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March 26, 1999

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Via Facsimile (850) 413-7004
and Overnight Courier

Mr. Charles H. Hill, Director
Division of Water and Wastewater
Florida Public Service Commission
1101 Shumard Oaks Boulevard
Tallahassee, Florida

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MAR 29 1999 Our File No.: 40298-1

Florida Public Service Commission
Division of Water and Wastewater

990403-115

Re: Additional Information re: Submittal of Application for Transfer to Governmental
Authority of Rampart Utilities, Inc. to Charlotte County, Florida

Dear Mr. Hill:

We transmitted the above-referenced application and copies to you via Federal Express
overnight delivery March 25, 1998 for review by Florida Public Service Commission
("FPSC") staff. When Mary DeLancett of our office spoke with Ms. Billie Messer by phone
on March 26, 1999 regarding our filing of this application, Ms. Messer indicated information
regarding the closing date of the utility transfer to Charlotte County is important to this
application's review.
For your information, the application indicates March 1999 as the month during which
official action on this transfer will take place. While that was the original intent, that date
was tied to obtaining a Court Order from the Circuit Court of the Seventeenth Judicial
Circuit in and for Broward County approving the Acquisition of the Utility by Charlotte
County. The closing was to occur approximately 30 days thereafter. The Court Order has
just been issued on March 24, 1999. A copy is attached for your reference. The Charlotte
County Board of County Commissioners has set a meeting for Tuesday, April 6, 1999, to
ratify and execute the purchase and sale agreement. The closing date is tentatively set
for the week of April 19, 1999. As soon as we have information regarding a firm closing
date, we will let your agency know along with any other details that may be forthcoming.

ACK
AFA
APP
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GRAY, HARRIS & ROBINSON
PROFESSIONAL ASSOCIATION

Mr. Charles H. Hill, Director
Page 2
March 26, 1999

If you or your staff have any questions regarding this application submittal, please do not hesitate to contact me immediately.

Sincerely,



W. Christopher Browder, Esquire

GRAY, HARRIS & ROBINSON, P.A. (Orlando)

cc: (w/out attachments)

Theodore C. Steffens, Receiver
Jeffrey S. Russell, Esquire, Abel, Bond et al
Larry E. Metz, Herzfeld & Rubin
James D. Wing, Holland & Knight
Gerald V. Walsh
Gerald C. Hartman, Hartman & Associates
Mark Lawson, Nabors, Giblin & Nickerson
Renee' Francis Lee, Charlotte County Attorney
Richard E. Howell, Charlotte County Utility Director
Laurie Case, Charlotte County Utilities Fiscal Manager
Thomas A. Cloud, Gray, Harris & Robinson
Phillip R. Finch, Gray, Harris & Robinson

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT IN
AND FOR BROWARD COUNTY, FLORIDA

CASE NO. 93 - 17311 (04)

HENRY WOODS, JR., HENRY WOODS,
SR., THOMAS WATSON, JAMES WATSON,
HUGH STEWART, JOHN H. STEWART
a/k/a JACK STEWART, and MAGGIE
TOWNSLEY, individually and/or
derivatively on behalf of MAPLE
LEAF, LTD., a Florida limited
partnership,

Plaintiffs,

vs.

HUGH KEITH, individually and as
Managing Partner of MAPLE LEAF,
LTD., a Florida Limited Partnership
and MAPLE LEAF, LTD., a Florida
Limited Partnership, et al.,

Defendants.

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MAR 29 1999

Florida Public Service Commission
Division of Water and Wastewater

**CONSENTED ORDER ON MOTION TO APPROVE ACQUISITION AGREEMENT
AND AUTHORIZE EXECUTION**

THIS CAUSE coming to be heard upon the Motion of the Plaintiffs, by and through their counsel, for approval and authorization to execute the Rampart Utility System Asset Acquisition Agreement between Charlotte County, Florida and Rampart Utilities, Inc. (the "Acquisition Agreement"), and to do all acts and things required by the Acquisition Agreement for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Acquisition Agreement, directing and authorizing Theodore Steffens, as the Court appointed Receiver, to execute and deliver any and all things necessary or proper for carrying out of the

transactions contemplated by the Acquisition Agreement, and this Court having been fully advised in the premises,

IT IS HEREBY ORDERED:

1. Plaintiffs' Motion to Approve the Acquisition Agreement and authorize execution is hereby granted.

2. This Court, notwithstanding any prior injunction issued by this Court, hereby approves the Acquisition Agreement, and the transactions contemplated thereunder.

3. Theodore C. Steffens, the Court appointed Receiver in this matter, is hereby directed and authorized to execute this Acquisition Agreement, and to do all acts and things required by the Acquisition Agreement, for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Acquisition Agreement, the Receiver is directed and authorized to execute and deliver any and all papers and instruments and to do and cause to be done all acts and things necessary or proper for carrying out the transactions contemplated by the Acquisition Agreement as the duly appointed Receiver on behalf of Rampart Utilities, Inc. so that the Purchased Assets, as described in the Acquisition Agreement, may be conveyed to Charlotte County, Florida, subject to the Permitted Exceptions, as provided in the Acquisition Agreement, but otherwise free and clear of all liens and encumbrances.

4. The court retains jurisdiction over the parties to this action and the subject matter of the Acquisition Agreement.

5. Nothing herein shall be construed so as to affect, alter or limit in any way, or be construed in a manner inconsistent with, the entitlement of the Bank of Tokyo-Mitsubishi Trust Company to repayment from the proceeds of the sale or liquidation of Rampart and/or its assets, in accordance with the terms and conditions of this Court's Final Order on Count 1 of the Fifth Amended Complaint, or under the terms and conditions of any governing contract.

DONE and ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this _____

day of _____, 1999.

PATRICIA W. COCALIS
A TRUE COPY

MAR 24 1999

CIRCUIT JUDGE

Copies Furnished:

Jeffrey M. Bell, Esq.
James D. Wing, Esq.
David A. Wolis, Esquire
Anthony J. Abate, Esq.
Lisa J. Chaiklin Aflalo, Esquire
Steven Silverman, Esquire
Gerald V. Walsh, Esquire
Robert J. Gill, Esq.
Mr. Hugh Keith
Ms. Jean Holden

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