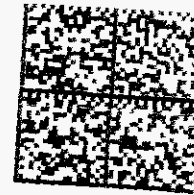


Undeliverable envelope returned from the U.S. Post Office.

Address is consistent with the Master Commission Directory or the Case Management System.

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



047J82604132  
**\$00.420**  
03/27/2009  
Mailed From 32399  
US POSTAGE

RECEIVED-FPSC

09 APR 13 AM 9:21

COMMISSION  
CLERK

✓ WU740-Inactive

MCD-same

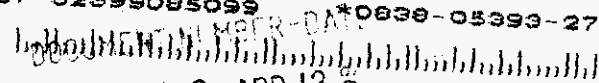
Tamiami Village Water Company, Inc.  
Mr. John J. Ustica  
9280-5 College Parkway  
Ft. Myers FL 33919-4848

Agenda 4/7/09  
080183-WU

NIXIE 337 DE 1 00 04/09/09

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 32399085099 \*0839-05393-27-44



03249 APR 13

FPSC-COMMISSION CLERK

32399085099

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** Tuesday, April 7, 2009, 9:30 a.m.

**LOCATION:** Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

**DATE ISSUED:** March 27, 2009

---

### NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (\*\*) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

To obtain a copy of staff's recommendation for any item on this agenda, contact the Office of Commission Clerk at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

Video and audio versions of the conference are available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.

**ITEM NO.**

**CASE**

---

16\*\*PAA

**Docket No. 080183-WU** – Joint application for approval of transfer of Tamiami Village Water Company, Inc.'s water system and Certificate No. 388-W in Lee County to Ni Florida, LLC.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners  
**Prehearing Officer:** Edgar

**Staff:** ECR: Brady, Redemann  
GCL: Klancke

**(Proposed Agency Action for Issues 1 and 2)**

**Issue 1:** What is water rate base for the transfer of Tamiami Village Water Company, Inc.?

**Recommendation:** The appropriate rate base for transfer purposes for Tamiami's water system is \$66,842 as of December 31, 2007. Within 60 days of the date of the final order, Ni Florida should be required to provide a statement that the Utility's books have been updated to reflect the Commission-approved rate base adjustments and balances. In addition, the Commission approved rate base adjustments should be reflected in the Utility's 2009 annual report.

**Issue 2:** Should an acquisition adjustment be approved?

**Recommendation:** No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.

**Issue 3:** Should this docket be closed?

**Recommendation:** No. If no protest to the proposed agency action issues is filed by a substantially affected person within 21 days of the date of the order, a consummating order should be issued. However, the docket should remain open pending receipt of the confirmation statement that the Utility's books have been adjusted to reflect the Commission-approved rate base adjustments and verification of an updated territory map. Upon receipt of the statement and updated territory map, the docket should be administratively closed.