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REPLY TO ALTAMONTE SPRINGS

CENTRAL FLORIDA OFFICE  
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(407) 830-6331  
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MARTIN S. FRIEDMAN, P.A.  
VALERIE L. LORD, OF COUNSEL  
(LICENSED IN TEXAS ONLY)

February 10, 2004

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

**HAND DELIVERY**

RECEIVED - FSC  
FEB 10 AM 10:47  
COMMISSION  
CLERK


Re: Docket No. 020745-SU; Application of Island Environmental Utility, Inc., for  
Original Certificate  
Our File No.: 37025.01

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of the Island Environmental Utility, Inc.'s Restated Application for Original Certificate.

Please do not hesitate to give me call should you have any questions regarding this filing.

Very truly yours,

  
MARTIN S. FRIEDMAN  
For the Firm

AUS \_\_\_\_\_ MSF/mp  
CAF \_\_\_\_\_ Enclosures  
CMP \_\_\_\_\_  
COM \_\_\_\_\_ 3  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_ 1  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC \_\_\_\_\_ 1  
OTH \_\_\_\_\_

cc: Mr. Jack Boyer (w/enclosure)  
Mr. Dean Beckstead (w/enclosure)  
Rosanne Gervasi, Esquire (w/enclosure) (via Hand Delivery)  
Ms. Patti Daniel (w/enclosure) (via Hand Delivery)  
Mr. Ronald Koenig (w/enclosure)  
Ms. Linda Bamfield (w/enclosure)  
W. Kevin Russell, Esquire (w/enclosure)  
Jannette S. Knowlton, Esquire (w/enclosure)

DOCUMENT NUMBER-DATE

01882 FEB 10 3

FPC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Application of ISLAND  
ENVIRONMENTAL UTILITY, INC.  
for an original Wastewater Certificate  
in Charlotte County, Florida

---

Docket No. 020745-SU

**RESTATED APPLICATION FOR ORIGINAL CERTIFICATE**

ISLAND ENVIRONMENTAL UTILITY, INC. (***Applicant***), by and through its undersigned attorneys and pursuant to Section 367.045, Florida Statutes and Rule 25-30.034, Florida Administrative Code, hereby files this restated application for an original certificate to operate a wastewater utility in Charlotte County, Florida, and submits the following information. This Restated Application is intended to incorporate into one document the various amendments to the original Application.

**PART I - APPLICANT INFORMATION**

**Rule 25-30.033(1)(a)-(d)**

- (a) (1) The full name, address and telephone number of the Applicant:

Island Environmental Utility, Inc.  
7092 Placida Road  
Cape Haze, FL 33946

- (2) The name, address and phone number of the person to contact concerning this application:

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
600 S. North Lake Blvd., Ste. 160  
Altamonte Springs, Florida 32701  
(407) 830-6331  
(407) 830-8522 fax  
e-mail: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)

RECEIVED - 020745-SU

1882 FEB 10 8

FPSC-COMMISSION CLERK

(b) The Applicant is a Florida for profit corporation created on April 29, 2002.

(c) (1) The names and addresses of the officers and directors are as follows:

Garfield R. Beckstead - Treasurer/Director  
7092 Placida Road  
Cape Haze, FL 33946

John R. Boyer - President/Director  
10410 Yacht Basin Drive  
Palm Island, FL

Dean L. Beckstead, Secretary/Director  
7092 Placida Road  
Cape Haze, FL 33946

(2) The names of the shareholders, each owning an equal number of shares, are as follows:

Garfield R. Beckstead  
John R. Boyer  
Dean L. Beckstead

(d) The Applicant has made an election under Subchapter S to be treated as a small business corporation for tax purposes.

## **PART II - FINANCIAL AND TECHNICAL ABILITY; SERVICE**

### **Rule 25-30.033(1)(e)-(g)**

(e) (1) The Applicant is a new company and has no history of operations. Therefore, it is unable to provide the type of financial statement required by this Rule. It has previously submitted a pro forma financial statement to Commission Staff which is appended to the Direct Testimony of James A. Elder. The Applicant is currently negotiating with Peninsula Bank for funds to commence the permitting and design phase,

and for funds to carry the Applicant through the development and construction phase. A copy of a letter from Peninsula Bank to Applicant offering financial support for the proposed project is attached as **Exhibit "A"**. Applicant will provide Commission Staff with a copy of its final arrangements with Peninsula Bank when available, on request. In addition, the personal financial statements of the shareholders are available for inspection by Commission Staff in accordance with their prior custom, and subject to the customary procedures for confidentiality.

(2) The officers/shareholders of the Applicant have extensive experience in owning, managing and operating water and/or wastewater utilities. Mr. Garfield R. Beckstead is an officer of Useppa Island Utility, Inc., a wastewater system in Lee County. Mr. Dean L. Beckstead is an officer of Knight Island Utilities, Inc., a wastewater system in Charlotte County. Mr. John R. Boyer is an officer of Little Gasparilla Water Utility, Inc., a water system. Little Gasparilla Water Utility, Inc. is certified by the Commission to provide water service in Charlotte County, Florida, including a portion of the proposed service area. In his testimony given on behalf of the Commission Staff in this docket, Dr. Ahmed Abdul, of the Florida Department of Environmental Protection, commented that these utilities are generally doing a satisfactory job of maintaining and operating their respective facilities. Each of the Applicant's officers/shareholders will contribute his extensive technical ability and experience to Applicant's operations. In addition, the Applicant has retained the following professionals:

WilsonMiller, Inc. (engineering services)  
Gueltzow Utilities, Inc. (operations)  
Rose, Sundstrom & Bentley, LLP (legal services).

