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COMMISSION
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Public Service Commission

July 8, 2009

John J. Morelli, Sr.
110 50th Avenue West
Bradenton, FL 34207

Re: Docket No. 090093-WS, In Re: Application for approval of transfer of Keith & Clara Starkey d/b/a Heather Hills Estates' water and wastewater utility, holder of Certificates 577-W and 498-S, to Heather Hills Estates Utilities, LLC, in Manatee County.

Dear Mr. Morelli,

Thank you for your letter received May 18, 2009, in which you asserted that you had concerns about the purchase price for the utility and also the purchasers' finances and ability to operate the utility. At this time, the Florida Public Service Commission (Commission) is thoroughly reviewing the joint application for transfer pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code, and investigating the concerns raised in your letter. At this time, 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 transfer in this docket. If you choose to pursue this objection to a formal administrative hearing, you will become a party to this proceeding and will assume certain rights and responsibilities. You will be expected 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 deadlines to which all formal parties to this proceeding will be required to abide. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, some customers find it preferable to hire an attorney or a qualified representative to represent them.

Alternatively, if you do not wish to pursue a formal hearing, your letter will be placed on the correspondence side of the docket file in this case, where the concerns raised in your letter will remain available for review by Commissioners, staff, and members of the public. Upon request, we can send you a copy of staff's recommendation. You can also request an opportunity to address the Commissioners at the Agenda Conference and convey your concerns about the transfer to the Commissioners.

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In addition, there is a separate state agency, the Office of Public Counsel, which represents the interests of customers in certain proceedings before the Commission. For more information or regarding your concerns, you may contact the Office of Public Counsel at (800) 342-0222 or at <http://www.floridaopc.gov/contact.cfm>.

In closing, if you wish to continue and pursue your objection to a formal administrative 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, by **August 7, 2009**. Your petition should be made in writing and should be addressed to the Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, and reference this docket. If we do not hear from you by August 7, 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.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact me at (850) 413-6199 or via email at erik.sayler@psc.state.fl.us.

Sincerely,



Erik L. Sayler
Senior Attorney
Office of the General Counsel

cc: Office of Commission Clerk
Mike Smallridge
Heather Hills Estates Utilities, LLC
Patricia Brady, ECR