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STATE OF FLORIDA



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RECEIVED-FPSC
09 MAY -7 PM 4:10
COMMISSION
CLERK

Public Service Commission

May 7, 2009

Ms. Beata (Bea) Jordan

VIA ELECTRONIC MAIL & FACSIMILE

Re: DOCKET NO. 080562-WU - Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

Dear Ms. Jordan:

I wanted to follow-up in writing to our telephone conversation of last week. On April 27, 2009, you faxed me a letter stating you are Protesting the Commission staff's recommendation of an irrigation meter for \$70.00. The letter stated several reasons why you disagreed with the Commission staff's recommendation.

As I explained, the letter you sent does not constitute a formal protest of the Commission's Order regarding the irrigation meter. A formal protest entails a request for an evidentiary hearing before the Commission. To begin that proceeding, a person whose substantial interest is affected by the Commission's Order (either a customer or the utility may fall within this category) must file a protest with the Commission's Clerk, within 21 days after the Order is issued. The protest must be in the form provided by Rule 28-106.201, Florida Administrative Code (F.A.C.). I am attaching a copy of the Order for your reference.

You stated that your letter faxed to me on April 27, 2009, was not intended to be a formal protest of the Commission's decision and should not be considered a request for an evidentiary hearing. Further, the order provides that any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it is renewed within the specified protest period and complies with the requirements listed in the Order. Accordingly, the Commission will not commence an evidentiary proceeding, or review the attached Order, unless a formal protest is timely filed.

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If you have any questions, please do not hesitate to contact me at 850-413-6230.

Sincerely,

A handwritten signature in black ink that reads "Lisa C. Bennett". The signature is written in a cursive style with a large, stylized "L" and "B".

Lisa C. Bennett
Senior Attorney

LCB:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)
Division of Economic Regulation (Fletcher)