(3) Only two wastewater utilities currently have the capacity to provide

wastewater service to the barrier islands, Englewood Water District and Charlotte County Utilities. When asked by the Applicant, the director of Englewood Water District refused to provide retail service to the islands. Charlotte County Utilities has always had the option to provide service on the barrier islands but has never elected to provide service there. Dr. Abdul Ahmadi in his testimony on behalf of Commission Staff in this docket, stated that there were at least three other utilities located near the proposed service area: Useppa Island Utility, Inc. (wastewater system in Lee County), Knight Island Utilities, Inc. (wastewater system in Charlotte County), and Little Gasparilla Water Utility, Inc. (water system on Little Gasparilla Island). The principal shareholders of the Applicant own interests in these utilities.

(f) To the best of Applicant's knowledge, the provision of service is consistent with the wastewater section of the Charlotte County Comprehensive Plan, as approved by the Department of Community Affairs.

(g) Applicant will commence providing wastewater service on completion of the construction of the necessary facilities.

### **PART III - NEED FOR SERVICE**

#### **Rule 25-30.033(1)(h)**

(h) The proposed territory consists of developed and undeveloped lots, generally too small to allow each to have a potable water well and septic tank due to the separation requirements. There are also benefits to the environmental and public health to be gained by the provision of centralized wastewater service. The testimony of Mr. David A. Tomasko on behalf of Commission Staff in this docket indicates that there is a potential link between

contaminated surficial groundwater and the high concentration of septic tanks in the proposed service area. Studies also indicate that contamination of the waters surrounding the barrier islands is attributable to human sources.

#### **PART IV - SYSTEM INFORMATION; PROPOSED SERVICE AREA**

##### **Rule 25-30.033(1)(i)-(q)**

(i) The customers within the proposed service area consist of single family detached, single family attached, and condominiums.

(j) Wastewater treatment and disposal will be provided by Englewood Water District pursuant to a bulk wastewater service agreement. The treatment facilities are not located in the proposed service area. Attached as **Exhibit "B"** is a copy of a letter of intent from Englewood Water District for the provision of this service. It is premature to negotiate and enter into a bulk wastewater service agreement before the Applicant has received its certificate from the Commission.

(k) The original and two copies of wastewater tariff containing all rates, classifications, charges, rules and regulations is attached hereto as **Exhibit "C"**.

(l) The proposed territory is described as follows:

That portion of Sections 28, 32 and 33, and the South ½ of Section 29, Township 41 South, Range 20 East, and Sections 3, 4, 15, 16, 21, 22 and 27, Township 42 South, Range 20 East, bounded on the West by the Gulf of Mexico, on the East by the Intercoastal Waterway, on the South by Gasparilla Pass, and on the North by Palm Island Resort, consisting of a portion of Knight Island, Don Pedro Island and Little Gasparilla Island, all in Charlotte County, Florida.

The Applicant proposes to provide wastewater service within the entire proposed territory.

(m) A detailed map showing proposed lines, facilities and the proposed territory is attached as **Exhibit "D"**.

(n) An official county GIS map or other map showing township, range and section with a scale such as 1" = 200' or 1" = 400' on which the proposed territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning is attached as **Exhibit "E"**.

(o) As shown in the letter of intent from Englewood Water District, the initial capacity required in the proposed service area is estimated to be 0.1 MGD. The maximum capacity required at full build out of the proposed service area is estimated to be 0.4 MGD. The separate capacities of the proposed lines and facilities in terms of ERCs and gallons per day are as shown on **Exhibit "F"**.

(p) Wastewater treatment and disposal will be provided by Englewood Water District pursuant to a bulk wastewater service agreement. The Applicant will construct a low pressure or vacuum wastewater collection system and a master lift station, transmission force main and wastewater meter from the collection system to Englewood Water District's wastewater treatment plant located in Charlotte County.

(q) Wastewater treatment and disposal will be provided by Englewood Water District pursuant to a bulk wastewater service agreement. The Applicant will not have the means for using reuse water.

## **PART V - FINANCIAL INFORMATION**

### **Rule 25-30.03(1)(r)-(w)**

(r) The Applicant is a new company and has no history of operations. Therefore,

it is unable to provide the type of financial statement required by this Rule. Pro forma financial statements have previously been provided to Commission Staff as part of the Direct Testimony of James A. Elder.

(s) The Applicant is currently negotiating with Peninsula Bank for funds to commence the permitting and design phase, and for funds to carry the Applicant through the development and construction phase. The Applicant will provide Commission Staff with a copy of its arrangements with Peninsula Bank.

(t) A cost study has previously been provided to Commission Staff in this docket and is included in the Direct Testimony of James A. Elder. The Commission Staff received an updated version of the cost study in December, 2003.

(u) A schedule of projected costs has previously been provided to Commission Staff in this docket and is included in the Direct Testimony of James A. Elder. The Commission Staff received an updated version of the cost study in December, 2003.

(v) A schedule of projected operating expenses has previously been provided to Commission Staff and is included in the Direct Testimony of James A. Elder. The Commission Staff received an updated version of the cost study in December, 2003.

(w) A schedule of the projected capital structure has previously been provided to Commission Staff and is included in the Direct Testimony of James A. Elder. The Commission Staff received an updated version of the cost study in December, 2003.

#### **PART VI - NOTICE OF ACTUAL APPLICATION**

Notice of the Application has been given in accordance with Section 367.045(1)(a), Florida Statutes and Rule 25-30.030, Florida Administrative Code.



## PART VII - FILING FEE

The appropriate filing fee has previously been submitted to the Commission.

