LAW OFFICES

ROSE, SUNDSTROM & BENTLEY, LLP

2548 Blairstone Pines Drive Tallahassee, Florida 32301 EY, LLP ORIGINAL RECEIVED-FPSC

(850) 877-6555

99 JUL 27 PM 4: 45

RECORDS AND REPORTING

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

TELECOPIER (850) 656-4029

ROBERT M. C. ROSE OF COUNSEL

July 27, 1999

VIA HAND DELIVERY

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

Re:

CHRIS H. BENTLEY, P.A.

CAROL L. DUTRA MARTIN S. FRIEDMAN, P.A. JOHN R. JENKINS, P.A.

E MARSHALL DETERDING

STEVENT. MINDLIN, P.A.
DAREN L. SHIPPY
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMOR, P.A.

JOHN L. WHARTON

MHC Systems, Inc. d/b/a FFEC-Six

Correction of Prior Order No. PSC-95-1271-FOF-WS

Our File No. 29004.03

Dear Ms. Bayo:

As a result of recent discussions between representatives of MHC Systems, Inc. d/b/a FFEC-Six, and the Public Service Commission Staff, we have determined that several of the Commission's records regarding the name of this Utility Company appeared to be contrary to what the Utility has been operating under since the Transfer to MHC Systems, Inc. was approved in October of 1995, pursuant to Order No. 95-1271-FOF-WS.

The Staff had initially requested that the Utility file an Application for Name Change with all commensurate documents. After discussions with the Staff, we, the Commission's legal staff and technical staff have come to the conclusion that the best way to handle this matter is to simply have the Commission issue an administrative order recognizing the complete name of the Utility under which it has operated since the Transfer was approved approximately four years ago. Going through the full name change process, including noticing, would not only be inappropriate under the circumstances, but would be confusing to the customers of the Utility.

FPSC BUREAU OF RECORDS

RECEIVED & FIL

DOCUMENT NUMBER-DATE

990972-WS

08854 JUL 27 8

FPSC-RECORDS/REPORTING

Blanca S. Bayo, Director July 27, 1999 Page 2

We have been asked by the Staff to complete the Application for Name Change form in order to provide sufficient information on which the Commission Staff can act in this regard. I am enclosing a completed Application form along with the appropriate attachments as required, and including the original and two copies of a revised tariff in order to recognize the full Utility name.

With this information, we request that the Commission administratively issue an order recognizing the full name under which the Utility has operated "MHC Systems, Inc. d/b/a FFEC-Six;" and to issue the attached tariff sheets as approved in order to make sure all of the tariffs properly reflect the Utility's full name.

Should you or any members of the Commission Staff have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP

F. Marshall Deterding

For The Firm

FMD/tmg

cc: John D. Williams

Rosanne Gervasi, Esquire Ms. Stephanie Clapp

ffec\name\bayo.ltr

APPLICATION FOR NAME CHANGE

(Pursuant to Section 367.121, Florida Statutes)

To: Director, Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

The undersigned hereby makes application for a name change on Water Certificate No. 353-W and/or Wastewater Certificate No.309-S for facilities in Lee 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:

MHC Systems, Inc. Name of utility					· · · · · · · · · · · · · · · · · · ·
(312) 279-1400 Phone No.		279-171 ax No.	_0		
C/O Manufactured Riverside Plaza, Su Office street addres	ite 800	ities,	Inc.,	Two	North
Chicago	Illinois	606	06		
City	State	Zip	Code		
Mailing address if d	ifferent from	street	address	5	
Internet address if	applicable				

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

F. Marshall	Deterding	(850)	877-6555
Name		Phone	No.

Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Dr. Street address

<u> Tallahassee</u>	<u> Florida</u>	32301
City	State	Zip Code
•		DOCUMENT NUMBER-DATE
		The second secon

PSC/WAW 7 (Rev. 8/95)

08854 JUL 27 8

C)	Indicate the organizational character of the certificated utility: (circle one)
	<u>Corporation</u> Partnership Sole Proprietorship
	Other
	(Specify)
D)	The proposed change in name:
	MHC Systems, Inc. d/b/a FFEC-Six
E)	Indicate the organizational character of the utility under the new name: (circle one)
	<u>Corporation</u> Partnership Sole Proprietorship
	Other
	(Specify)

- F) Exhibit "A" A statement setting out the reason for the name change.
- G) The effective date of the name change: November 1, 1994
- H) Exhibit "B" In the case of a corporation, limited partnership, or any other type of entity that is chartered by the State of Florida or any other state, a copy of the certificate or other document issued by the state showing its acceptance of the entity's new name.
- Exhibit <u>"C"</u> In the case of a corporation, limited partnership, or any other type of entity that is chartered by the State of Florida or any other state, a statement from an officer that the ownership and control of the utility and its assets will not change under the proposed name.
- J) Exhibit N/A In the case of a sole proprietorship, or any other entity not chartered by the State of Florida or any other state, a statement, signed by a duly authorized representative that the ownership and control

- of the utility and its assets will not change under the proposed name.
- K) Exhibit "D" A proposed notice to be sent to the customers of the utility informing them of the change in utility name. After the Commission staff approves the customer notice, the utility shall send the approved customer notice to all existing customers with the next regular billing, advising them of the name change.
- L) Exhibit <u>"E"</u> An original and two copies of the utility's water and/or wastewater tariff(s), including all standard forms, resubmitted under the proposed name change. Sample tariffs are enclosed with the application package.
- M) Exhibit <u>"F"</u> The applicant's current water and/or wastewater certificate(s).

MHC Systems, Inc. d/b/a FFEC-Six

Affidavit

I, David W. Fell, Vice President/Associate General Counsel of MHC Systems, Inc. d/b/a FFEC-Six, do solemnly swear and affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct, and that said statements of fact constitute a complete statement of the matters to which they relate.

MHC Systems, Inc. d/b/a FFEC-Six

By:

David W. Fell

Vice President/Associate General Counsel

Subscribed and sworn to before me this 20th day of July, 1999 by David W. Fell, who is \underline{X} personally known to me or produced $\underline{N/A}$ as identification.

N/A

Type of Identification Produced

Notary Public's Signature

OFFICIAL SEAL"
JENNIFER L. USHER

Print

t, Tope or Stamp Commissione My Compission Expires, 01/06/03

^{*} 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 the same.

EXHIBIT "A"

MHC Systems, Inc. d/b/a FFEC-Six

Statement of Reasons for Name Change

In Commission Docket No. 950193-WS, the Florida Public Service Commission considered and approved the Transfer of FFEC-Six Utility System to MHC Systems, Inc. The Commission issued Order No. PSC-95-1271-FOF-WS on October 17, 1995 approving that Transfer. In that Docket, the Commission listed the name of the Utility as the corporate entity, MHC Systems, Inc. However, since the initial Transfer which occurred prior to the Commission's final approval, MHC Systems, Inc. has utilized the name MHC Systems, Inc. d/b/a FFEC-Six as its business name for operation of the Utility system. While the Utility has continuously operated under the business name "FFEC-Six" since prior to the Transfer, the Final Order of the Commission approving the Transfer in 1995 failed to include the full business name that the new owner has utilized.

The Utility's bills have always reflected the name FFEC-Six on them before and after the Transfer. The customers of the Utility therefore know their Utility company as FFEC-Six and have never received a bill with the name MHC Systems, Inc. on it.

Therefore, the problem which exists and which needs to be corrected is the improper name being placed in the Final Order of the Commission, and not a name change. Because MHC Systems, Inc. the corporate entity would own the stock when the Utility filed for the Transfer, they utilized this name in the correspondence to the Commission staff on the Transfer. However, the Utility should have informed the Commission and its staff that the Utility intended to continue to operate under the full name "MHC Systems, Inc. d/b/a FFEC-Six" in order to avoid any confusion with the customers as a result of the Transfer. The Utility has in fact continued to operate under the FFEC-Six name.

This Application is therefore filed in order to correct the error in the name of the Utility as listed in the Commission's Order approving the Transfer to the current owner. The requirement for a formal Application and Notice related to a name change is to prevent confusion among the customers and to ensure that the Public Service Commission reviews any proposal to change a Utility's name. That purpose is not served by requiring a formal Application or a Notice in this case, because of the circumstances as outlined above and as outlined in the discussion of the Customer Notice contained in **Exhibit "D"** of this Application. In fact, the formal noticing and Application process will result in more confusion than clarification if required. We request that the Commission make this change administratively in accordance with recent discussions between counsel to the Utility and the Commission staff members.

EXHIBIT "B"

MHC Systems, Inc. d/b/a FFEC-Six

Documentation of Entity Name

While MHC Systems, Inc. has operated the Utility Company under the name of FFEC-Six since the Transfer from FFEC-Six, Ltd. (approved by Commission Order No. PSC-95-1271-FOF-WS in October of 1995 in Commission Docket No. 950193-WS), MHC Systems, Inc. had never officially registered the fictitious name of FFEC-Six until recently. We are therefore attaching documents recently filed with the State of Florida in order to register that full fictitious name.



FLORIDA DEPARTMENT OF STATE Katherine Harris Secretary of State

July 12, 1999

FFEC-SIX 10200 PINE LAKES BOULEVARD N. FORT MYERS, FL 33903

Subject: FFEC-SIX

REGISTRATION NUMBER: G99193900319

This will acknowledge the filing of the above fictitious name registration which was registered on July 12, 1999. This registration gives no rights to ownership of the name.

Each fictitious name registration must be renewed every five years between July 1 and December 31 of the expiration year to maintain registration. Three months prior to the expiration date a statement of renewal will be mailed.

