



ORIGINAL

June 25, 1998

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

Re: Docket No. 970657-WS -- Application for certificates  
to operate a water and wastewater utility in Charlotte  
and DeSoto Counties by Lake Suzy Utilities, Inc.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced matter please  
find an original and fifteen copies of the Affidavits of  
Brian Armstrong and Donna Henry. These affidavits support  
Florida Water's contention that notice was never received  
for the above-referenced application.

Please acknowledge filing of these Affidavits by date  
stamping the enclosed 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*

Matthew J. Feil  
Staff Attorney

RECEIVED & FILED

Enclosures

FPSC BUREAU OF RECORDS

dlh/Bayo-5

c: All Parties

MAIL ROOM

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FLORIDA PUBLIC  
SERVICE COMMISSION

DOCUMENT NUMBER-DATE

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06790 JUN 26 98

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

Water For Florida's Future

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH cy cover letter with each


DOCUMENT NUMBER-DATE

ORIGINAL

**AFFIDAVIT**

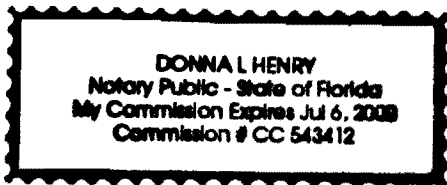
BRIAN P. ARMSTRONG, having been duly sworn, deposes and states as follows:

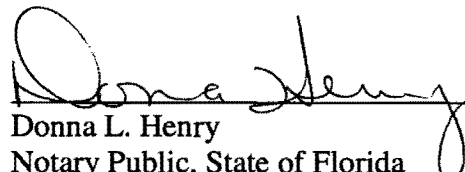
1. I am employed as Vice President and General Counsel for Florida Water Services Corporation ("Florida Water").
2. I am the individual designated with the Florida Public Service Commission ("FPSC") to receive notices and other documents both from the Commission and from other regulated utilities. I am also Florida Water's registered corporate agent with the Secretary of State, Division of Corporations, for the State of Florida.
3. In the ordinary course of business, my office receives notices of territorial expansions and deletions sent by the private utilities regulated by the FPSC.
4. The notice receipt files kept by my department in the ordinary course of business reveal that Florida Water did not receive any written notice of amendment or written notice of application for original certificate in 1997 from Lake Suzy Utilities, Inc. ("Lake Suzy").

  
 \_\_\_\_\_  
 Brian P. Armstrong  
 Vice President - Legal and General Counsel

STATE OF FLORIDA       )  
 COUNTY OF ORANGE    )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of June, 1998, by Brian P. Armstrong, as Vice President - Legal and General Counsel for Florida Water Services Corporation, who is personally known to me and who did take an oath.



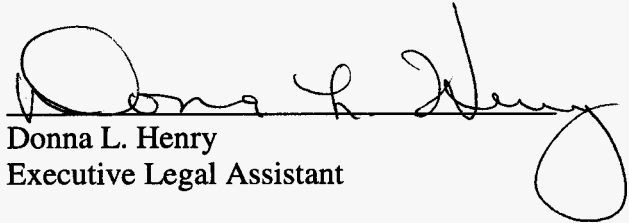
  
 \_\_\_\_\_  
 Donna L. Henry  
 Notary Public, State of Florida  
 My Commission Expires: 7-6-00

ORIGINAL

**AFFIDAVIT**

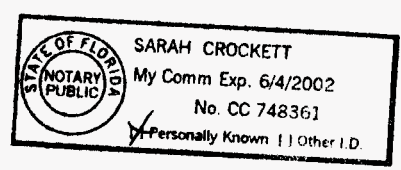
DONNA L. HENRY, having been duly sworn, deposes and states as follows:

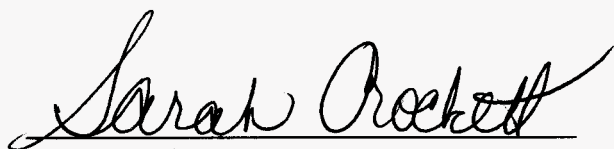
1. I am employed as Executive Legal Assistant for Florida Water Services Corporation ("Florida Water").
2. I am the individual responsible for logging and maintaining the notices and other documents received from both the Commission and from regulated utilities sent to Florida Water.
3. In the ordinary course of business, I open the mail sent to Mr. Armstrong, Vice President and General Counsel of Florida Water, and log in the notices of territorial expansions and deletions sent by the private utilities regulated by the FPSC.
4. The notice receipt files kept by me in the ordinary course of business reveal that Florida Water did not receive any written notice of amendment or written notice of application for original certificate in 1997 from Lake Suzy Utilities, Inc. ("Lake Suzy").

  
 Donna L. Henry  
 Executive Legal Assistant

STATE OF FLORIDA        )  
 COUNTY OF ORANGE     )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of June, 1998, by Donna L. Henry, as Executive Legal Assistant for Florida Water Services Corporation, who is personally known to me and who did take an oath.



  
 Sarah Crockett  
 Notary Public, State of Florida at Large  
 Commission Number: CC748361  
 My Commission Expires: 6-4-02