

Ruth Nettles

From: Linda Strumski [lstrumski@pascocountyfl.net]
Sent: Friday, September 12, 2008 2:29 PM
To: Filings@psc.state.fl.us
Cc: Joseph Richards
Subject: Aqua Utilities
Attachments: FPSC Ltr re formal hearing.pdf

Attached please find Pasco County's objection to Aqua Utilities' request to extend its service area.

Linda Strumski
Senior Legal Secretary
Pasco County Attorney's Office
7530 Little Road, Suite 340
New Port Richey, FL 34654
Tele: 727-847-8120
Fax: 727-847-8021

*Dme
9/15/08
R.v.N*

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PASCO COUNTY, FLORIDA
OFFICE OF THE COUNTY ATTORNEY

* Florida Bar Board Certified in City, County and Local Government Law

Jeffrey N. Steinsnyder, County Attorney *
W. Elizabeth Blair, Senior Assistant County Attorney
Jane M. Fagan, Senior Assistant County Attorney *
David A. Goldstein, Senior Assistant County Attorney
Marcie McDonie, Senior Assistant County Attorney
Joseph D. Richards, Senior Assistant County Attorney
Anthony M. Salzano, Senior Assistant County Attorney
Kristi Wooden, Senior Assistant County Attorney
Nicki H. Spirtos, Assistant County Attorney
Timothy S. Steele, Assistant County Attorney

VIA E-MAIL

September 12, 2008

Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 080534 – RE: Notice of Extension of Service Area-Jasmine
Lakes - Aqua Utilities –Notice of appearance and request for formal hearing

Dear Director:

Please accept this as formal notification of Pasco County's objection to Aqua Utilities' (hereinafter "Aqua") request to extend its service area to provide water and wastewater service in Pasco County in the August 12, 2008, Legal Notice. Pasco County received a copy of the notice on or about August 14, 2008.

Pursuant to Section 367.045, Florida Statutes, when applying for an amendment of a certificate of authorization, a utility shall provide information, which "may include . . . the need for service in the area involved, and the existence or nonexistence of service from other sources within geographical proximity to the area in which the applicant seeks to provide service." Sec. 357.045(2)(b), Fla. Stat.

The Legal Notice provides little or no information as to the need for service and the legal description provided includes area currently being served by Pasco County Utilities. Pasco County maintains water and wastewater lines in and/or adjacent to the area in question. Pasco County also provides water and wastewater service to a portion of the area. Pasco County objects to any expansion of the current service area that would encroach into the County's service area. Any area not within the certificated service area of a private utility or within a municipality is in the service area of Pasco County and the County is willing and better able to serve the areas adjacent to and neighboring Aqua's current service area.

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Because Aqua's proposed expansion encroaches into Pasco County's Service area and because of Pasco County's existing lines and ability to provide service, Pasco County objects to the application to amend the certificate of authorization.

We understand that Aqua may have included the County's service area in its request by mistake but until we obtain a formal correction to this mistake, we must maintain our objection to the request as it now stands.

Please accept this as Pasco County's request for a formal hearing regarding Aqua's Application for Amendment of Certificate to provide service in Pasco County. This letter also serves as our notice of appearance for this hearing.

Thank you for your attention to this matter.

Respectfully submitted,



Joseph D. Richards,
Senior Assistant County Attorney

cc: John J. Gallagher, Pasco County Administrator
Bruce Kennedy, Pasco County Utilities
Erik L. Sayler, PSC Office of General Counsel
Aqua Utilities c/o Michael B. Twomey, Esq. P.O. Box 5256,
Tallahassee, FL 32314-5256