IT IS THE RESPONSIBILITY OF THE BUSINESS TO NOTIFY THIS OFFICE IN WRITING IF THEIR MAILING ADDRESS CHANGES. Whenever corresponding please provide assigned Registration Number.

Should you have any questions regarding this matter you may contact our office at (850) 488-9000.

Reinstatements Section Division of Corporations

Letter No. 199A00035788

Account number: FCA000000005 Account charged: 50.00

APPLICATION FOR REGISTRATION OF FICTITIOUS NAME

FILED

only

1.	FFEC-Six					99 JUL 12 Ph 12. J
	Fictitious Name to be	Registered	•		'	
	2 N. Riverside	Plaza, Suite	800		1	STARETARY OF STAT TALL MEANS SEE, FLORI
2.	Chicago, IL 606	06				WET WENT OF THE
	Mailing Address of Bu	siness				
	10200 Pine Lake	s Boulevard	4	:	İ	
3. 1	City N. Fort My		, Florida <u>3390</u> zi	O Code		
4.	FEI Number: N/A					This space for office use
Α.	Owner(s) of Fictitio	ous Name If In	dividual(s): (Use a	n attach	ment if ne	cessary):
1				2.		
••	Last	First	М.І.		Last	First
	Address				Add	ress

Last	First	M .I.	2	Last	First	, M.I.
Address			_	Address		
City	State	Zip Code		City	State	Zip Code
SS#			s	S#		
Owner(s) of Fig	titious Name If of	ther than an indiv	iduai: (Use	attachment if ne	ecessary):	
MHC Systems	, Inc.		2.			
Entity Name				Entity Name		
2 N. Rivers	ide Plaza	•		-		
Address			_	Address		
Chicago, IL	60606		_		1	
City	State	Zip Code		City	State	Zip Code
Florida Regist	tration Number F	94000005582	F	lorida Registratio	n Number	
FEI Number:	36-3983600		F	El Number:	***************************************	
☐ Appl	lied for Not	t Applicable		☐ Applied f	or 🗆 Not	Applicable
wspaper as defined in the signature(s) below	te. I (we) further certify chapter 50, Florida Stown shall have the same	atutes, in the county who legal effect as if made	e snown in Se tere the applica under oath. (At	ction 1 of this form 1 nt's principal place o Least One Signature	ias been adventse f business is locate e Required)	id at least orice in
Signature of Owne	ór , , , , , , , , ,	Date er, Secretary	Sig	gnature of Owner)ate
hone Number:	312-474-1122	er, Secretary	Phone	Number:		
OR FICTITIOUS I	ION COMPLETE S	RSHIP CHANGE C	OMPLETE	•	IROUGH 4:	
(we) the linde	rsignea, nereby	cancel the fictit	ious name	}		
(110) 1110 111100	-				_	
	-	which was regis	tered on _		and w	as assigned

Mark the applicable boxes FILING FEE: \$50

Signature of Owner

☐ Certificate of Status \$10

Date

☐ Certified Copy \$30

Signature of Owner

Date

October 27, 1994

PRENTICE HALL

Qualification documents for MHC SYSTEMS, INC. were filed on October 27, 1994, and assigned document number F94000005582. Please refer to this number whenever corresponding with this office.

Your corporation is now qualified and authorized to transact business in Florida as of the file date.

The certification you requested is enclosed.

A corporation annual report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the corporate address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (904) 487-6091, the Foreign Qualification/Tax Lien Section.

Letter Number: 994A00047388

Freta Lott
Corporate Specialist Supervisor
Division of Corporations

APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

(Name of corporation: must include the abbreviations of like import in language or partnership if not so contained in the	ne word TNCC e as will clear e name at pre	ORPORATED ty indicate the esent.)	*, *COMPANY at it is a corp	","CORPOR oration inste	ATION® or wo	rds or al person
2. Illinois		3.	applied f	or	* *	
(State or country under the law of which	ch it is incorpo		(FEI numbe	r, if applicab	le)	
4. October 26, 1994	5	perpetua	1.			
(Date of Incorporation)			Year corp. wil	cease to ex	ist or "perpet	uai7
6Upon qualification			•			
(Date first transacted business in Flor	ida. <i>(See sect</i>	tions 607.150	01, 607.1502, 2	and 817.155,	F.S.J	
7. c/o Ann M. Schneider, 2 N.	Riverside	Plaza				
Chicago, IL 60606						
(Current	mailing addre	ss)				
8. ownership, management, ope						
					4	DIV.S
9. Name and street address of		_	-		99	SECR
The I Name: <u>Sy</u> s	Prentice-		rporation	1	. . −	95m
Name, . by.	scent, and				-1	87.
Office Address: 1201 I	lays Street	:		_	三	RPC CRP CRP CRP CRP CRP CRP CRP CRP CRP
Talla	ahassee			Florida,	32301 .	RATIO
	•				(Zip Code) दें
10. Registered agent's accep	tance:			٠,		•
Having been named as registered corporation at the place design registered agent and agree to accord all statutes relative to the prowith and accept the obligations of the Prentice By: (Ref.	ed agent and this caper and coron for my position and the coron formation agent agen	s application acity. I fumplete per ion as regis. Complete Market ion as signature)	on, I hereb rther agree formance o stered agen ation Sys	y accept of to comply of my dutient. stem, In	the appoint with the pass, and I and	tment as rovisions n familiar
11. Attached is a certificate of	existence (ouiv aume	nucateo. No	ot more m	an <i>s</i> waav:	s prior to

delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors:

A.	DIRECTORS SEE ATTA	CHED LIST		•
	Chairman:	· · · · · · · · · · · · · · · · · · ·	·	<u> </u>
	•	•		•
		•		 .
	Vice Chairman			
	•			•
	Address:			· ·
	Director:			
	Address:			
				·.
	Director:			
	Address:			
		· · · · · · · · · · · · · · · · · · ·		
В.	OFFICERS SEE ATTAC	HED LIST	,	
	President	*		
	•		222222	
	, adioooi			
	Vice President	•		
	Address:			
	Secretary:			
	Address:	_		
	Treasurer:	••	•	· .
	Address:			
			• •	·
	E: If necessary, you may or directors?	attach an adden	dum to the application	n listing additional officers
13.	Signature of Chairman, Vice Ch	airman, or any officer	listed in number 12 of the	application)
		• .		-pprocess;
14.	Ann M. Schneider, Asst		igning application)	•

Directors and Officers MHC Systems, Inc.

DIRECTORS:

Randall K. Rowe Director

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Gerald Spector Director

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Samuel Zell Director

Primary : 2 N. Riverside Plaza Address : Chicago, Illinois 60606

David Helfand ... Director

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Ellen Kelleher Director

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

OFFICERS:

Samuel Zell Co-Chairman of the Board

Primary : 2 N. Riverside Plaza Address : Chicago, Illinois 60606

Randall K. Rowe Co-Chairman of the Board/CEO

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Barry McCabe President/C00

Primary : 116 Inverness Drive

Address : Englewood, Colorado 80112

David Helfand Senior Vice President/CFO

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Ellen Kelleher Senior Vice President/Asst. Secy.

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Susan Obuchowski Secretary

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Ann M. Schneider Assistant Secretary

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

Gerald Spector Treasurer

Primary : 2 N. Riverside Plaza
Address : Chicago, Illinois 60606

File Humber 5803-733-8



To all to whom these presents Shall Come, Greeting:

I, George H. Ryan. Secretary of State of the State of Illinois,



In Cesti	mony Mh	ereof, -	I here	to A	ARY OF CORP
my hand and the State of Illi	cause to be o	affixed the	Great S	Fæd ræd	SIA
day of	OCTOBER	À.D.,	19 94		55

George H Ryan SECRETARY OF STATE



MHC Systems, Inc. d/b/a FFEC-Six

Affidavit

I, David W. Fell, Vice President/Associate General Counsel of MHC Systems, Inc. d/b/a FFEC-Six (the "Utility"), do solemnly swear and affirm that:

- 1. The recognition of the full name "MHC Systems, Inc. d/b/a FFEC-Six" does not constitute a change in ownership or control of the Utility, and the ownership of the Utility's assets will not change upon the correction of the Utility's name in the official Florida Public Service Commission records.
- 2. The information contained herein, and the proposal by the Utility to have its Certificate Nos. 353-W and 309-S (the "Certificates") revised to include the full name under which the Utility is operating, do not constitute a change in ownership or majority organizational control of the Utility, but rather such proposal simply requests the correction of the name set forth on the Certificates to recognize the name the Utility has utilized from the date of transfer of the Certificates and related assets to the Utility forward, which was not accurately stated in the initial order approving the transfer.

MHC Systems, Inc. d/b/a FFEC-Six

Ву:	Tavil W. Fell
	David W. Fell
	Vice President/Associate General Counsel

Subscribed and sworn to before me this 20th day of July, 1999 by David W. Fell, who is \underline{X} personally known to me or produced N/A as identification.

N/A
Type of Identification Produced

Notary Public's Signature

OFFICIAL SEAL"
JENNIFER L. USHER

Print, Type of Starring Commission and Name of Normalist Starring 101/06/03

EXHIBIT "D"

MHC Systems, Inc. d/b/a FFEC-Six

Proposed Customer Notice

MHC Systems, Inc. d/b/a FFEC-Six does not believe that a Customer Notice is necessary, in the best interest of the customers, or appropriate under these circumstances.

Because the only error which has occurred is the improper listing of the name of the Utility in the Commission's Final Order issued in the 1994 Transfer proceeding. This error occurred as a result of the Utility's failure in 1994 to properly inform the Commission of its intention to continue to operate under the FFEC-Six name. Correction of that error is all that needs to be accomplished in this proceeding.