Respectfully submitted on this  
5 day of February, 2004

ROSE, SUNDSTROM & BENTLEY, LLP  
600 S. North Lake Blvd., Ste. 160  
Altamonte Springs, Florida 32701  
Tel: (407) 830-6331  
Fax: (407) 830-8522  
Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)



---

MARTIN S. FRIEDMAN

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 020745-SU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Restated Application for original Certificate filed by Island Environmental Utility, Inc., has been furnished by U.S. Mail to the following parties on this 6<sup>th</sup> day of February, 2004:


Mr. Ronald Koenig  
8006 Lago Vista Drive  
Tampa, FL 33614

Mrs. Linda Bamfield  
P.O. Box 5063  
Grove City, FL 34224

W. Kevin Russell, Esq.  
Wilkins, Frolich, Jones, Hevia,  
Russell, Hanaoka & Mizell, P.A.  
14295 South Tamiami Trail  
North Port, FL 34287

Jannette S. Knowlton, Esq.  
Linda Carroll, Esq.  
Assistant County Attorney  
18500 Murdock Circle  
Port Charlotte, FL 33948

Rosanne Gervasi, Esquire  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850



---

MARTIN S. FRIEDMAN

**EXHIBIT "A"**

**Letter from Peninsula Bank**

**PENINSULA BANK**

3100 S. McCall Rd.  
Englewood, Florida 34224  
(941) 474-7734  
(800) 881-7721  
(941) 475-9100 (Fax)

February 06, 2004

The Directors  
Island Environmental Utility, Inc.  
7092 Placida Road  
Cape Haze, FL 33946

Re: Proposed Wastewater Project - Island Environmental  
Utility, Inc.

Gentlemen:

We have reviewed a synopsis of the Company's proposed wastewater project which includes pro forma financial information and other related data supplied by the Company.

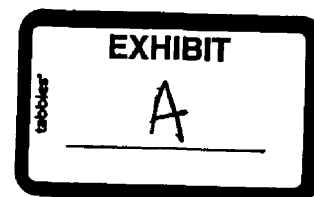
Based on a detailed analysis of all financial and related corporate documentation as well as detailed information that might be required with respect to the principals of the Company, Peninsula Bank is prepared to consider financial support for the Project.

We wish to add that Peninsula Bank has had a long and most satisfying relationship with certain principals of the company who are held in high regard. This foregoing relationship will add greatly to the manner in which we view the acceptability of the transaction at the appropriate time.

Yours sincerely,

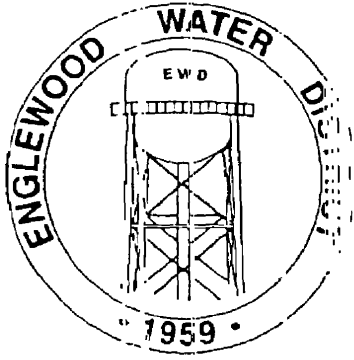
Robert T. Granicz  
Vice Chairman/Senior Vice President

RTG:kd



**EXHIBIT "B"**

**Letter of Intent from Englewood Water District**



**Board of Supervisor:**

Paul J. Phillips, Chair  
Taylor Meals, Vice-Chair  
Sydney B. Crampton  
Thomas G. Moore  
Phyllis Wright

Richard L. Rollo, P.E.  
Administrator

**Englewood Water District**

201 Selma Avenue  
P.O. Box 1399  
Englewood, FL 34295-1399

Phone: 941-474-3217  
Fax: 941-460-1025  
Email: info@englewoodwater.com  
Website: englewoodwater.com

January 21, 2004

Mr. John R. Boyer, President  
Island Environmental Utility, Inc.  
P.O. Box 5145  
Grove City, FL 34224

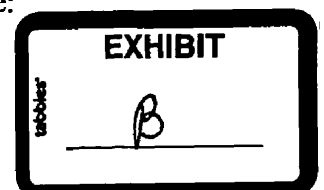
**Re: Provision of Bulk Wastewater Treatment  
and Disposal Service**

Dear Jack:

As we discussed earlier, this letter of intent confirms the terms of an agreement acceptable to the Administrator of the Englewood Water District (EWD) to provide bulk wastewater treatment and disposal services (Services) as set out in this letter to Island Environmental Utility, Inc. (IEU) for wastewater collected from the barrier island off the coast of Charlotte County (Service Area). A binding contract on both parties will require EWD Board approval.

EWD and IEU will enter into a mutually acceptable agreement for the services. The Agreement will contain the following provisions:

1. At its own cost and expense, IEU will construct the following facilities:
  - A. A wastewater collection system (low pressure or vacuum) (System); and
  - B. A master lift station, transmission force main and wastewater meter from the system to EWD's wastewater treatment plant located on Telman Road, Charlotte County (Facilities).
2. EWD will provide treatment and bio-solid disposal services to IEU for the wastewater collected from the system in accordance with EWD's Customer Rules and Regulations, which will be incorporated into the Agreement.
3. IEU will pay for the services on a monthly basis according to the following rate structure:



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Mr. John R. Boyer, President  
Island Environmental Utility, Inc.

January 21, 2004  
Page Two

- A. a basic facility charge of \$13.96 per ERC; and
  - B. a usage charge of \$2.80 per 1,000 gallons of wastewater treated by EWD.
4. To provide the services, EWD may need to expand the WWTP. IEU will initially contribute funds toward the cost of providing treatment capacity incurred by EWD, by purchasing capacity in units of 100,000 gallons per day in accordance with EWD's Customer Rules and Regulations. The plant capacity portion of the \$1,689.87 Capital Capacity Charge is \$830.00 per ERC.
5. IEU is granted the right and option to purchase additional capacity in any EWD facility expansion by sharing in the proportionate cost, at the time of such expansion. The proportionate cost of such expansion will be determined on the basis of the actual construction costs.
6. The initial capacity required is estimated to be 0.1 MGD. The maximum capacity needed at build out of the IEU service area is estimated to be 0.4 MGD.
7. The term of the Agreement will be for a period of twenty (20) years.

