



3. The Utility has analyzed all of these protests and each and every one relate to the proposal to include The Woodlands and/or The Forest subdivisions, (which are currently utilizing well and septic tanks), within the service territory of Rainbow Springs.

4. In order to resolve all protests to the pending Amendment Application in Docket No. 971621-WS, Rainbow Springs is willing to exclude from the territory proposed for service in that Docket both The Woodlands and The Forest subdivisions contingent upon the Commission recognizing that as resolving all protests.

5. It is the position of Rainbow Springs that the exclusion of The Forest and The Woodlands from the proposed territory effectively eliminates the basis of all protests received by the Commission in a timely manner. In addition, it is the position of Rainbow Springs that the elimination of The Forest and The Woodlands subdivisions from the proposed territory eliminates the standing of all timely protestants.

6. To the extent the Commission does not consider all protests to be resolved either through a lack of standing, or through plain resolution of those protests by this Restrictive Amendment, the Utility does not propose to restrictively amend its Application. To the extent the Utility is required to proceed to full formal hearing on any part of its Application, even with this Restrictive Amendment, the Utility hereby wishes to continue its proposal to include The Forest and The Woodlands subdivisions in that Amendment Application as originally filed.

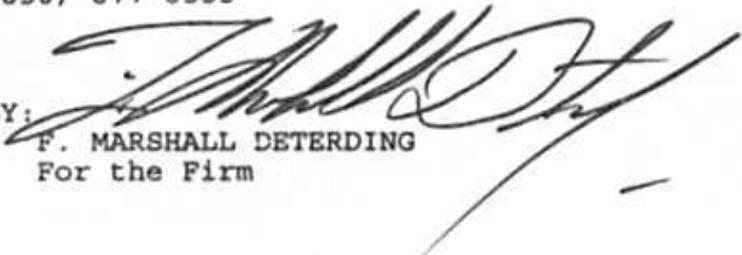
7. The Utility has not yet prepared revised maps or legal descriptions to reflect this Restrictive Amendment, but will do so within fourteen days of the date of this pleading.

WHEREFORE, Rainbow Springs Utilities, L.C. hereby notices its intent to restrictively amend its Application filed in Docket No. 971621-WS, so as to exclude The Woodlands and The Forest subdivisions from its proposed territory to the extent, and only if, such Restrictive Amendment will eliminate all protests, and thereby allow this matter to be resolved without opposition or formal hearing. The Utility will submit revised legal descriptions and maps to reflect this Restrictive Amendment within the next few days.

Respectfully submitted on this  
4th day of March, 1998, by:

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BY:

  
F. MARSHALL DETERDING  
For the Firm

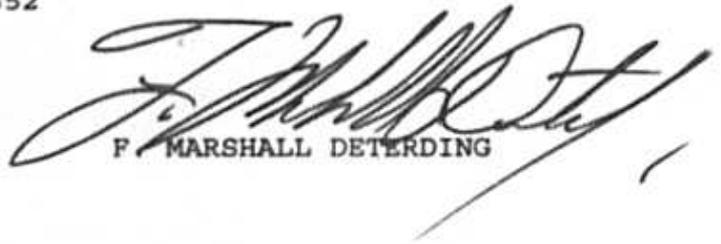
**CERTIFICATE OF SERVICE**

Docket No. 971621-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery\* or U.S. Mail to the following parties this 4th day of March, 1998.

Ralph Jaeger, Esquire\*  
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Legal Department  
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