Typed)

Receiver
Applicant's Title *

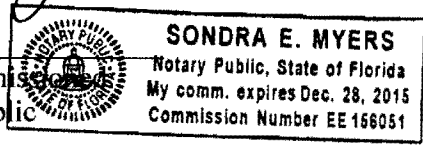
Subscribed and sworn to before me this 4th day in the month of April

in the year of 2012 by Mike Smallridge who is personally known to me

or produced identification _____
Type of Identification Produced

[Signature]
Notary Public's Signature

Print, Type or Stamp Commission
Name of Notary Public



* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

EXHIBIT #1

The need for service is the inclusion of the unregulated Bimini Bay Utilities and move the utility into Public Service Commission regulation to better serve the customers and for financial stability of the utility.

EXHIBIT #2

To the best of the receiver's knowledge, the provision of service will be consistent with the water and wastewater sections of Polk Counties Comprehensive plan.

EXHIBIT #3

Potable Water and wastewater service is provided by bulk meter from Polk County Utilities.

EXHIBIT #4

360 residential units (as designed) 248 current customers

GPD -65,000 residential

EXHIBIT #5

The type of customers to be served are residential town style homes.

EXHIBIT #6

To be late filed.

EXHIBIT #7

Existing treatment is to Polk County Utilities. Capacity is 4" transmission lines to 6" force main to Polk County.

EXHIBIT #8

The impact of the rates to the Bimini Bay customers is projected to be substantial, as currently as an unregulated utility, Bimini Bay Customers pay only for water charged by Polk County through bulk water meter.

EXHIBIT #9

Legal Description

BEG AT THE SE COR OF SEC 2 RUN W 2640.93 FT TO S 1/4 COR OF SEC W 79 25 FT N 16 DEG 33 MIN 58 SE C W 24.25 FT N 45 DEG 26 MIN 38 SEC W 84.9 FT N 55 DEG 3 MIN 52 SEC W 72.37 FT N 45 DEG 50 MIN 3 0 SEC W 79.47 FT N 53 DEG 48 MIN 13 SEC W 71 FT N 56 OEG 24 MIN 26 SEC W 75.03 FT N 40 DEG 5 MIN 22 SEC W 129.69 FT N 20 DEG 3 M IN 21 SEC W 30.32 FT N 13 DEG 7 MIN 3 SEC E 150.99 FT N 20 DEG 4 2 MIN 19 SEC E 131.33 FT N 14 DE G 10 MIN 52 SEC E 10932 FT N 17 DEG 8 MIN 56 SEC E 57.73 FT N 2 3 DEG 26 MIN 24 SEC E 71.85 FT N 9 DEG 37 MIN 52 SEC E 136.45 FT N 21 DEG 40 MIN 40 SEC E 187.1 FT N 28 DEG 37 MIN 39 SEC E 105.91 FT N 31 DEG 52 MIN 35 SEC E 3 4.33 FT E 158.77 FT CONT E ALONG N LINE OF S 1/2 OF SE 1/4 OF SA 10 SEC 2647.7 FT CONT E ALONG N LINE OF SW 1/4 OF SW 1/4 OF SEC 1 481.36 FT TO WLY RNI/ OF US 27 THEN S 7 DEG 47 MIN 43 SEC E ALO NG SAID RMI1332.44 FT W 664.8 F T TO POS LESS BIMINI BAY PB 127 PGS 34 TO 37

All In Section 2, Township 25, in Polk County

EXHIBIT #10

to be late filed

EXHIBIT #11

to be late filed