

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Application of United Water )  
 Florida, Inc. for Transfer of Majority )  
 Organizational Control of its )  
 Corporate Grandparent, United ) Docket No. 991660-WS  
 Water Resources, Inc. to Lyonnaise )  
 American Holding, Inc. )  
 \_\_\_\_\_ )

**SUPPLEMENTAL INFORMATION**  
**PETITION FOR EMERGENCY TEMPORARY VARIANCE FROM RULE**

UNITED WATER FLORIDA, INC. ("United Water FL") has previously filed its Petition for Emergency Temporary Variance From Rule. That Petition anticipated a prior interpretation of Fla. Admin. Code r. 25-30.030(4)(c) (1999) which required a full legal description of each territory area affected by the proposed merger. As previously alleged, those descriptions consume approximately 125 pages. Discussions with staff have resulted in questions related to the difficulties, if any, if just Sections, Townships and Ranges are provided for each area affected by the proposed merger. This supplemental information is provided to respond to that inquiry.

1. The Petitioner's territories have been the subject of over 60 separate Orders of the Florida Public Service Commission (the "Commission") from 1974 until 1999. As indexed on its Water and Wastewater Certificates (236W and 179S), territories and parts of territories have been meticulously added, deleted, transferred and corrected as a result of years of business activity. Some Orders deal with as many as nine subdivisions. Many descriptions involve parts of a Section and, in other cases, multiple Sections or multiple parts of Sections. A breakout of Sections, Townships and Ranges, without the details of

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 CAF \_\_\_\_\_  
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 LEG *VanHeuren* \_\_\_\_\_  
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the rest of the legal descriptions would inevitably produce inaccuracies and would be incomprehensible. Such an exercise would not provide useful information to the public. The Commission must have recognized this issue when it previously ruled that the notice to be mailed to the customer and the affected agencies should reference only the counties that will be affected on a one-page notice.

2. A breakout listing of Sections, Townships and Ranges would be technically challenging because many changes over the years modified only parts of the previous Orders. Even if such a list was developed, it would doubtlessly consume numerous pages. With 34,000 mailings, even six to ten pages of printed legals would significantly enhance the postage and clerical costs associated with this process.

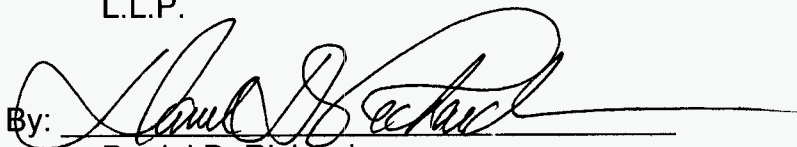
3. The publishing of a long list of Sections, Townships and Ranges in the newspaper would, likewise, do little to enhance the public's awareness of the proposed merger. Newspaper notices usually set forth a more simple statement of information unless they are intended to be mere perfunctory legal obligations.

4. In this instance, United Water FL has provided a useful map of its territories (attached). It is suggested that the attached map is the best way to communicate to the general public regarding the territory to be affected by the merger. It shows the counties, the St. Johns River, county boundaries and major highway arteries. Territory names which appear on the map relate to commonly known areas of the city. This map was designed to visually communicate the territory of United Water FL. It could be included in the mailed notices and the published notice. It would fully accomplish the intent of the notice rule.

THEREFORE, due to the foregoing supplemental information, United Water FL continues to request the opportunity to communicate in a meaningful way with its customers by placing a one-page notice of the proposed merger (with the map of its territories) in the monthly billing statement of each and every customer. This direct, individually delivered notice will give every customer the desired information. It is requested that the published notice provide the same information to the public at large. It is also proposed that the numerous agencies entitled to receive notice receive the same information as the individual customer.

Respectfully Submitted,

LEBOEUF, LAMB, GREENE & MACRAE,  
L.L.P.