If the foregoing is acceptable, please sign one (1) original of this letter in the space provided below and return it to me. The other original is for your records.

Sincerely,



Richard L. Rolle, P.E.  
Administrator

Accepted and agreed on the 21<sup>st</sup> day of January 2004.

Island Environmental Utility, Inc.

By: 

(Signature)

Printed Name: John R. Boyer

Title: Pres

**EXHIBIT "C"**

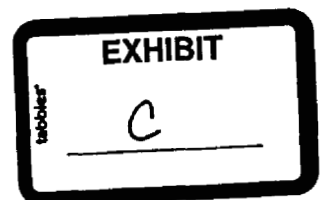
**Original and Two Copies of Wastewater Tariff**



WASTEWATER TARIFF

ISLAND ENVIRONMENTAL UTILITY, INC.  
NAME OF COMPANY

FILED WITH  
FLORIDA PUBLIC SERVICE COMMISSION



WASTEWATER TARIFF

ISLAND ENVIRONMENTAL UTILITY, INC.

NAME OF COMPANY

7092 Placida Road

Cape Haze, Florida 33946

(ADDRESS OF COMPANY)

(941) 697-7207

(Business & Emergency Telephone Numbers)

FILED WITH

FLORIDA PUBLIC SERVICE COMMISSION

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

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Rates and Charges Schedules .....	11.0
Rules and Regulations .....	6.0
Service Availability Policy .....	21.0
Standard Forms .....	17.0
Technical Terms and Abbreviations .....	5.0
Territory Authority .....	3.0

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER -

COUNTY - Charlotte

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

Order Number

Date Issued

Docket Number

Filing Type

Original Certificate

(Continued to Sheet No. 3.1)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

LEGAL DESCRIPTION

That portion of Sections 28, 32 and 33, and the South ½ of Section 29, Township 41 South, Range 20 East, and Sections 3, 4, 15, 16, 21, 22 and 27, Township 42 South, Range 20 East, bounded on the West by the Gulf of Mexico, on the East by the Intercoastal Waterway, on the South by Gasparilla Pass, and on the North by Palm Island Resort, consisting of a portion of Knight Island, Don Pedro Island and Little Gasparilla Island, all in Charlotte County, Florida.

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

COMMUNITIES SERVED LISTING

<u>County</u> <u>Name</u>	<u>Development</u> <u>Name</u>	<u>Rate</u> <u>Schedule(s)</u> <u>Available</u>	<u>Sheet No.</u>
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JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

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 "CERTIFICATE" - 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 "COMMUNITIES SERVED" - 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 ISLAND ENVIRONMENTAL UTILITY, INC. .
- 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 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 "RATE" - Amount which the Company may charge for wastewater service which is applied to the Customer's water consumption.
- 10.0 "RATE SCHEDULE" - 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 "SERVICE" - 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)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0     "SERVICE CONNECTION" - The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0     "SERVICE LINES" - 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     "TERRITORY" - 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.

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE



NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

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(Continued to Sheet No. 6.1)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 6.0)

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JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

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 POLICY DISPUTE - 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 APPLICATION - In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The Company shall provide each Applicant with a copy of the brochure entitled "Your Water and Wastewater Service," prepared by the Florida Public Service Commission.

- 4.0 APPLICATIONS BY AGENTS - Applications for wastewater service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents.

- 5.0 REFUSAL OR DISCONTINUANCE OF SERVICE - 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.

- 6.0 EXTENSIONS - Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff.

- 7.0 TYPE AND MAINTENANCE - 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.

- 8.0 DELINQUENT BILLS - 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.

(Continued on Sheet No. 8.0)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 7.0)

- 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 wastewater service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous wastewater service.

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 LIMITATION OF USE - 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 the Customer shall not sell or otherwise dispose of such wastewater 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 wastewater 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 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. (This shall not be construed as prohibiting a Customer from remetering.)

- 11.0 CHANGE OF CUSTOMER'S INSTALLATION - 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. 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)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

(Continued from Sheet No. 8.0)

- 13.0 INSPECTION OF CUSTOMER'S INSTALLATION - 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.

Notwithstanding 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.

- 14.0 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 its property. If reasonable access is not provided, service may be discontinued pursuant to the above rule.

- 15.0 RIGHT-OF-WAY OR EASEMENTS - 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.

- 16.0 CUSTOMER BILLING - Bills for water service will be rendered - Monthly - as stated in the rate schedule.

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 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 TERMINATION OF SERVICE - 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.

(Continued on Sheet No. 10.0)

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER 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 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.
- 19.0 UNAUTHORIZED CONNECTIONS - WASTEWATER - 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.
- 20.0 ADJUSTMENT OF BILLS - When a Customer has been 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 refunded 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 METER ACCURACY REQUIREMENTS - All meters used by the Company should conform to the provisions of Rule 25-30.262, Florida Administrative Code.
- 22.0 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.
- 23.0 EVIDENCE OF CONSUMPTION - 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 premise regardless of occupancy.

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.  
WASTEWATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

	<u>Sheet Number</u>
Customer Deposits .....	15.0
General Service, GS .....	12.0
Miscellaneous Service Charges .....	16.0
Residential Service, RS .....	13.0
Multi-residential Service (MS) .....	14.0
Service Availability Fees and Charges .....	17.0

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.  
WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater service to all Customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.

