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August 16, 1999

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

HAND DELIVERY

RECORDS AND REPORTING
AUG 27 PM 1:18
SERIALIZED

Re: Docket No. 971638-SU

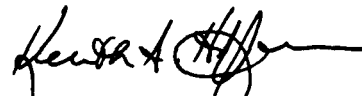
Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Florida Water Service Corporation are the original and fifteen copies of its Prehearing Statement.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Kenneth A. Hoffman

- AFA _____
- APP _____
- CAF _____
- CMU _____ KAH/knb
- CTR _____ Enclosures
- EAG _____
- LEG _____
- MAS _____ 3 THB.S
- OPC _____
- PAI _____
- SEC _____
- WAW _____
- OTH _____

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10275 AUG 27 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Amendment)
of Certificate No. 226-S to add)
territory in Seminole County by)
Florida Water Services)
_____)

DOCKET NO. 971638-SU
Filed: August 27, 1999

**FLORIDA WATER SERVICE CORPORATION'S
PREHEARING STATEMENT**

COMES NOW, Florida Water Services Corporation ("Florida Water"), by and through its undersigned counsel and hereby files this Prehearing Statement pursuant to the Order Establishing Procedure in this docket.

1. STATEMENT OF BASIC POSITION

On December 20, 1997, Florida Water filed a wastewater territory amendment application with the Commission to include an area known as Bennett Commerce Park within Florida Water's Florida Central Commerce Park service area in Seminole County, Florida. The City of Longwood ("City") filed an objection. Florida Water has more than adequate technical and financial ability to serve the territory it requests. The Commission should find that it is in the public interest for Florida Water to provide wastewater service to Bennett Commerce Park.

2. ISSUE AND POSITIONS

Issue 1: Does Florida Water have adequate technical and financial ability to provide water and wastewater service to the proposed amended territory requested in its application?

Position: Yes. (Armstrong, Sweat, Terrero)

Issue 2: Is it in the public interest for Florida Water to be granted the proposed amended territory requested in its application?

Position: Yes. (Armstrong, Sweat, Terrero)

DOCUMENT NUMBER-DATE

10275 AUG 27 89

REGISTRATION REPORTING

Issue 3: Will granting Florida Water's application for amendment result in competition with or duplication of any other system or portion of a system, and, if so, is the latter system or portion thereof inadequate or unable to meet the need for service?

Position: No. No competition or duplication will result.

Issue 4: Will granting Florida Water's application for amendment be inconsistent with the City of Longwood's local comprehensive plan?

Position: No, the amendment is not inconsistent with the comprehensive plan. Even if it were inconsistent in the manner alleged by the City of Longwood, that inconsistency goes not to legitimate growth planning concerns but rather to the City's attempt to declare a larger utility service area for itself. A city should not be allowed to prevail on a comprehensive plan inconsistency claim when the intent of the asserted inconsistency is to obtain a competitive business advantage for the city. (Chase)

3. FLORIDA WATER WITNESSES

<u>Witnesses</u>	<u>Appearing For</u>	<u>Issue #</u>
<u>Direct</u>		
Brian Armstrong	Florida Water	1,2,3
Charles Sweat	Florida Water	1,2,3
<u>Rebuttal</u>		
Rafael Terrero	Florida Water	1,2,3

4. EXHIBITS

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No</u>	<u>Description</u>
Brian Armstrong	Florida Water	BPA-1	Florida Water's Amendment Application
Rafael Terrero	Florida Water	RAT-1	Resume/Curriculum Vitae
		RAT-2	Conceptual Design

Florida Water reserves the right to identify additional exhibits for the purpose of cross-examination. Florida Water reserves the right to call as its own witness any person for whom another party prefiled testimony.

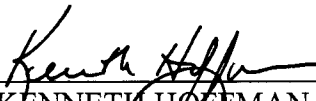
5. PROPOSED STIPULATIONS

At or before the Prehearing Conference, Florida Water intends to propose stipulations as to the admissibility of certain evidence and, as necessary, factual issues not in dispute.

6. PENDING MATTERS

Florida Water and the City of Longwood mediated this dispute in March of 1999. Florida Water has sent two written offers of settlement to the City of Longwood, including one on August 25, 1999. As of this date, Florida Water understands that the City of Longwood staff will recommend acceptance of the latter offer of settlement, but no signed settlement agreement has been executed.

Respectfully submitted,



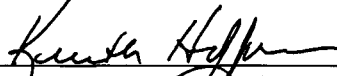
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Orlando, FL 32860-9520
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Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via U.S. Mail to: Richard S. Taylor, Jr., Esq. 531 Dog Track Road, Longwood, FL 32752-1117 and Jennifer Brubaker, Esq., Florida Public Service Commission 27540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, on this 27th day of August, 1999.



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