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March 31, 1999

by Federal Express

Ms. Blanca Bayo
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 980657-WS; Application for amendment of Certificate Nos. 279-W and 226-S in Seminole County by Florida Water Services.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket, please find an original and fifteen copies of the Rebuttal Testimonies of Neill O'Brien, III, Mike Hattaway, Hugh W. Harley, Jr., and Martin Kessler on behalf of Florida Water Services Corporation.

Hattaway

Also enclosed is a diskette containing the testimonies referenced above, formatted for Word Perfect 5.1.

Please acknowledge filing of these items by date stamping the enclosed extra copy of this letter and returning it in the postage paid envelope provided.

If you have any questions, please contact me at (407) 880-0058, ext. 260.

Sincerely yours,

Matthew J. Feil

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

- ACK Matthew J. Feil
- AFA Staff Attorney
- APP Enclosures
- CAF
- CMU c: Parties of Record (by US Mail)
- CTR
- EAG
- LEG *1/2*
- LIN *3 + orig*
- OPC
- RCH
- SEC *1*
- WAS *1/2*
- OTH

Florida Water Services Corporation / P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/880-0058

Water For Florida's Future

Kessler DOCUMENT NUMBER-DATE 04190 APR-1999 FPSC-RECORDS/REPORTING
 Hattaway DOCUMENT NUMBER-DATE 04189 APR-1999 FPSC-RECORDS/REPORTING
 O'Brien DOCUMENT NUMBER-DATE 04187 APR-1999 FPSC-RECORDS/REPORTING

RECEIVED

60 JUN 1 - JUN 66

O'Brien
 DOCUMENT NUMBER-DATE
 04187 APR-1999

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REBUTTAL TESTIMONY OF NEILL O'BRIEN, III
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
FLORIDA WATER SERVICES CORPORATION
DOCKET NO. 980657-WS

DOCUMENT NUMBER-DATE
04187 APR-18
FPSC-RECORDS/REPORTING

1 Q. WHAT IS YOUR NAME AND BUSINESS ADDRESS?
2 A. My name is Neill O'Brien, III. I am employed by
3 Commercial Realty Group, Inc. and my business
4 address is 140 N. Orlando Avenue, Suite 150,
5 Winter Park, Florida 32789.
6 Q. WHAT IS YOUR POSITION WITH COMMERCIAL REALTY
7 GROUP, INC.?
8 A. I am President of Commercial Realty Group, Inc.
9 ("Commercial Realty").
10 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?
11 A. The purpose of my testimony is to address a
12 concern expressed by the Public Service Commission
13 (PSC) Staff that developer interest in the
14 territory amendment Florida Water filed with the
15 Commission has not been clearly stated.
16 Q. HOW DO YOUR RESPONSIBILITIES AS PRESIDENT OF
17 COMMERCIAL REALTY PERTAIN TO THIS MATTER BEFORE
18 THE PSC?
19 A. Commercial Realty owns property located in the
20 northern portion of Florida Water's proposed
21 territory. In total this is approximately 198
22 acres. A legal description of the property is
23 attached as Exhibit _____ (NO-1).
24 Q. DOES COMMERCIAL REALTY DESIRE FLORIDA WATER TO

1 **PROVIDE ITS PROPERTY WITH WATER AND SEWER SERVICE?**

2 A. Yes. Commercial Realty has requested that
3 Seminole County approve a 400 unit planned unit
4 development for the property. Subject to the
5 County's approval of the proposed development and
6 the necessary comprehensive plan change - a final
7 vote is expected on May 11 of this year on both
8 scores - Commercial Realty desires for Florida
9 Water to provide water and wastewater services to
10 the property. Therefore, Commercial Realty
11 requests the PSC to approve Florida Water's
12 territory amendment.

13 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

14 A. Yes, it does.