BILLING PERIOD - Monthly

RATE -

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8x3/4"	\$ 21.19
3/4	\$ 31.79
1	\$ 52.98
1 ½	\$ 105.95
2	\$ 169.52
3	\$ 339.04
4	\$ 529.75
6	\$1,059.50
8	\$1,695.20

GALLONAGE CHARGE \$7.68 (per 1,000 gallons)  
(10,000 gallon maximum)

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 wastewater service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING - Original Certificate

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE



NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

## WASTEWATER TARIFF

RESIDENTIAL SERVICERATE SCHEDULE RSAVAILABILITY - Available throughout the area served by the Company.APPLICABILITY - For wastewater 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 - MonthlyRATE -

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8x3/4"	\$ 21.19
3/4	\$ 31.79
1	\$ 52.98
1 1/2	\$ 105.95
2	\$ 169.52
3	\$ 339.04
4	\$ 529.75
6	\$1,059.50
8	\$1,695.20

GALLONAGE CHARGE \$6.40 (per 1,000 gallons)  
(10,000 gallon maximum)MINIMUM CHARGE - Base Facility ChargeTERMS 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 -TYPE OF FILING - Original CertificateJOHN R. BOYER  
ISSUING OFFICERPRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

## WASTEWATER TARIFF

MULTI-RESIDENTIAL SERVICERATE SCHEDULE MS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For wastewater 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

RATE -

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8x3/4"	\$ 21.19
3/4	\$ 31.79
1	\$ 52.98
1 ½	\$ 105.95
2	\$ 169.52
3	\$ 339.04
4	\$ 529.75
6	\$1,059.50
8	\$1,695.20

GALLONAGE CHARGE \$6.40 (per 1,000 gallons)  
(10,000 gallon maximum)

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 wastewater service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING - Original Certificate

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

## WASTEWATER TARIFF

CUSTOMER DEPOSITS

ESTABLISHMENT OF CREDIT - 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>	<u>General Service</u>
5/8" x 3/4"	<u>10.00</u>	<u>10.00</u>
1"	<u>12.50</u>	<u>12.50</u>
1 1/2"	<u>12.50</u>	<u>12.50</u>
Over 2"	<u>15.00</u>	<u>15.00</u>

ADDITIONAL DEPOSIT - 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 Rules 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.

REFUND OF DEPOSIT - 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 - Original Certificate

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER 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.

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

NORMAL RECONNECTION - 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.

VIOLATION RECONNECTION - 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	\$ <u>15.00</u>
Violation Reconnection Fee	\$ <u>15.00</u>
Premises Visit Fee (in lieu of disconnection)	\$ <u>10.00</u>

EFFECTIVE DATE -TYPE OF FILING - Original Certificate

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.  
WASTEWATER TARIFF

SERVICE AVAILABILITY FEES AND CHARGES

<u>Description</u>	<u>Refer to Service Availability Policy Amount</u>	<u>Sheet No./Rule No.</u>
<u>Customer Connection (Tap-in) Charge</u>		
5/8" x 3/4" metered service .....	\$	
1" metered service .....	\$	
1 1/2" metered service .....	\$	
2" metered service .....	\$	
Over 2" metered service .....	\$ <sup>1</sup>	
<u>Guaranteed Revenue Charge</u>		
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	\$	
<u>Inspection Fee</u>	\$ <sup>1</sup>	
<u>Main Extension Charge</u>		
Residential-per ERC (__GPD)	\$	
All others-per gallon	\$	
or		
Residential-per lot (__foot frontage)	\$	
All others-per front foot	\$	
<u>Plan Review Charge</u>	\$	
<u>Plant Capacity Charge</u>		
Residential-per ERC (__GPD)	\$	
All others-per gallon	\$	
<u>System Capacity Charge</u>		
Residential-per ERC (__GPD)	\$4,806.00	
All others-per gallon	\$	

<sup>1</sup>Actual Cost is equal to the total cost incurred for services rendered.

EFFECTIVE DATE -

TYPE OF FILING - Original Certificate

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.  
WASTEWATER TARIFF

INDEX OF STANDARD FORMS

<u>Description</u>	<u>Sheet No.</u>
APPLICATION FOR WASTEWATER SERVICE .....	20.0
COPY OF CUSTOMER'S BILL .....	21.0
RESERVED FOR FUTURE USE .....	19.0

JOHN R. BOYER  
ISSUING OFFICER  
  
PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

RESERVED FOR FUTURE USE

JOHN R. BOYER  
ISSUING OFFICER  
  
PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

APPLICATION FOR WASTEWATER SERVICE

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE



NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC. ORIGINAL SHEET NO. 20.1

WASTEWATER TARIFF

Sample Application Form

Name \_\_\_\_\_ Telephone Number \_\_\_\_\_

Billing Address \_\_\_\_\_

City

State

Zip

Service Address \_\_\_\_\_

City

State

Zip

Date service should begin \_\_\_\_\_

Service requested: Water \_\_\_\_\_ Wastewater \_\_\_\_\_ Both \_\_\_\_\_

By signing this agreement, the Customer agrees to the following:

1. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer 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.
2. The Company may refuse or discontinue wastewater service rendered under application made by any member or agent of a household, organization, or business for any of the reasons contained in Rule 25-30.320, Florida Administrative Code. 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.
3. The Customer agrees to abide by all existing Company Rules and Regulations as contained in the tariff. In addition, the Customer has received from the Company a copy of the brochure "Your Water and Wastewater Service" produced by the Florida Public Service Commission.
4. Bills for wastewater service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule. Bills must be paid within 20 days of mailing bills. If payment is not made after five working days written notice, service may be discontinued.
5. When a Customer wishes to terminate service on any premises where water and/or wastewater service is supplied by the Company, the Company may require (oral, written) notice within 3 days prior to the date the Customer desires to terminate service.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.  
WASTEWATER TARIFF

COPY OF CUSTOMER'S BILL

JOHN R. BOYER  
ISSUING OFFICER  
  
PRESIDENT  
TITLE

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

INDEX OF SERVICE AVAILABILITY

Description

Sheet Number

Schedule of Fees and Charges .....  
Service Availability Policy .....

