

**Ruth Nettles**

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**From:** Michele Parks [michele@RSBattorneys.com]  
**Sent:** Tuesday, October 02, 2007 4:09 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Rosanne Gervasi; REILLY.STEVE@leg.state.fl.us; Ken Hoffman; jphoy@uiwater.com; rjdurham@uiwater.com; Patrick Flynn  
**Subject:** Docket No.: 070183-WS/Proposed Used and Useful Rule  
**Attachments:** Petition to Intervene.pdf

- a. Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
2180 W. State Road 434, Suite 2118  
Longwood, FL 32779  
PHONE: (407) 830-6331  
[mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)
- b. Docket No.: 070183-WS/Proposed Adoption of Rule 25-30.4325, F.A.C., Water Treatment Plant Used and Useful Calculations
- c. Utilities, Inc. of Florida
- d. 1 page letter/3 page Petition
- e. Petition for Leave to Intervene

Michele Parks, Legal Assistant  
Rose, Sundstrom & Bentley, LLP  
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DOCUMENT NUMBER - DATE

09066 OCT-25

FPSC - COMMISSION CLERK

10/3/2007

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REPLY TO CENTRAL FLORIDA OFFICE

October 2, 2007

E-FILING

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MARTIN S. FRIEDMAN, P.A.  
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BRIAN J. STREET

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

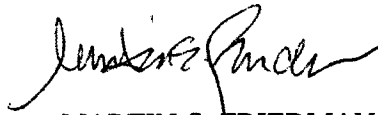
RE: Docket No.: 070183-WS; In re: Proposed adoption of Rule 25-30.4325, F.A.C., Water  
Treatment Plant Used and Useful Calculations  
Our File No.: 30057.147

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Utilities, Inc.'s Petition for Leave to Intervene.

Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/mp  
Enclosure

cc: Rosanne Gervasi, Esquire, Office General Counsel (w/enclosure) (via e-mail)  
Stephen Reilly, Esquire, Office of Public Counsel (w/enclosure) (via e-mail)  
Kenneth A. Hoffman, Esquire (w/enclosure) (via e-mail)  
John P. Hoy, Chief Regulatory Officer (w/enclosure)  
Rick Durham, Regional Vice President for Operations (w/enclosure)  
Patrick C. Flynn, Regional Director (w/enclosure)

M:\1 ALTAMONTE\UTILITIES INC\(.147) PROPOSED USED AND USEFUL RULE\PSC Clerk 01(Motion to Intervene).ltr.wpd

DOCUMENT NUMBER-DATE

09066 OCT-20

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed adoption of Rule 25-30.4325, ) DOCKET NO.: 070183-WS  
F.A.C., Water Treatment Plant Used and )  
Useful Calculations. )

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UTILITIES, INC.'S PETITION FOR LEAVE TO INTERVENE

UTILITIES, INC., by and through its undersigned attorneys and pursuant to Rule 28-106.205, F.A.C., moves this Commission to Intervene in this Docket, and in support thereof, states:

1. The name, address and telephone number of the Petitioner is:

Illinois Office: 2335 Sanders Road  
Northbrook, IL 60062  
PHONE: (847) 498-6440  
ATTN: Mr. John Hoy

Florida Office: 200 Weathersfield Avenue  
Altamonte Springs, FL 32714-4099  
PHONE: (407) 869-8588  
ATTN: Mr. Patrick C. Flynn

2. The name, address and telephone number of the Petitioner's representative is:

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
2180 W. State Road 434, Suite 2118  
Longwood, FL 32779  
PHONE: (407) 830-6331  
[mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)

3. The instant proceeding is for the adoption of a Rule standardizing the methodology for establishing the used and useful calculation for water treatment plants. Petitioner's substantial interests are affected by the proposed Rule in that it owns and operates ten (10) subsidiaries in Florida to which this proposed Rule will be applicable.

DOCUMENT NO. DATE

09006-07 10/2/07  
FPSC - COMMISSION CLERK

Petitioner has participated in the workshops which resulted in the proposed Rule, including providing written comments which were incorporated in the proposed Rule.

4. Petitioner received notice of the Commission decision to conduct a formal hearing verbally at the Commission's August 28, 2007, Agenda, and by receipt of Commission Order No.: PSC-07-0741-PCO-WS, upon its issuance on September 17, 2007.

5. Petitioner supports the proposed Rule and knows of no disputed issues of material fact, but expects some to be raised by Office of Public Counsel.

6. Petitioner supports the proposed Rule, thus does not allege any facts warranting reversal or modification of the proposed Rule.

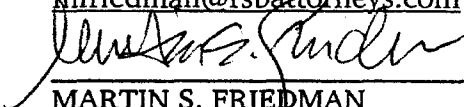
7. Petitioner supports the proposed Rule, thus knows of no specific statutes or rules which would require reversal or modification of the proposed Rule.

8. Petitioner seeks this Commission's adoption of the proposed Rule in its current form.

WHEREFORE, Petitioner requests this Commission to grant it intervention in the Docket with full party status equal to that of Office of Public Counsel.

Respectfully submitted this 2<sup>nd</sup> day of  
October, 2007, by:

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2180 W. State Road 434, Suite 2118  
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MARTIN S. FRIEDMAN  
For the firm

CERTIFICATE OF SERVICE  
DOCKET NO.: 070183-WS

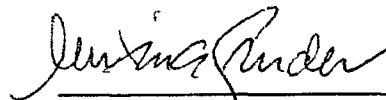
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by E-mail and U. S. Mail this 2<sup>nd</sup> day of October, 2007, to:

Stephen C. Reilly, Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

Rosanne Gervasi, Esquire  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Kenneth A. Hoffman, Esquire  
Rutledge, Ecenia  
Post Office Box 551  
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For the firm