The customers of the Utility would in fact be more confused by the Customer Notice then they would be not receiving one. All of the correspondence which the customers receive continues to reflect the FFEC-Six name and has continuously since before the Transfer and at all times following the Transfer. Many of the existing tariff pages also reflect the FFEC-Six name and as such, what is needed is not a name change, but an administrational correction of a Commission order granting the certificates to MHC Systems, Inc. by Order No. PSC-95-1271-FOF-WS issued in October of 1995 in Docket No. 950193-WS.

EXHIBIT "E"

MHC Systems, Inc. d/b/a FFEC-Six

Original and Two Copies of Proposed Water and Sewer Tariffs

Because the tariffs for the Utility Company reflect, for the most part, the prior owner's name (FFEC-Six, Ltd.), we are submitting with this Application revised tariff sheets so that the name throughout the tariff will reflect the full name of the Utility Company on a going-forward basis.

While the Commission generally requires the tariffs to be revised as part of a Transfer proceeding, no revised tariffs were approved by the Commission to reflect the MHC Systems, Inc. name as a result of the action taken by the Commission in Docket No. 950193-WS issued on October 17, 1995. We are therefore attempting to correct that error by the filing of the attached revised Water and Wastewater Tariffs.

WASTEWATER TARIFF

MHC SYSTEMS, INC. D/B/A FFEC-SIX NAME OF COMPANY

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

WASTEWATER TARIFF

MHC SYSTEMS, INC. D/B/A FFEC-SIX
NAME OF COMPANY

c/o Mobile Home Communities, Inc.

28050 US Highway 19 North, Suite 406

Clearwater, FL 33761 (ADDRESS OF COMPANY)

__(727) 797-7674 or (941) 731-5565_ (Business & Emergency Telephone Numbers)

FILED WITH

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

TABLE OF CONTENTS

Sh	eet Number
Held for Future Use	4.0
Description of Territory Served	3.1-3.4
Index of	
Rates and Charges Schedules	11.0
Rules and Regulations	6.0
Standard Forms	18.0
Technical Terms and Abbreviations	5.0
Territory Authority	3.0

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER - 309 - S

COUNTY - LEE

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

Order Number	Date Issued	Docket Number	Filing Type
12225	07/12/83	800733-WS	Original Certificate
17020	12/24/86	861440-WS	Amendment
95-1271	10/17/95	950193-WS	Transfer

(Continued to Sheet No. 3.1)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

Order No. 12225, July 12, 1983

Township 43 South - Range 24 E

Section 8 and 9

Beginning at the Southeast corner of said Section 8, and continuing South 88 degrees 31 minutes 00 seconds West, 2349.44 feet; thence North 88 degrees, 31 minutes 33 seconds West, 1612.48 feet; thence North 0 degrees 11 minutes 10 seconds East, 2200.0 feet; thence South 88 degrees 31 minutes 00 seconds East, 2349.44 feet; thence North O degrees 11 minutes 10 seconds East, 362.19 feet; thence South 89 degrees 51 minutes 50 seconds East, 1360.22 feet; thence North 64 degrees 05 minutes 00 seconds East, 380.0 feet; to the West right of way line of US 41; thence South 25 degrees 55 minutes 00 seconds East along said right of way line 1420.27 feet; thence South 25 degrees 57 minutes 31 seconds East, 349.0 feet; thence South 64 degrees 48 minutes 12 seconds West, 380.03 feet to a point on the FP&L easement; thence North 25 degrees 57 minutes 37 seconds West along said easement 30.72 feet; thence South 63 degrees 06 minutes 52 seconds West, 2210.55 feet; thence North 89 degrees 59 minutes 48 seconds West, 154.91 feet; to the POINT OF BEGINNING.

(Continued to Sheet No. 3.2)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 3.1)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

Order No. 17020, December 24, 1986

SECTION 8, T. 43 S., R. 24 E. LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 8, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at the northeast corner of that parcel described in deed recorded in Official Record Book 1086 at page 797, Lee County Records run S 88° 31' 00" W parallel with the south line of the southeast quarter (SE-1/4) of said Section 8 along the north line of said parcel for 2,349.30 feet to an intersection with a line parallel with and 2,200 feet north of (as measured on a line parallel with the east line of Section 8) the south line of the southwest quarter (SW-1/4) of said Section 8 said point being at the directional change on the north line of said parcel; thence run N 88° 31' 33" W along said parallel line along the north line of said parcel for 1612.32 feet to the northwest corner of said parcel; thence run S 00° 11' 10" W, parallel with the east line of said Section 8 along the west line of said parcel for 2,200.00 feet to the south line of said Section 8; thence run N 88° 31' 33" W along said south line for 1032.12 feet to the southwest corner of said Section 8; thence run N 02° 22' 02" W along the west line of the southwest quarter (SW-1/4) of said Section 8 for 2,689.76 feet to the northwest corner of said fraction of a section; thence run N 02° 13' 44" E along the west line of the northwest quarter (NW-1/4) for 1,979.63 feet to the southwest corner of the north half (N-1/2) of the north half (N-1/2) of the north half (N-1/2) of said Section 8; thence run along the south line of said fraction of a section, S 89° 31' 02" E for 2,339.65 feet, S 89° 51' 51" E for 2,701.74 feet to the southeast corner of said fraction of a section; thence run S 00° 11' 10" W along the east line of said Section 8 for 2,446.83 feet to the Point of Beginning. Containing 344.37 acres of land more or less.

(Continued to Sheet No. 3.3)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 3.2)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

SECTION 9, T. 43 S., R. 24 E.

LEE COUNTY, FLORIDA

WOLFF PARCEL

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 400.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line, for 60.00 feet to the new westerly right-of-way line (160 feet from the centerline) of State Road 45 as described in instrument recorded in Official Record book 1080 at page 190, Lee County Records and the Point of Beginning. From said Point of Beginning run S . 25° . 53' 00" E along said new right-of-way line for 360.53 feet to a point of transitional right-of-way width of said State Road 45; thence run S 25° 30' 05" E along said transitional right-of-way line for 239.47 feet; thence run S 64° 07' 00" W, perpendicular with the former right-of-way line of said State Road 45, for 1,002.93 feet to the west line of said Section 9; thence run N 00 11 10" E along said west line for 667.96 feet to an intersection with a line perpendicular to said former rightof-way line passing through the Point of Beginning; thence run N 64° 07' 00" E along said perpendicular line for 710.98 feet to the Point of Beginning. SUBJECT TO a 100; foot Florida Power & Light Company Transmission Line Easement, the centerline of which being parallel with and 500 feet southwesterly of the former rightof-way line (100 feet from the centerline) of said State Road 45.

(Continued to Sheet No. 3.4)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 3.3)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

SECTION 9, T. 43 S., R. 24 E.
LEE COUNTY, FLORIDA
SALVATORE PARCEL

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 1,000.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line, for 61.60 feet to a point on the new right-of-way line as described in instrument recorded in Official Record book 1001 at page 781, Lee County Records and the Point of Beginning. From said Point of Beginning continue S 64° 07' 00" W along said perpendicular line for 1,002.93 feet to the west line of said Section 9: thence run S 00° 11' 10" W along said west line for 293.45 feet to the southwest corner of the north half (N-1/2) of the northwest quarter (NW-1/4) of the southwest quarter (SW-1/4) of the northwest quarter (NW-1/4)of said Section 9; thence run S 89° 51' 49" E along the south line of said fraction of a section for 827.35 feet to an intersection with a line parallel with and 450 feet southwesterly of said former right-of-way line; thence run . N 25° 53' 00" W along said parallel line for 376.53 feet to an intersection with a southwesterly prolongation of the southeasterly line of that parcel of land recorded in Deed Book 247 at page 447 of the land records of Lee County, Florida; thence run N 64° 07' 00" E along said southwesterly prolongation for 386.74 feet to an intersection with the new right-of-way line of said State Road 45; thence run N 25° 30' 05" W along said new right-of-way line for 250.01 feet to the Point of Beginning.

SUBJECT TO a 100 foot Florida Power & Light Company Transmission Line Easement, the centerline of which being parallel with and 500 feet southwesterly of the former right-of-way line (100 feet from the centerline) of said State Road 45.

DAVID W. FELL ISSUING OFFICER

ORIGINAL SHEET NO. 4.0

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX

WASTEWATER TARIFF

HELD FOR FUTURE USE

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" The abbreviation for "Base Facility Charge" which is the minimum amount the Company may charge its Customers and is separate from the amount the Company bills its Customers for wastewater consumption.
- 2.0 <u>"CERTIFICATE"</u> A document issued by the Commission authorizing the Company to provide wastewater service in a specific territory.
- 3.0 "COMMISSION" The shortened name for the Florida Public Service Commission.
- 4.0 <u>"COMMUNITIES SERVED"</u> The group of Customers who receive wastewater service from the Company and whose service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" The shortened name for the full name of the utility which is MHC Systems, Inc. d/b/a FFEC-SIx.
- 6.0 <u>"CUSTOMER"</u> Any person, firm or corporation who has entered into an agreement to receive wastewater service from the Company and who is liable for the payment of that wastewater service.
- 7.0 "CUSTOMER'S INSTALLATION" All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for disposing of wastewater located on the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement.
- 8.0 "MAIN" A pipe, conduit, or other facility used to convey wastewater service from individual service lines or through other mains.
- 9.0 <u>"RATE"</u> Amount which the Company may charge for wastewater service which is applied to the Customer's water consumption.
- 10.0 <u>"RATE SCHEDULE"</u> The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.
- 11.0 <u>"SERVICE"</u> As mentioned in this tariff and in agreement with Customers, "Service" shall be construed to include, in addition to all wastewater service required by the Customer, the readiness and ability on the part of the Company to furnish wastewater service to the Customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.

