

LUTZ, WEBB, PARTRIDGE & BOBO, P.A. ORIGINAL

LAWYERS
ONE SARASOTA TOWER
TWO NORTH TAMiami TRAIL
FIFTH FLOOR
SARASOTA, FLORIDA 34236

J. ALLEN BOBO
JODY B. GABEL
MARK A. HASKINS
DOUGLAS B. LUMPKIN
SUSAN W. LUEVY

TELEPHONE (941) 981-1800
FAX (941) 366-1600

H. BOGER LUTZ
WILLIAM E. PARTRIDGE
CHARLES W. TELFAIR, IV
RICHARD S. WEBB, IV

December 30, 1997

RECEIVED

JAN 5 1998

Florida Public Service Commission
Division of Water and Wastewater

Ms. Cheryl Johnson
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Application for Transfer of Timberwood Utilities
Your #97-1458-WS

Dear Cheryl:

Enclosed are the following late-filed exhibits to the above-referenced application:

1. Exhibit III.A, Affix avit of Kurt Wallach, as to notice of application mailed to appropriate entities, with an attached mailing list provided by the PSC and copy of envelope of returned correspondence.
2. Exhibit III.B., Affidavit of Kurt Wallach, as to notice of application to each customer (i.e., resident) of the system being transferred.
3. Exhibit III.C., Affidavit of Kurt Wallach, as to notice of application published in the local newspaper with affidavit provided by the newspaper.

As I understand, you are currently in the process of reviewing this application, with the assistance of Martha Golden, and will notify us of any deficiencies.

At the time of our application, copies of the original certificates issued to the Transferor were provided to you. The originals were to be mailed directly to you by the Transferor. Please advise if you have not received those certificates.

Sincerely,

Richard S. Webb, IV
Richard S. Webb, IV, Esquire

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIT _____
OPC _____
R _____
WAS _____
OTL _____

cc: Kurt Wallach
LBSYMWALLACHARBORCORRESPJOHNSON.LTR

SIGNED IN ATTORNEY'S ABSENCE
TO AVOID DELAY IN MAILING
JAN 5 1998

FEB 9 1998

EXHIBIT III A

AFFIDAVIT OF KURT WALLACH

ORIGINAL

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

COMES BEFORE ME Kurt Wallach after being first duly sworn and does depose and say as follows:

1. That affiant is over the age of 18 years and has personal knowledge of the facts stated herein.

2. Notice of Actual Application for Transfer of PSC Water Certificate No. 524-W and PSC Waste Water Certificate No. 459-S was given in accordance with section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail, as per the attached mailing list provided by the PSC, to the following:

- 1 Pasco County Board of County Commissioners with copy to Pasco County Utilities Department;
2. The privately owned water and waste water utilities that hold a certificate granted by the Public Service Commission that are located within Pasco County, Florida;
3. If any portion of the proposed territory is within one mile of a county boundary, the privately owned utilities located in the bordering county(s) and holding a certificate granted by the Public Service Commission;
4. Tampa Bay Regional Planning Council;
5. Office of Public Counsel;
6. Public Service Commission's Director of Records and Reporting;
7. Tampa office of the Department of Environmental Protection;

DOCUMENT NUMBER DATE

02051 FEB-98

.. .. .

8. Southwest Florida Water Management District.

FURTHER AFFLIANT SAYETH NOT.

[Signature]
KURT WALLACH

The foregoing instrument was acknowledged before me this 16 day of December, 1997, by KURT WALLACH,

 who is personally known to me,
✓ or who has produced FL Drivers License as identification,

^{not} and who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Sandra O'Neill Butler
NOTARY PUBLIC
Print Name: Sandra O'Neill Butler
State of Florida at Large (Seal)
My Commission Expires: 11.20.2000

(Notary Seal)

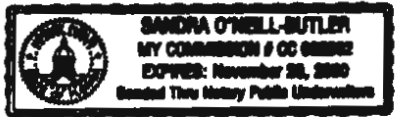


EXHIBIT III B

AFFIDAVIT OF KURT WALLACH

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

COMES BEFORE ME Kurt Wallach after being first duly sworn and does depose and say as follows:

1. That affiant is over the age of 18 years and has personal knowledge of the facts stated herein.

2. Notice of Actual Application for Transfer of PSC Water Certificate No. 524-W and PSC Waste Water Certificate No. 459-S was given on December 10, 1997, in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system being transferred, namely, the residents of Arbor Oaks Mobile Home Park, Zephyrhills, Florida, as per the attached resident role.

FURTHER AFFIANT SAYETH NOT.

Kurt Wallach
KURT WALLACH

The foregoing instrument was acknowledged before me this 16 day of December, 1997, by KURT WALLACH,

✓ who is personally known to me,
NOT or who has produced FLA Drivers License as identification.

and who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Sandra O'Neill-Butler
NOTARY PUBLIC
Print Name: Sandra O'Neill-Butler
State of Florida at Large (Seal)
My Commission Expires: 11.20.2000

LWSW WALLACH ARBOR DOCUMENT AFFIDAVIT 7

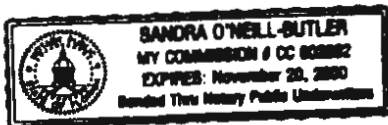


EXHIBIT III C

AFFIDAVIT OF KURT WALLACH

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

COMES BEFORE ME Kurt Wallach after being first duly sworn and does depose and say as follows:

1. That affiant is over the age of 18 years and has personal knowledge of the facts stated herein.
2. The Notice of Application for Transfer of Water Certificate No. 524-W and Waste Water Certificate No. 459-S from B.D.C., Inc., d/b/a Timberwoods Utilities, to the applicant was published once in the newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication is attached hereto.

FURTHER AFFIANT SAYETH NOT.



 KURT WALLACH

The foregoing instrument was acknowledged before me this 16 day of December, 1997, by KURT WALLACH,

✓ who is personally known to me,
 or who has produced FLA DRIVERS as identification,
License

^{not} and who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Sandra O'Neill-Butler
 NOTARY PUBLIC
 Print Name: Sandra O'Neill-Butler
 State of Florida at Large (Seal)
 My Commission Expires: 11-20-2000

(Notary Seal)

1:15:11 WALLACH AFFIDAVIT DOCUMENT AFFIDAVIT 1/13