Go to Sheet No. 17.0  
23.0

JOHN R. BOYER  
ISSUING OFFICER

PRESIDENT  
TITLE

ORIGINAL SHEET NO. 23.0

NAME OF COMPANY: ISLAND ENVIRONMENTAL UTILITY, INC.

WASTEWATER TARIFF

SERVICE AVAILABILITY POLICY

JOHN R. BOYER  
ISSUING OFFICER

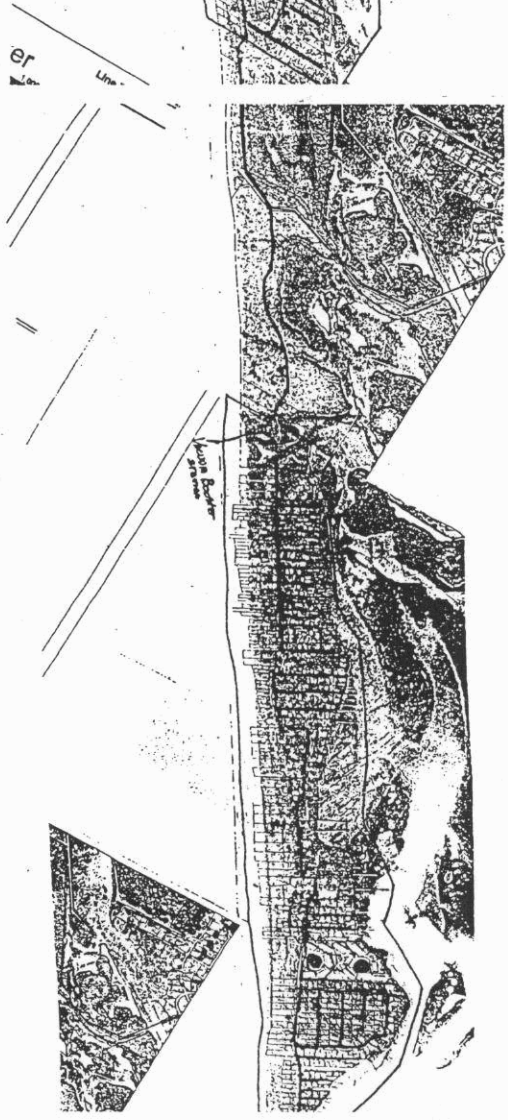
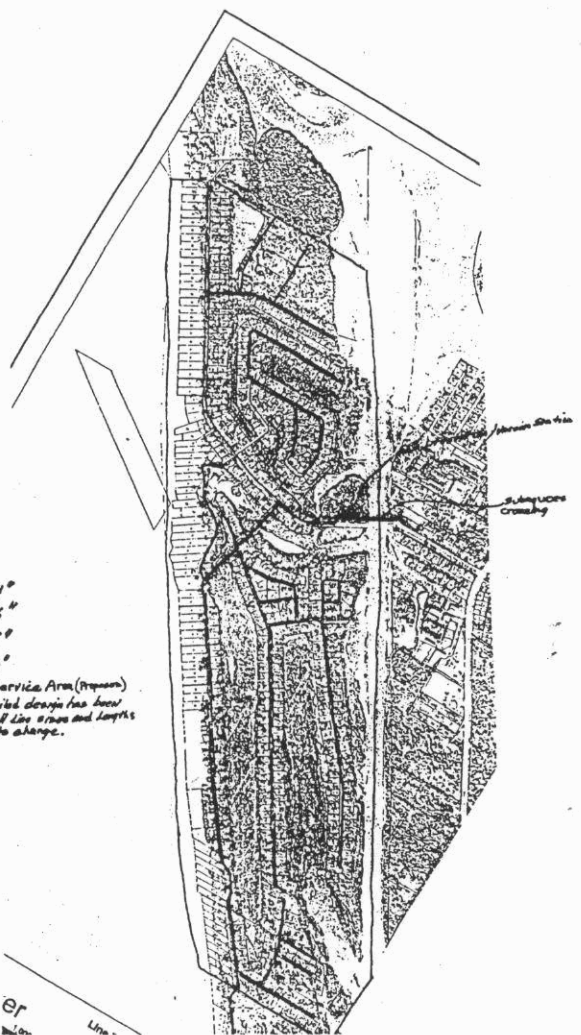
PRESIDENT  
TITLE