(Continued to Sheet No. 5.1)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 <u>"SERVICE CONNECTION"</u> The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0 <u>"SERVICE LINES"</u> The pipes between the Company's Mains and the Service Connection and which includes all of the pipes, fittings and valves necessary to make the connection to the Customer's premises, excluding the meter.
- 14.0 <u>"TERRITORY"</u> The geographical area described, if necessary, by metes and bounds but, in all cases, with township, range and section in a Certificate, which may be within or without the boundaries of an incorporated municipality and may include areas in more than one county.

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

INDEX OF RULES AND REGULATIONS

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(Continued to Sheet No. 6.1)		

DAVID W. FELL ISSUING OFFICER

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WASTEWATER TARIFF

RULES AND REGULATIONS

1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every Customer to whom the Company renders wastewater service.

The Company shall provide wastewater service to all Customers requiring such service within its Certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.

- 2.0 <u>POLICY DISPUTE</u> Any dispute between the Company and the Customer or prospective Customer regarding the meaning or application of any provision of this tariff shall upon written request by either party be resolved by the Florida Public Service Commission.
- 3.0 <u>APPLICATION</u> In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The conditions of such application or agreement are binding upon the customer as well as upon the company. A copy of the application or agreement for sewer service accepted by the company will be furnished to the applicant on request.
- 4.0 <u>APPLICATIONS BY AGENTS</u> Applications for wastewater service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents. When sewer service is rendered under agreement(s) entered into between the company and an agent of the principal, the use of such sewer service by the principal or agent shall constitute full and complete ratification by the principal of the agreement(s) entered into between agent and the company and under which such sewer service is rendered.
- 5.0 <u>REFUSALOR DISCONTINUANCEOF SERVICE</u> The Company may refuse or discontinue wastewater service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code, unless all prior indebtedness to the company or such household, organization or business for sewer service has been settled in full.

Service may also be discontinued for any violation by the customer or consumer of any rule or regulation set forth in this tariff.

- 6.0 <u>EXTENSIONS</u> Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff. The company will make such extensions to its existing facilities as may be required by one or more consumers, provided the revenues to be derived therefrom shall be sufficient to afford fair and reasonable return on the cost of providing and rendering the service. Otherwise, the company will require from the consumer prepayments, cash advances, minimum guarantees, service guarantees, CIAC, or other arrangements with the consumer, whereby the company will be enabled to earn a fair and reasonable return on the cost of providing and rendering the required service.
- 7.0 <u>TYPE AND MAINTENANCE</u> In accordance with Rule 25-30.545, Florida Administrative Code, the Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all laws and governmental regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the wastewater service. The Company reserves the right to discontinue or withhold wastewater service to such apparatus or device.

(Continued on Sheet No. 8.0)

DAVID W. FELL ISSUING OFFICER

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WASTEWATER TARIFF

(Continued from Sheet No. 7.0)

8.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the Company will at all times use reasonable diligence to provide continuous wastewater service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous wastewater service. The company shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigations, breakdowns, shutdowns for emergency repairs, or adjustments, acts of sabotage, enemies of the U.S.A., wars, U.S.A., State, Municipal or other governmental interference, acts of God or other causes beyond its control.

If at any time the Company shall interrupt or discontinue its service, all Customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

9.0 <u>LIMITATION OF USE</u> - Wastewater service purchased from the Company shall be used by the Customer only for the purposes specified in the application for wastewater service. Wastewater service shall be rendered to the Customer for the Customer's own use and shall be collected directly into the Company's main wastewater lines.

In no case shall a Customer, except with the written consent of the Company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish wastewater service to the adjacent property even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the Customer's wastewater service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for wastewater service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement is made in full to the Company for all extra expenses incurred for clerical work, testing, and inspections.

- 10.0 <u>CHANGE OF CUSTOMER'S INSTALLATION</u> No changes or increases in the Customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The Customer shall be liable for any change resulting from a violation of this Rule.
- 11.0 <u>INSPECTION OF CUSTOMER'S INSTALLATION</u> All Customer's wastewater service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local laws and governmental regulations. Where municipal or other governmental inspection is required by local rules and ordinances, the Company cannot render wastewater service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Not withstanding the above, the Company reserves the right to inspect the Customer's installation prior to rendering wastewater service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

(Continued on Sheet No. 9.0)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 8.0)

- ACCESS TO PREMISES In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the Customer shall provide the duly authorized agents of the Company access at all reasonable hours to the premises of the customer for the purposes of installing, monitoring, inspecting or removing company's property, reading meters and other purposes incident to performance under or termination of the company's agreement with the customer and in such performance shall not be liable for trespass. If reasonable access is not provided, service may be discontinued pursuant to the above rule.
- 13.0 PROTECTION OF COMPANY'S PROPERTY The Customer shall exercise reasonable diligence to protect the Company's property and shall knowingly permit no one but the company's agents, or persons authorized by law, to have access to the company's pipes and apparatus. If the Customer is found to have tampered with any Company property or refuses to correct any problems reported by the Company, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code. In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.
- 14.0 <u>RIGHT-OF-WAY OR EASEMENTS</u> The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of wastewater service.
- 15.0 <u>CUSTOMER BILLING</u> Bills for wastewater service will be rendered Monthly as stated in the rate schedule. Bills are due when rendered and shall be considered as received by customer when delivered or mailed to wastewater service address or some other place mutually agreed upon. Nonreceipt of bills by customer shall not release or diminish obligation of customer with respect to payment thereof.

In accordance with Rule 25-30.335, Florida Administrative Code, the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.

A municipal or county franchise tax levied upon a water or wastewater public utility shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.

If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.

16.0 PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY - In accordance with Rule 25-30.320(2)(g), Florida Administrative Code, when both water and wastewater service are provided by the Company, payment of any wastewater service bill rendered by the Company to a Customer shall not be accepted by the Company without the simultaneous or concurrent payment of any water service bill rendered by the Company.

(Continued on Sheet No. 10.0)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 9.0)

- 17.0 <u>DELINQUENT BILLS</u> When it has been determined that a Customer is delinquent in paying any bill, wastewater service may be discontinued after the Company has mailed or presented a written notice to the Customer in accordance with Rule 25-30.320, Florida Administrative Code. There shall be no liability of any kind against the company by reason of discontinuance of wastewater service to the consumer for failure of the consumer to pay the bills on time.
- 18.0 <u>TERMINATION OF SERVICE</u> When a Customer wishes to terminate service on any premises where wastewater service is supplied by the Company, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, Florida Administrative Code.
- 19.0 <u>UNAUTHORIZED CONNECTIONS</u> <u>WASTEWATER</u> Any unauthorized connections to the Customer's wastewater service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code. Unauthorized connections render the service subject to immediate discontinuance without notice and wastewater service will not be restored until such unauthorized connections have been removed and unless settlement is made in full and for wastewater service estimated by the company to have been used by reason of such unauthorized connection.
- 20.0 <u>ADJUSTMENT OF BILLS</u> When a Customer has been overcharged or undercharged as a result of incorrect application of the rate schedule or, if wastewater service is measured by water consumption and a meter error is determined, the amount may be credited or billed to the Customer as the case may be, pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 21.0 FILING OF CONTRACTS Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.
- 22.0 <u>IMPROPER WASTE OR EXCESSIVE USE OF SEWER SERVICE</u> The following requirements for the use of the sanitary sewer system shall be observed. Violation of these requirements will result in the discontinuance of service to the customer.
 - A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial process waters to any company's mains.
 - B. No person shall discharge or cause to be discharged any of the following described waters or wastes to the company's mains:
 - Any liquid or vapor having a temperature higher than 150°F.
 - 2. Any water or waste which may contain more than 100 parts/million, by weight, of fat, oil or grease.

(Continued to Sheet No. 11)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 10.0)

- 3. Any water or waste which may contain more than 25 parts/million, by weight, of soluble oils.
- 4. Any gasoline, benzens, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.
- 5. Any garbage that has not been properly shredded.
- 6. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- Any waters or wastes having a pH lower than 5.0 or higher than 9.0, or having any other
 corrosive property capable of causing damage or hazard to structures, equipment, and
 personnel of the sewage works.
- 8. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or to animals, or create any hazard in the receiving waters of the sewage treatment plant.
- 9. Any waters or malodorous gas or substance capable of creating a public nuisance.
- C. Reuse, oil, and sand interceptors shall be provided and installed by the customer when, in the opinion of the company, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sands, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the company and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gas tight and water tight.

- D. Where installed, all grease, oil and sand interceptors shall be maintained by the customer, at his expense, in continuously efficient operation at all times.
- E. The admission into the sanitary sewer system of any waters or waste having (a) a 5-day Biochemical Oxygen Demand greater than 400 parts/million by weight, or (b) containing more than 450 parts/million by weight of suspended solids, or (c) containing any quantity of substances having the characteristics described in Rule 29.0, Paragraphs B, and (d) having an average daily flow greater than 2% of the average daily sewage flow of the system, shall be subject to the review and approval of the Company. Where necessary in the opinion of the Company, the customer shall provide at his expense such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 400 parts/million and the suspended solids to 450 parts/million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Rule 6, Paragraph (c), or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and

(Continued to Sheet No. 12.0)

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

(Continued from Sheet No. 11.0)

any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the company and of the Water Pollution Board, and no construction of such facilities shall be commenced until said approval is obtained in writing.

