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Public Service Commission

May 29, 2009

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COMMISSION
CLERK

Mr. Robert W. McMillan, President
St. George Plantation Owners' Association
P.O. Box 516
Apalachicola, FL 32329

1712 Magnolia Rd.
St. George Island, FL 32328

Re: Docket No. 090189-SU - Application for original certificate for a proposed wastewater system and request for bifurcation in Franklin County by Water Management Services, Inc.

Dear Mr. McMillan:

Thank you for your letter in which you voiced your objection to the proposed centralized wastewater system on St. George Island in the above-referenced docket. Please be advised that the Commission's consideration of this matter is limited to the appropriateness of the issuance of an original certificate to serve the commercial district of St. George Island only. That being said, you have several options with regard to your level of participation in this matter.

Before acting on your letter, the Commission must know your intent regarding your objection to the above-referenced certificate issuance in this docket. If you choose to pursue this protest, an administrative hearing will be scheduled. You will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a prehearing to be held in Tallahassee, Florida, putting on witnesses and cross-examining utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates that will be required to be met by all parties to this proceeding. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, it may be preferable to hire counsel or a qualified representative to represent you.

If you do not wish to pursue a formal hearing, your letter will be placed in the correspondence side of the docket file in this case, where your concerns will remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation, and you may address the Commissioners at the Agenda Conference.

If you wish to initiate a hearing in the above-referenced docket, please submit a petition initiating formal proceedings in accordance with the requirements of Rule 28-106.201, Florida Administrative Code (F.A.C.), by **Friday, June 12, 2009**. Your petition should be made in writing

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Mr. McMillan
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and should be addressed to the Florida Public Service Commission, Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If we do not hear from you by Friday, June 12, 2009, we will assume that you do not wish to pursue a formal hearing, and your letter will be placed in the correspondence side of the docket file in the above-referenced matter.

In addition, please note that a motion for variance is handled by the Commission as a Proposed Agency Action. Accordingly, the Commission's decision to grant or deny Waste Management Service's, Inc.'s variance request is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding within 21 days, pursuant to Rule 25-22.029, F.A.C. However, your comments in opposition to the variance request will be considered by the Commission prior to its vote at Agenda Conference.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact the undersigned at (850) 413-6076 or anwillia@psc.state.fl.us.

Sincerely,



Anna Williams, Esq.
Staff Attorney

ARW

cc: Office of Commission Clerk
Office of the Public Counsel (Reilly)
Marsha E. Rule