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**CERTIFICATE OF SERVICE**

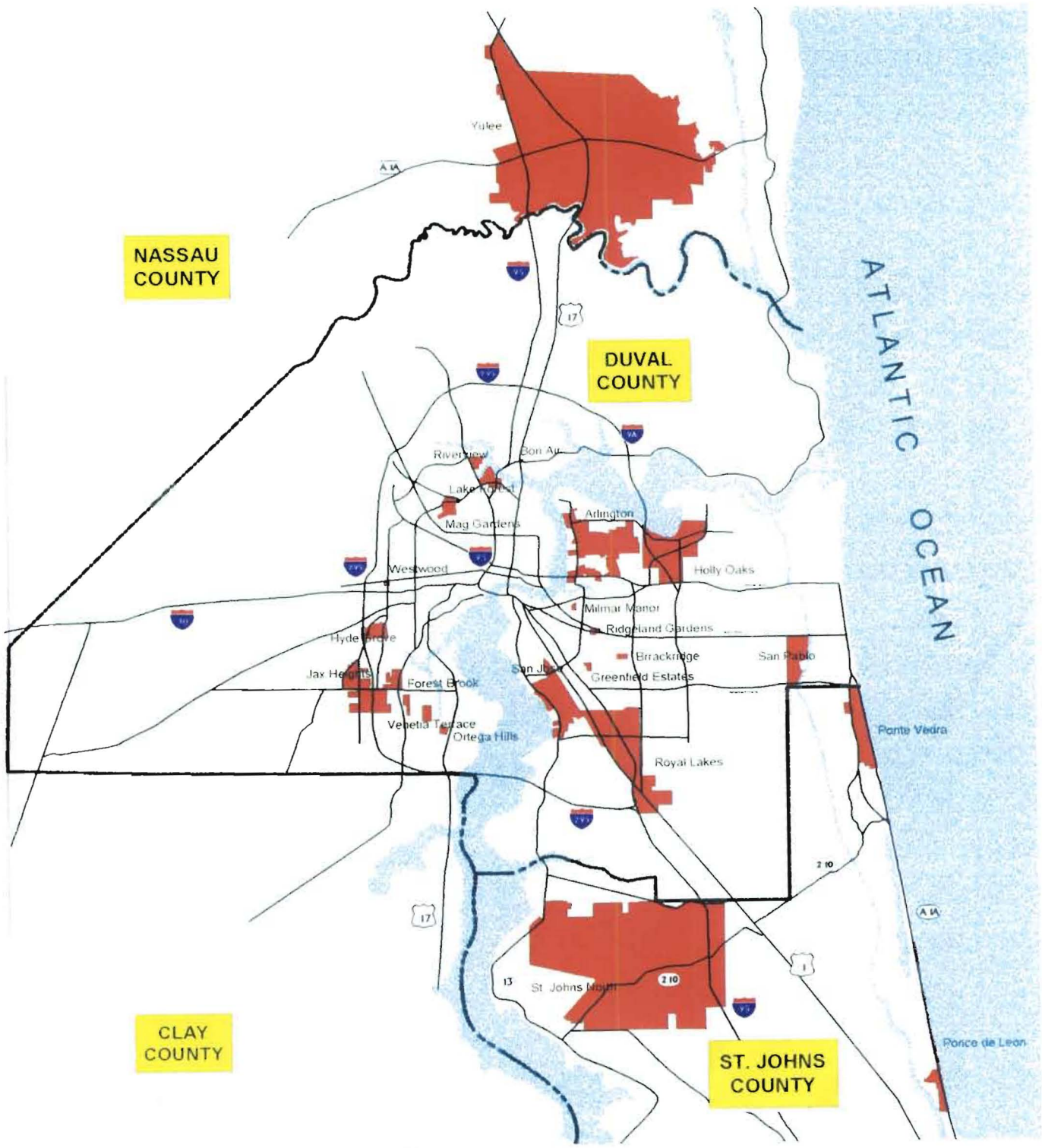
I **HEREBY CERTIFY** that a true copy of the foregoing has been furnished by Federal Express this 10 th day of November 1999 to Ms. Blanca Bayo, Director of Records

and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard,  
Tallahassee, FL 32399-0850.



Attorney

cc: Tyler Van Leuven, Esq.  
135922



United Water Florida  
Service Areas