- F. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the customer at his expense.
- G. When required by the Company, the customer sewer service carrying industrial wastes shall include a suitable control manhole in the customer sewer service to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly safely located, and shall be constructed in accordance with plans approved by the company. The manhole shall be maintained by him so as to be safe and accessible at all times.
- H. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Paragraphs B & E shall be determined in accordance with "Standard Methods of Analyses of Water, Sewage and Industrial Wastes" as published by the American Public Health Association and shall be determined at the control manhole provided for in Paragraph G, or upon suitable samples taken at said control manhole. In the even that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the company main sewer to the point at which the customer service sewer is connected.
- 23.0 <u>TEMPORARY DISCONTINUANCE OF SERVICE</u> At any time a customer may request a temporary discontinuance of service in order to insure that that customer is not billed for any wastewater usage during the period of time in which that premises is not occupied or otherwise utilized. The customer will, however, be liable for payment of the base facility charge during the entire period of time the temporary disconnect remains in effect, in order for the Company to be able to recover its fixed cost of having wastewater service available to those premises upon request by the customer.
- 24.0 <u>EVIDENCE OF CONSUMPTION</u> The initiation or continuation or resumption of water service to the Customer's premises shall constitute the initiation or continuation or resumption of wastewater service to the Customer's premises regardless of occupancy.

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

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Schedule of Capacity Fees	16.0
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DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

<u>AVAILABILITY</u> - Available throughout the area served by the Company.

<u>APPLICABILITY</u> - For wastewater service to all Customers for which no other schedule applies.

<u>LIMITATIONS</u> - Subject to all of the Rules and Regulations of this tariff and General Rules and

Regulations of the Commission.

BILLING PERIOD - Monthly

RATE -

Meter Size	Base Facility Charge
5/8" x 3/4" 3/4" 1"	\$ 9.34 14.00 23.32
1 ½" 2"	46.65 74.64
3"	149.27
4"	233.25
6"	466.50

GALLONAGE CHARGE - \$5.19 per 1,000 gallons

MINIMUM CHARGE - \$9.34 per month

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320,

Florida Administrative Code, if a Customer is delinquent in paying the bill for

wastewater service, service may then be discontinued.

EFFECTIVE DATE - December 8, 1998

TYPE OF FILING - 1998 Index

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater service for all purposes in private residences and individually

metered apartment units.

<u>LIMITATIONS</u> - Subject to all of the Rules and Regulations of this Tariff and General Rules and

Regulations of the Commission.

BILLING PERIOD - Monthly

RATE -

Meter Size Base Facility Charge

All Meter Sizes \$ 9.34

GALLONAGE CHARGE \$ 4.32 per 1,000 gallons

(Maximum 6,000 gallons)

MINIMUM CHARGE - \$9.34 per month

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320,

Florida Administrative Code, if a Customer is delinquent in paying the bill for

wastewater service, service may then be discontinued.

EFFECTIVE DATE - December 8, 1998

TYPE OF FILING - 1998 Index

WASTEWATER TARIFF

SEWER

SCHEDULE OF CAPACITY FEES

All new applications for sewer service at a new location shall pay, in advance, a system capacity fee of \$692.50 per Equivalent Residential Connection (ERC) for all residential, multifamily units (as the term is defined in the Rules and Regulations) and General Service customers, and an amount that is fair and reasonable for commercial Customers, but not less than \$692.50 per ERC.

ERC = 80 gallons per day

The system capacity charge is designed to cover the cost per ERC of reserving plant and line capacity. The utility does not require the contribution of lines.

WASTEWATER TARIFF

EFFLUENT FOR SPRAY IRRIGATION RATE SCHEDULE

AVAILABILITY Available to Pine Lakes Country Club by

special contract.

APPLICABILITY To the extent of its capacity and wastewater

flows, the Utility shall ensure continued availability of effluent on a non-discrimina-

tory basis for irrigation.

LIMITATION Subject to all of the Rules and Regulations

of this Tariff and General Rules and Regula-

tions of the Commission.

RATE \$0.25 per 1,000 gallons of effluent.

BILLING CYCLE Monthly billing cycle.

TERMS OF PAYMENT

Bills are due and payable when rendered and become

delinguent if not paid within twenty (20)

delinquent if not paid within twenty (20) days. After five (5) days written notice,

service may then be discontinued.

Effective Date: July 31, 1991

WASTEWATER TARIFF

CUSTOMER DEPOSITS

<u>ESTABLISHMENT OF CREDIT</u> - Before rendering wastewater service, the Company may require an Applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the Customer from complying with the Company's rules for prompt payment. Credit will be deemed so established if the Customer complies with the requirements of Rule 25-30.311, Florida Administrative Code.

AMOUNT OF DEPOSIT - The amount of initial deposit shall be the following according to meter size:

	<u>Residential</u>	General Service
5/8" x 3/4"	\$25.00	\$25.00
1"	30.00	30.00
1 1/2"	35.00_	35.00
Over 2"	50.00	50.00

<u>ADDITIONAL DEPOSIT</u> - Under Rule 25-30.311(7), Florida Administrative Code, the Company may require a new deposit, where previously waived or returned, or an additional deposit in order to secure payment of current bills provided.

INTEREST ON DEPOSIT - The Company shall pay interest on Customer deposits pursuant to Rule 25-30.311(4) and (4a). The Company will pay or credit accrued interest to the Customers account during the month of N/A each year.

<u>REFUND OF DEPOSIT</u> - After a residential Customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the Company shall refund the Customer's deposit provided the Customer has met the requirements of Rule 25-30.311(5), Florida Administrative Code. The Company may hold the deposit of a non-residential Customer after a continuous service period of 23 months and shall pay interest on the non-residential Customer's deposit pursuant to Rule 25-30.311(4) and (5), Florida Administrative Code.

Nothing in this rule shall prohibit the Company from refunding a Customer's deposit in less than 23 months.

EFFECTIVE DATE -

TYPE OF FILING -

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms state herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company requires multiple actions.

<u>INITIAL CONNECTION</u> - This charge may be levied for service initiation at a location where service did not exist previously.

<u>NORMAL RECONNECTION</u> - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

<u>VIOLATION RECONNECTION</u> - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

Schedule of Miscellaneous Service Charges

Initial Connection Fee	\$ <u>15.00</u>
Normal Reconnection Fee	\$_15.00
Violation Reconnection Fee	\$ Actual Cost (1)
Premises Visit Fee (in lieu of disconnection)	\$_10.00

(1) Actual Cost is equal to the total cost incurred for services.

EFFECTIVE DATE -

TYPE OF FILING -

DAVID W. FELL ISSUING OFFICER

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WASTEWATER TARIFF

SERVICE AVAILABILITY FEES AND CHARGES

DESCRIPTION	<u>l</u>	REFER TO SERVICE AMOUNT	CE AVAILABILITY POLICY SHEET NO./RULE NO.
Customer Con 5/8" x 3/4" 1" 1 1/2" 2" Over 2"	metered service	\$ \$ \$ \$	
Residential All others-p Without Prepa Residential	evenue Charge nent of Service Availability Charges: I-per ERC/month ()GPD per gallon/month ayment of Service Availability Charges; I-per ERC/month ()GPD per gallon/month	\$ \$ \$ \$	
Inspection Fee		\$ ¹	
All others-pe or Residential-	n Charge per ERC (GPD) er gallon per lot (foot frontage)	\$ \$ \$	
	harge	\$ ¹	
Plant Capacity Residential-		\$ \$	
	ity Charge per ERC (<u>80</u> GPD) er gallon	\$ \$	692.50
¹ Actual Cost is	equal to the total cost incurred for services rendered.		
EFFECTIVE DA			

DAVID W. FELL ISSUING OFFICER

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WASTEWATER TARIFF

INDEX OF STANDARD FORMS

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COPY OF CUSTOMER'S BILL	23.0
CUSTOMER'S GUARANTEE DEPOSIT RECEIPT	22.0

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

CUSTOMER'S GUARANTEE DEPOSIT RECEIPT

DAVID W. FELL ISSUING OFFICER

WASTEWATER TARIFF

COPY OF CUSTOMER'S BILL

MHC Systems, Inc. d/b/a FFEC-Six Two North Riverside Plaza, Ste. 800 Chicago, Illinois 60606

FIRST CLASS MAIL U.S. POSTAGE PAID FT. MYERS, FL PERMIT NO. 253

EILLING:

SERVICE:

ACCOUNT: LOT:

ACCOUNT NUMBER: AMOUNT NOW DUE:

AMOUNT PAID:

PREVIOUS BALANCE

LOT NUMBER:

DAVMENT WATER CHARGE

SEWER CHARGE

CURRENT AMOUNT....

TOTAL NOW DUE.....

RETAIN THIS PORTION FOR YOUR RECORDS

PLEASE RETURN THIS STUB WITH PAYMENT

NOTICE - This bill is due and payable when rendered. It comes delinquent 20 days thereafter. After 5 working day written notice, service may be discontinued.

> DAVID W. FELL **ISSUING OFFICER**

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WASTEWATER TARIFF

INDEX OF SERVICE AVAILABILITY POLICY

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Acceptance of Facilities		
Availability		
Construction of Oversized Facilities		
Customer Connection (Tap-in)		
Customer Installation (Customer Maintained Lines)		
Cost Records and "As-Built" Plans		
Design by Independent Engineers		
Developer Agreements		
Easements and Rights-of-Way		
Extensions Outside Certificated Territory		
General Information		
Inspections		
Obligations of Developer		
Obligations of Company		
Off-Site Facilities		
On-Site Facilities		
Refundable Advances		
Schedule of Fees and Charges	Go to Sheet No. 20.0	
System Design and Construction		
Transfer of Contributed Property - Bills of Sale		

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

MHC SYSTEMS, INC. D/B/A FFEC-SIX NAME OF COMPANY

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

WATER TARIFF

MHC SYSTEMS, INC. D/B/A FFEC-SIX
NAME OF COMPANY

c/o Mobile Home Communities, Inc.