**EXHIBIT “D”**

**DETAILED SYSTEM MAP**

**(A Full Size Copy of the Map Has Been Provided to Division of Economic Regulation)**

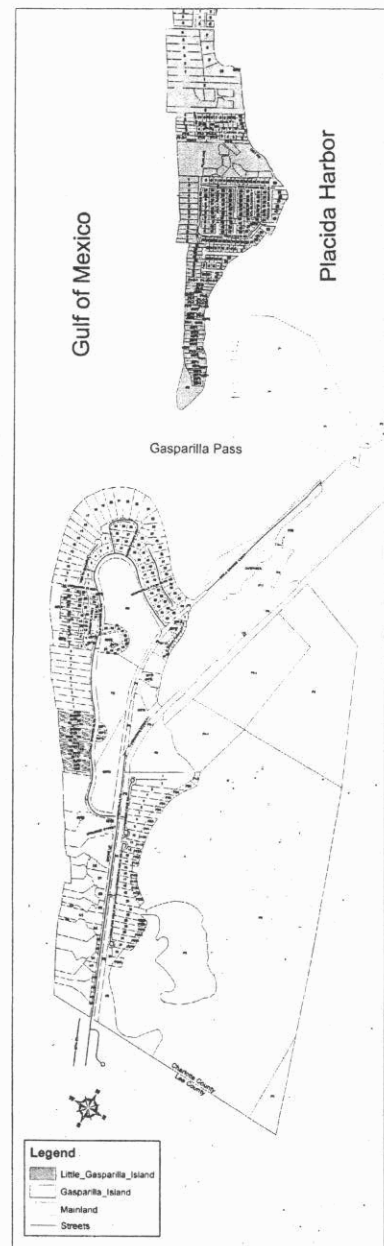
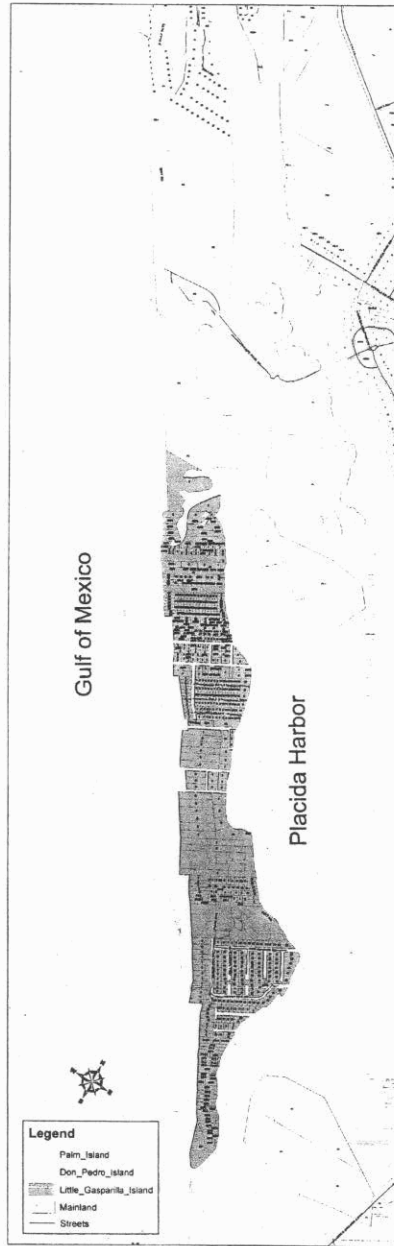
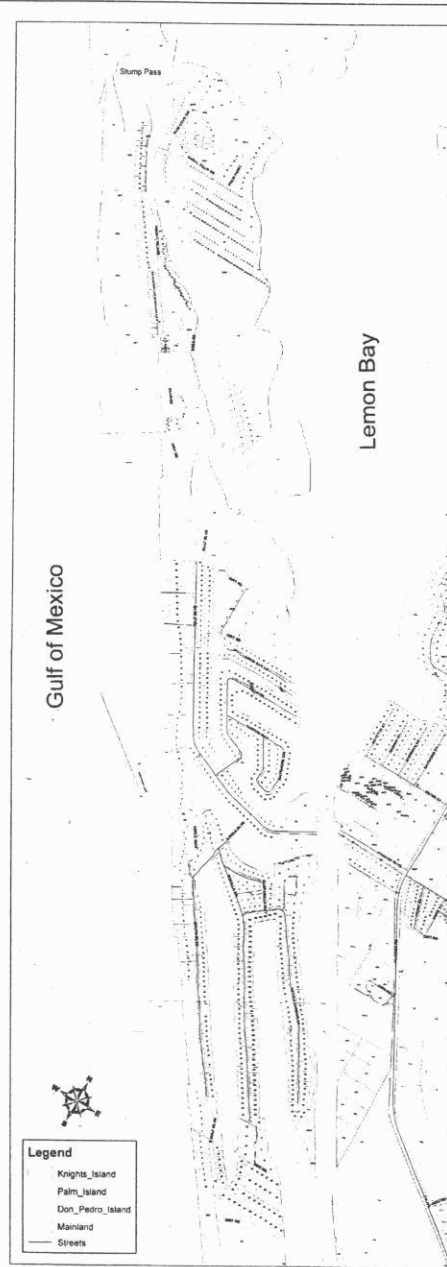
- 4"  
 - 6"  
 - 8"  
 - 10"  
 - Service Area (Proposed)  
 No detailed design has been  
 done. All line widths and lengths  
 subject to change.



**EXHIBIT "E"**

**OFFICIAL COUNTY GIS MAP**

**(Full Size Copies of the Maps Have Been Previously Provided Commission Staff.)**

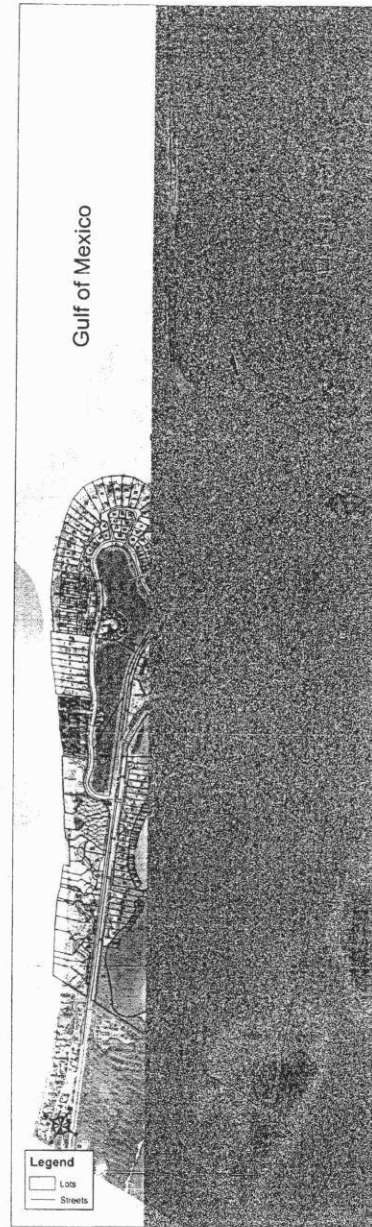
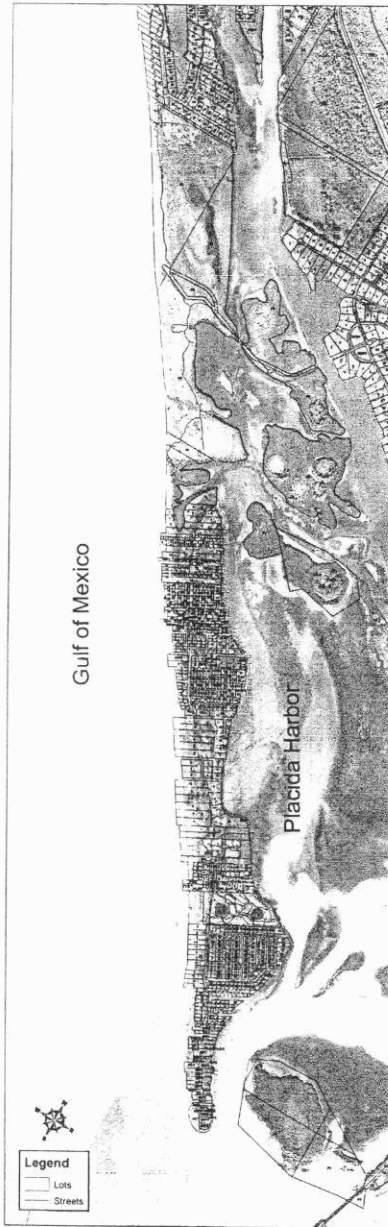
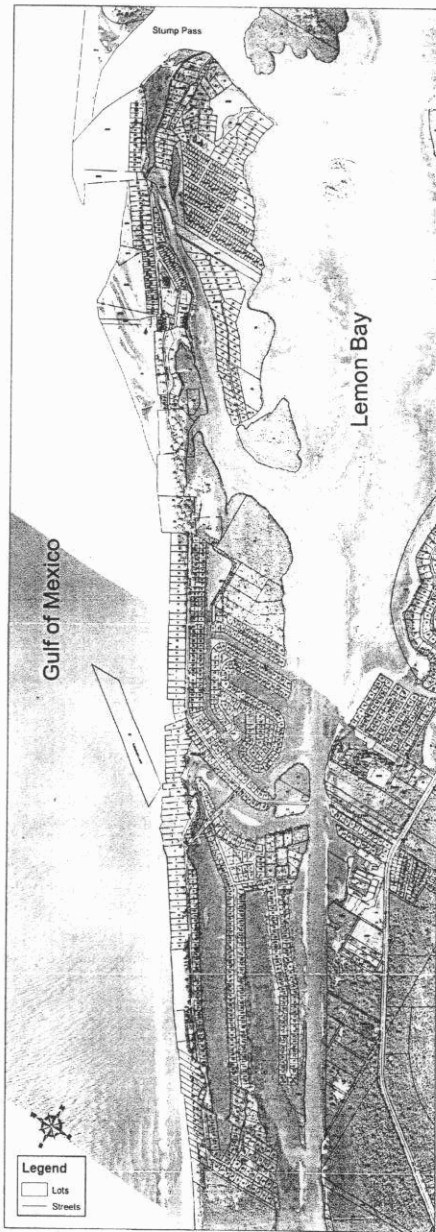


# Charlotte County Barrier Islands

0 250 500 1,000 1,500

This map was prepared by a private contractor under contract to the Charlotte County Board of Commissioners. The map is not a legal document and should not be used for legal purposes. The map is for informational purposes only. The map is not a legal document and should not be used for legal purposes. The map is for informational purposes only.





# Charlotte County Barrier Islands

0 250 500 1,000 1,500

This map is a reproduction of a map published by the U.S. Army Corps of Engineers, Vicksburg District, in 1964. It is based on aerial photography taken in 1963. The map is not to scale. The map is a reproduction of a map published by the U.S. Army Corps of Engineers, Vicksburg District, in 1964. It is based on aerial photography taken in 1963. The map is not to scale.

## EXHIBIT "F"

### Connection and Flow Figures for 4" to 10" Pipe

<u>Pipe Diameter</u>	<u>Flow</u>	<u># ERCs</u>
4"	40 g.p.m.	80
6"	105 g.p.m.	210
8"	210 g.p.m.	420
10"	375 g.p.m.	750

#### Connection Calculation

@ 300 gpd/ERC

$$300 \text{ gpd} \times 2.5 \text{ (peak factor)} \div 1440 = .5 \text{ g.p.m./ERC}$$

**Note:** These figures are for design purposes only and pertain to vacuum sewer collection lines only and are not applicable to other types of sewer systems. The true figures may be higher or lower depending on the ground elevation, actual water consumption and final routing design. Usage of the wastewater system will be subject to extreme seasonal variations, therefore any calculations utilized for flow should be accomplished during peak flow season.