28050 US Highway 19 North, Suite 406

<u>Clearwater</u>, FL 33761 (ADDRESS OF COMPANY)

__(727) 797-7674 or (941) 731-5565_ (Business & Emergency Telephone Numbers)

FILED WITH
FLORIDA PUBLIC SERVICE COMMISSION

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

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Rules and Regulations	6.0
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Technical Terms and Abbreviations	5.0
Territory Authority	3.0

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER - 353 - W

COUNTY - LEE

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

Order Number	Date Issued	Docket Number	Filing Type
12225	07/12/83	800733-WS	Original Certificate
17020	12/24/86	861440-WS	Amendment

(Continued to Sheet No. 3.1)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

Order No. 12225, July 12, 1983

Township 43 South - Range 24 E Section 8 and 9

Beginning at the Southeast corner of said Section 8, and continuing South 83 degrees 31 minutes 00 seconds West, 2349.44 feet; thence North 83 degrees, 31 minutes 33 seconds West, 1612.43 feet; thence North O degrees 11 minutes 10 seconds East, 2200.0 feet; thence South 88 degrees 31 minutes 00 seconds East, 2349.44 feet; thence North O degrees 11 minutes 10 seconds East, 362.19 feet; thence South 89 degrees 51 minutes 50 seconds East, 1360.22 feet; thence North 64 degrees 05 minutes 00 seconds East, 380.0 feet; to the West right of way line of US 41; thence South 25 degrees 55 minutes 00 seconds East along said right of way line 1420.27 feet; thence South 25 degrees 57 minutes 31 seconds East, 349.0 feet; thence South 64 degrees 43 minutes 12 seconds West, 380.03 feet to a point on the FP&L easement; thence North 25 degrees 57 minutes 37 seconds West along said easement 30.72 feet; thence South 63 degrees D6 minutes 52 seconds West, 2210.55 feet; thence North 89 degrees 59 minutes 48 seconds West, 154.91 feet; to the POINT OF BEGINNING.

(Continued of Sheet No. 3.2)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 3.1)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

Order No. 17020, December 24, 1986

SECTION 8, T. 43 S., R. 24 E. LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 8, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at the northeast corner of that parcel described in deed recorded in Official Record Book 1086 at page 797, Lee County Records run S 88° 31' 00" W parallel with the south line of the southeast quarter (SE-1/4) of said Section 8 along the north line of said parcel for 2,349.30 feet to an intersection with a line parallel with and 2,200 feet north of (as measured on a line parallel with the east line of Section 8) the south line of the southwest quarter (SW-1/4) of said Section 8 said point being at the directional change on the north line of said parcel; thence run N 88° 31' 33" W along said parallel line along the north line of said parcel for 1612.32 feet to the northwest corner of said parcel; thence run S 00° 11' 10" W, parallel with the east line of said Section 8 along the west line of said parcel for 2,200.00 feet to the south line of said Section 8; thence run N 88° 31' 33" W along said south line for 1032.12 feet to the southwest corner of said Section 8; thence run N 02° 22' 02" W along the west line of the southwest quarter (SW-1/4) of said Section 8 for 2,689.76 feet to the northwest corner of said fraction of a section; thence run N 02° 13' 44" E along the west line of the northwest quarter (NW-1/4) for 1,979.63 feet to the southwest corner of the north half (N-1/2) of the north half (N-1/2) of the north half (N-1/2) of said Section 8; thence run along the south line of said fraction of a section, 5 89° 31' 02" E for 2,339.65 feet, S 89° 51' 51" E for 2,701.74 feet to the southeast corner of said fraction of a section; thence run S 00° 11' 10" W along the east line of said Section 8 for 2,446.83 feet to the Point of Beginning. Containing 344.37 acres of land more or less.

(Continued to Sheet No. 3.3)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 3.2)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

SECTION 9, T. 43 S., R. 24 E.

LEE COUNTY, FLORIDA

WOLFF PARCEL

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 400.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line, for 60.00 feet to the new westerly right-of-way line (160 feet_from the centerline) of State Road 45 as described in instrument recorded in Official Record book 1080 at page 190, Lee County Records and the Point of Beginning. From said Point of Beginning run S.25° 53' 00" E along said new right-of-way line for 360.53 feet to a point of transitional right-of-way width of said State Road 45; thence run S 25° 30' 05" E along said transitional right-of-way line for 239.47 feet; thence run S 64° 07' 00" W, perpendicular with the former right-of-way line of said State Road 45, for 1,002.93 feet to the west line of said Section 9; thence run N 00° 11' 10" E along said west line for 667.96 feet to an intersection with a line perpendicular to said former rightof-way line passing through the Point of Beginning; thence run N 64° 07' 00" E along said perpendicular line for 710.98 feet to the Point of Beginning. SUBJECT TO a 100; foot Florida Power & Light Company Transmission Line Easement, the centerline of which being parallel with and 500 feet southwesterly of the former rightof-way line (100 feet from the centerline) of said State Road 45.

(Continued to Sheet No. 3.4)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 3.3)

DESCRIPTION OF TERRITORY SERVED, CONTINUED

SECTION 9, T. 43 S., R. 24 E.
LEE COUNTY, FLORIDA
SALVATORE PARCEL

A tract or parcel of land lying in Section 9, Township 43 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

From the intersection of the north line of said Section 9 and the former westerly right-of-way line (100 feet from the centerline) of State Road 45 run S 25° 53' 00" E along said former right-of-way line for 1,000.00 feet; thence run S 64° 07' 00" W, perpendicular with said former right-of-way line. for 61.60 feet to a point on the new right-of-way line as described in instrument recorded in Official Record book 1001 at page 781, Lee County Records and the Point of Beginning. From said Point of Beginning continue S 64° 07' 00" W along said perpendicular line for 1,002.93 feet to the west line of said Section 9; thence run S 00° 11' 10" W along said west line for 293.45 feet to the southwest corner of the north half (N-1/2) of the northwest quarter (NW-1/4) of the southwest quarter (SW-1/4) of the northwest quarter (NW-1/4) of said Section 9; thence run S 89° 51' 49" E along the south line of said fraction of a section for 827.35 feet to an intersection with a line parallel with and 450 feet southwesterly of said former right-of-way line; thence run N 25 53 1 00" W along said parallel line for 376.53 feet to an intersection with a southwesterly prolongation of the southeasterly line of that parcel of land recorded in Deed Book 247 at page 447 of the land records of Lee County, Florida; thence run N 64° 07' 00" E along said southwesterly prolongation for 386.74 feet to an intersection with the new right-of-way line of said State Road 45; thence run N 25° 30' 05" W along said new right-of-way line for 250.01 feet to the Point of Beginning.

SUBJECT TO a 100 foot Florida Pover & Light Company Transmission Line Easement, the centerline of which being parallel with and 500 feet southwesterly of the former right-of-way line (100 feet from the centerline) of said State Road 45.

DAVID W. FEL

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

HELD FOR FUTURE USE

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" The abbreviation for "Base Facility Charge" which is the minimum amount the Company may charge its Customers and is separate from the amount the Company bills its Customers for water consumption.
- 2.0 <u>"CERTIFICATE"</u> A document issued by the Commission authorizing the Company to provide water service in a specific territory.
- 3.0 "COMMISSION" The shortened name for the Florida Public Service Commission.
- 4.0 <u>"COMMUNITIES SERVED"</u> The group of Customers who receive water service from the Company and whose service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" The shortened name for the full name of the utility which is MHC SYSTEMS, INC. D/B/A FFEC-SIX.
- 6.0 "CUSTOMER" Any person, firm or corporation who has entered into an agreement to receive water service from the Company and who is liable for the payment of that water service.
- 7.0 "CUSTOMER'S INSTALLATION" All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for rendering water service to the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement.
- 8.0 "MAIN" A pipe, conduit, or other facility used to convey water service to individual service lines or through other mains.
- 9.0 <u>"RATE"</u> Amount which the Company may charge for water service which is applied to the Customer's actual consumption.
- 10.0 <u>"RATE SCHEDULE"</u> The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.
- 11.0 <u>"SERVICE"</u> As mentioned in this tariff and in agreement with Customers, "Service" shall be construed to include, in addition to all water service required by the Customer, the readiness and ability on the part of the Company to furnish water service to the Customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.

(Continued to Sheet No. 5.1)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 <u>"SERVICE CONNECTION"</u> The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0 <u>"SERVICE LINES"</u> The pipes between the Company's Mains and the Service Connection and which includes all of the pipes, fittings and valves necessary to make the connection to the Customer's premises, excluding the meter.
- 14.0 <u>"TERRITORY"</u> The geographical area described, if necessary, by metes and bounds but, in all cases, with township, range and section in a Certificate, which may be within or without the boundaries of an incorporated municipality and may include areas in more than one county.

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

INDEX OF RULES AND REGULATIONS

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Adjustment of Bills for Meter Error	10.0	23.0
All Water Through Meter	10.0	21.0
Application	7.0	3.0
Applications by Agents	7.0	4.0
Change of Customer's Installation	8.0	11.0
Continuity of Service	8.0	9.0
Customer Billing	9.0	16.0
Delinquent Bills	7.0	8.0
Extensions	7.0	6.0
Filing of Contracts	10.0	25.0
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(Continued to Sheet No. 6.1)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 6.0)

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Type and Maintenance	7.0	7.0
Unauthorized Connections - Water	10.0	19.0

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

RULES AND REGULATIONS

1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every Customer to whom the Company renders water service.

The Company shall provide water service to all Customers requiring such service within its Certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.

- 2.0 <u>POLICY DISPUTE</u> Any dispute between the Company and the Customer or prospective Customer regarding the meaning or application of any provision of this tariff shall upon written request by either party be resolved by the Florida Public Service Commission.
- 3.0 <u>APPLICATION</u> In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The conditions of such application or agreement are binding upon the customer as well as upon the company. A copy of the application or agreement for sewer service accepted by the company will be furnished to the applicant on request.
- 4.0 <u>APPLICATIONS BY AGENTS</u> Applications for water service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents. When sewer service is rendered under agreement(s) entered into between the company and an agent of the principal, the use of such sewer service by the principal or agent shall constitute full and complete ratification by the principal of the agreement(s) entered into between agent and the company and under which such sewer service is rendered.
- 5.0 <u>REFUSAL OR DISCONTINUANCE OF SERVICE</u> The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code, unless all prior indebtedness to the company or such household, organization or business for sewer service has been settled in full.

Service may also be discontinued for any violation by the customer or consumer of any rule or regulation set forth in this tariff.

- 6.0 <u>EXTENSIONS</u> Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff. The company will make such extensions to its existing facilities as may be required by one or more consumers, provided the revenues to be derived therefrom shall be sufficient to afford fair and reasonable return on the cost of providing and rendering the service. Otherwise, the company will require from the consumer prepayments, cash advances, minimum guarantees, service guarantees, CIAC, or other arrangements with the consumer, whereby the company will be enabled to earn a fair and reasonable return on the cost of providing and rendering the required service.
- 7.0 <u>TYPE AND MAINTENANCE</u> In accordance with Rule 25-30.545, Florida Administrative Code, the Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all laws and governmental regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service. The Company reserves the right to discontinue or withhold water service to such apparatus or device.

(Continued to Sheet No. 8)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

9.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the Company will at all times use reasonable diligence to provide continuous water service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous water service. The company shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigations, breakdowns, shutdowns for emergency repairs, or adjustments, acts of sabotage, enemies of the U.S.A., wars, U.S.A., State, Municipal or other governmental interference, acts of God or other causes beyond its control.

If at any time the Company shall interrupt or discontinue its service, all Customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

10.0 <u>LIMITATION OF USE</u> - Water service purchased from the Company shall be used by the Customer only for the purposes specified in the application for water service. Water service shall be rendered to the Customer for the Customer's own use and the Customer shall not sell or otherwise dispose of such water service supplied by the Company.

In no case shall a Customer, except with the written consent of the Company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish water service to the adjacent property through one meter even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the Customer's water service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for water service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement is made in full to the Company for all extra expenses incurred for clerical work, testing, and inspections.

- 11.0 <u>CHANGE OF CUSTOMER'S INSTALLATION</u> No changes or increases in the Customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The Customer shall be liable for any charge resulting from a violation of this Rule.
- 12.0 PROTECTION OF COMPANY'S PROPERTY The Customer shall exercise reasonable diligence to protect the Company's property and shall knowingly permit no one but the Company's agents, or persons authorized by law, to have access to Company's pipes and apparatus. If the Customer is found to have tampered with any Company property or refuses to correct any problems reported by the Company, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code.

In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.

(Continued on Sheet No. 9.0)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 8.0)

13.0 <u>INSPECTION OF CUSTOMER'S INSTALLATION</u> - All Customer's water service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local laws and governmental regulations. Where municipal or other governmental inspection is required by local rules and ordinances, the Company cannot render water service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Not withstanding the above, the Company reserves the right to inspect the Customer's installation prior to rendering water service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

- 14.0 <u>ACCESS TO PREMISES</u> In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the Customer shall provide the duly authorized agents of the Company access at all reasonable hours to the premises of the customer for the purposes of installing, monitoring, inspecting or removing company's property, reading meters and other purposes incident to performance under or termination of the company's agreement with the customer and in such performance shall not be liable for trespass. If reasonable access is not provided, service may be discontinued pursuant to the above rule.
- 15.0 <u>RIGHT-OF-WAY OR EASEMENTS</u> The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of water service.
- 16.0 <u>CUSTOMER BILLING</u> Bills for water service will be rendered Monthly as stated in the rate schedule. Bills are due when rendered and shall be considered as received by customer when delivered or mailed to wastewater service address or some other place mutually agreed upon. Nonreceipt of bills by customer shall not release or diminish obligation of customer with respect to payment thereof.

In accordance with Rule 25-30.335, Florida Administrative Code, the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.

A municipal or county franchise tax levied upon a water or wastewater public utility shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.

If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.

In accordance with Rule 25-30.335, F.A.C., the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.

A municipal or county franchise tax levied upon a water or wastewater public Company shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.

If a Company utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.

17.0 <u>TERMINATION OF SERVICE</u> - When a Customer wishes to terminate service on any premises where water service is supplied by the Company, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, F.A.C.

(Continued on Sheet No. 10.0)

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

(Continued from Sheet No. 9.0)

- 18.0 PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY In accordance with Rule 25-30.320(2)(g), Florida Administrative Code, when both water and wastewater service are provided by the Company, payment of any water service bill rendered by the Company to a Customer shall not be accepted by the Company without the simultaneous or concurrent payment of any wastewater service bill rendered by the Company.
- 19.0 <u>UNAUTHORIZED CONNECTIONS</u> <u>WATER</u> Any unauthorized connections to the Customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code. Unauthorized connections render the service subject to immediate discontinuance without notice and wastewater service will not be restored until such unauthorized connections have been removed and unless settlement is made in full and for water service estimated by the company to have been used by reason of such unauthorized connection
- 20.0 <u>METERS</u> All water meters shall be furnished by and remain the property of the Company and shall be accessible and subject to its control, in accordance with Rule 25-30.230, Florida Administrative Code.
- 21.0 <u>ALL WATER THROUGH METER</u> That portion of the Customer's installation for water service shall be so arranged to ensure that all water service shall pass through the meter. No temporary pipes, nipples or spaces are permitted and under no circumstances are connections allowed which may permit water to by-pass the meter or metering equipment.
- 22.0 <u>ADJUSTMENT OF BILLS</u> When a Customer has been undercharged as a result of incorrect application of the rate schedule, incorrect reading of the meter, incorrect connection of the meter, or other similar reasons, the amount may be refunded or billed to the Customer as the case may be pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 23.0 <u>ADJUSTMENT OF BILLS FOR METER ERROR</u> When meter tests are made by the Commission or by the Company, the accuracy of registration of the meter and its performance shall conform with Rule 25-30.262, Florida Administrative Code and any adjustment of a bill due to a meter found to be in error as a result of any meter test performed whether for unauthorized use or for a meter found to be fast, slow, non-registering, or partially registering, shall conform with Rule 25-30.340, Florida Administrative Code.
- 24.0 <u>METER ACCURACY REQUIREMENTS</u> All meters used by the Company should conform to the provisions of Rule 25-30.262, Florida Administrative Code.
- 25.0 <u>FILING OF CONTRACTS</u> Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WATER TARIFF

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Miscellaneous Service Charges	18.0
Fire Hydrants	15.0
Residential Service, RS	13.0
Schedule of Capacity Fees	14.0

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the Company.

<u>APPLICABILITY</u> - For water service to all Customers for which no other schedule applies.

<u>LIMITATIONS</u> - Subject to all of the Rules and Regulations of this tariff and General Rules and

Regulations of the Commission.

BILLING PERIOD - Monthly

RATE -

	Meter Size	Base Facility Charge
	5/8" x 3/4" 3/4" 1" 1 ½" 2" 3"	\$ 6.42 9.65 16.07 32.15 51.46 102.89
	4" 6"	159.10 318.18
GALLONAGE CHARGE		\$ 3.77

MINIMUM CHARGE -

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320,

Florida Administrative Code, if a Customer is delinquent in paying the bill for water

service, service may then be discontinued.

\$ 6.42 per month.

EFFECTIVE DATE - December 8, 1998

TYPE OF FILING - 1998 Index

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water service for all purposes in private residences and individually metered

apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and

Regulations of the Commission.

BILLING PERIOD - Monthly

GALLONAGE CHARGE

RATE -

Meter Size	Base Facility Charge
5/8" x 3/4" 3/4" 1" 1 ½" 2" 3" 4" 6"	\$ 6.42 9.65 16.07 32.15 51.46 102.89 159.10 318.18
	\$ 3.77

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320,

Florida Administrative Code, if a Customer is delinquent in paying the bill for water

service, service may then be discontinued.

EFFECTIVE DATE - December 8, 1998

TYPE OF FILING - 1998 Index

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

WATER

SCHEDULE OF CAPACITY FEES

AVAILABILITY - Available throughout the area served by the company.

<u>APPLICABILITY</u> - To all classifications of customers for the first time commencement of water service to any given new location.

RATE - System Capacity Charge

\$300.00 per Equivalent Residential Connection as defined in the Rules and Regulations of the Company and the tariff sheets contained therein.

ERC = 100 gallons per day

The system capacity charge is designed to cover the cost per ERC of reserving plant and line capacity. The utility does not require the contribution of lines.

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

FIRE HYDRANTS

WATER

AVAILABILITY - Available throughout the area served by the company.

<u>APPLICABILITY</u> - To fire hydrants furnishing fire protection installed on public or private property connected to the water mains of the company.

<u>LIMITATIONS</u> - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.

RATE - N/A

MINIMUM CHARGE -

TERMS OF PAYMENT -

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

CUSTOMER DEPOSITS

<u>ESTABLISHMENT OF CREDIT</u> - Before rendering water service, the Company may require an Applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the Customer from complying with the Company's rules for prompt payment. Credit will be deemed so established if the Customer complies with the requirements of Rule 25-30.311, Florida Administrative Code.

AMOUNT OF DEPOSIT - The amount of initial deposit shall be the following according to meter size:

	Residential	General Service
5/8" x 3/4"	10.00	10.00
1"	12.50	12.50
1 1/2"	12.50	12.50
Over 2"	<u> 15.00</u>	<u> 15.00</u>

<u>ADDITIONAL DEPOSIT</u> - Under Rule 25-30.311(7), Florida Administrative Code, the Company may require a new deposit, where previously waived or returned, or an additional deposit in order to secure payment of current bills provided.

<u>INTEREST ON DEPOSIT</u> - The Company shall pay interest on Customer deposits pursuant to Rules 25-30.311(4) and (4a). The Company will pay or credit accrued interest to the Customers account during the month of <u>N/A</u> each year.

<u>REFUND OF DEPOSIT</u> - After a residential Customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the Company shall refund the Customer's deposit provided the Customer has met the requirements of Rule 25-30.311(5), Florida Administrative Code. The Company may hold the deposit of a non-residential Customer after a continuous service period of 23 months and shall pay interest on the non-residential Customer's deposit pursuant to Rules 25-30.311(4) and (5), Florida Administrative Code.

Nothing in this rule shall prohibit the Company from refunding a Customer's deposit in less than 23 months.

EFFECTIVE DATE -

TYPE OF FILING -

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

METER TEST DEPOSIT

METER BENCH TEST REQUEST - If any Customer requests a bench test of his or her water meter, in accordance with Rule 25-30.266, Florida Administrative Code, the Company may require a deposit to defray the cost of testing; such deposit shall not exceed the schedule of fees found in Rule 25-30.266, Florida Administrative Code.

METER SIZE	FEE
5/8" x 3/4"	\$20.00
1" and 1 1/2"	\$25.00
2" and over	Actual Cost

<u>REFUND OF METER BENCH TEST DEPOSIT</u> - The Company may refund the meter bench test deposit in accordance with Rule 25-30.266, Florida Administrative Code.

<u>METER FIELD TEST REQUEST</u> - A Customer may request a no-charge field test of the accuracy of a meter in accordance with Rule 25-30.266, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING -

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms stated herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company requires multiple actions.

<u>INITIAL CONNECTION</u> - This charge may be levied for service initiation at a location where service did not exist previously.

<u>NORMAL RECONNECTION</u> - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

<u>VIOLATION RECONNECTION</u> - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

<u>PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION)</u> - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

Schedule of Miscellaneous Service Charges

Initial Connection Fee	\$15.00
Normal Reconnection Fee	\$15.00
Violation Reconnection Fee	\$15.00
Premises Visit Fee (in lieu of disconnection)	\$ _10.00

EFFECTIVE DATE -

TYPE OF FILING -

DAVID W. FELL ISSUING OFFICER

SERVICE AVAILABILITY FEES AND CHARGES

Back-Flow Preventor Installation Fee Amount Sheet No./Rule No. Back-Flow Preventor Installation Fee \$ 5/8" x 3/4" \$ 1" \$ 2" \$ Over 2" \$ Customer Connection (Tap-in) Charge \$ 5/8" x 3/4" metered service \$ 1" metered service \$ 2" metered service \$ 4" metered service \$ 2" metered service \$ 4" thorize \$ 4"<		Refer to Se	ervice Availability Policy
5/8" x 3/4" \$ \$ \$ 11/2" \$ \$ \$ 11/2" \$ \$ \$ \$ \$ \$ \$ \$ \$	Description	<u>Amount</u>	Sheet No./Rule No.
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2"	1"	\$	
Over 2" \$¹ Customer Connection (Tap-in) Charge \$ 5/8" x 3/4" metered service \$ 1" metered service \$ 1 1/2" metered service \$ 2" metered service \$¹ Over 2" metered service \$¹ Guaranteed Revenue Charge *¹ With Prepayment of Service Availability Charges: Residential-per ERC/month (_GPD) \$ All others-per gallon/month \$ Without Prepayment of Service Availability Charges: Residential-per ERC/month (_GPD) \$ All others-per gallon/month \$ Main Extension Charge \$¹ Residential-per ERC (_GPD) \$ All others-per gallon \$ or Residential-per lot (_foot frontage) \$ All others-per front foot \$ Meter Installation Fee 5/8" x 3/4" \$ 5/8" x 3/4" \$ 1" \$ 2" \$ Over 2" \$ Plan Review Charge \$¹ Plant Capacity Charge \$ <	1 1/2"	\$	
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	System Capacity Charge		
	Residential-per ERC (80GPD)	\$	692.50
	All others-per gallon	\$	
¹ Actual Cost is equal to the total cost incurred for services rendered.	¹ Actual Cost is equal to the total cost incurred for services rendered.		
EFFECTIVE DATE -			
TYPE OF FILING -	TYPE OF FILING -		

DAVID W. FELL ISSUING OFFICER

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX WATER TARIFF

INDEX OF STANDARD FORMS

<u>Description</u>	Sheet No.
COPY OF CUSTOMER'S BILL	22.0
CUSTOMER'S GUARANTEE DEPOSIT RECEIPT	21.0

DAVID W. FELL ISSUING OFFICER

WATER TARIFF

CUSTOMER'S GUARANTEE DEPOSIT RECEIPT

MHC SYSTEMS, INC. d/b/a FFEC-SIX

As a Deposit

Received From		Date	, 19
Street Address			Acct. No.
Mail Address			
Lot No	Block No.	Subdivi	sion

and _____/100 Dollars

Customer's Guarantae Deposit Receipt

To guarantee the payment of any and all indebtedness for water and/or sewer service which may be or become due to MHC Systems, Inc. d/b/a FFEC-Six (hereinafter called the Company) by said consumer. Consumer agrees that such part thereof may be applied in discharge of any indebtedness of the consumer to the Company whatsoever and that the Company may use such deposit as if the Company were the absolute owner thereof. Upon discontinuance of service covered by this deposit, and the presentation of this receipt and proper identification, the Company agrees to refund to the consumer the deposit, less any amounts then due the Company.

This shall not preclude the Company from discontinuing for non-payment the service covered by this deposit regardless of the sufficiency of said deposit to cover such indebtedness for such service.

By the signing of this agreement, the customer recognizes and agrees to abide by all existing reasonable rules and regulations of the Company, and any amendments thereto, copies of said rules and regulations and amendments therein being available for inspection at the office of the Company.

Among other rules and regulations, the distomer agrees that the easements on which are maintained the Company's utilities and meters will be kept free of shrubbery, trees, fences and other obstructions.

The customer further agrees that all bills for water and/or sewage charges will be paid within 20 days of mailing bills and after five working days written notice if not so paid, the Company will have the right to disconnect service and charge a reasonable fee for reconnecting.

It is further understood and agreed that the sale of water to the consumer occurs at the meter and the Company has no responsibility relative to service or supplying meter after said water reaches the meter. All deposits draw at interest.

Customer	
	3y:

DAVID W FELL ISSUING OFFICER

VICE PRESIDENT

WATER TARIFF

COPY OF CUSTOMER'S BILL

MHC Systems, Inc. d/b/a FFEC-Six Two North Riverside Plaza, Ste. 800 Chicago, Illinois 60606

FIRST CLASS MAIL U.S. POSTAGE PAID FT. MYERS, FL PERMIT NO. 253

EILLING:

SERVICE:

ACCOUNT:

LOT:

ACCOUNT NUMBER:

AMOUNT NOW DUE:

AMOUNT PAID:

PREVIOUS BALANCE

LOT NUMBER:

PAYMENT WATER CHARGE SEWER CHARGE

CURRENT AMOUNT....

TOTAL NOW DUE.....

[-o/

RETAIN THIS PORTION FOR YOUR RECORDS

PLEASE RETURN THIS STUB WITH PAYMENT

NOTICE - This bill is due and payable when rendered. It comes delinquent 20 days thereafter. After 5 working day written notice, service may be discontinued.

DAVID W FELL ISSUING OFFICER

VICE PRESIDENT

NAME OF COMPANY: MHC SYSTEMS, INC. D/B/A FFEC-SIX
WATER TARIFF

INDEX OF SERVICE AVAILABILITY

Description	Sheet Number	Rule Number
Acceptance of Facilities		
Availability		
Construction of Oversized Facilities		
Customer Connection (Tap-in)		
Customer Installation (Customer Maintained Lines)		
Cost Records and "As-Built" Plans		
Design by Independent Engineers		
Developer Agreements		
Easements and Rights-of-Way		
Extensions Outside Certificated Territory		
General Information		
Inspections		
Obligations of Developer		
Obligations of Company		
Off-Site Facilities		
On-Site Facilities		
Refundable Advances		
Schedule of Fees and Charges	Go to Sheet No. 19.0	
System Design and Construction		
Table of Daily Flows		
Transfer of Contributed Property - Bills of Sale		

DAVID W. FELL ISSUING OFFICER

EXHIBIT "F"

MHC Systems, Inc. d/b/a FFEC-Six

Original Certificates

MHC Systems, Inc. and its employees have reviewed their files located in Chicago, Illinois and in N. Fort Myers, Florida in an attempt to locate the Certificates issued by the Commission in 1994 to reflect the Transfer of this system to MHC Systems, Inc. d/b/a FFEC-Six. After diligent effort to locate the Certificates, the employees and agents of MHC Systems, Inc. d/b/a FFEC-Six have been unable to locate any such Certificates with the MHC Systems, Inc. name, despite having received an Order finally approving that Transfer in October of 1995. An agent of MHC Systems Inc. recently contacted a member of the Commission staff to inquire about whether the staff has such revised Certificates. Apparently, no new Certificates reflecting the Transfer were ever issued by the Commission. As such, we hereby request that the Public Service Commission issue new Certificates reflecting the full Utility name of "MHC Systems, Inc. d/b/a FFEC-Six" as part of this proceeding.



