

State of Florida



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-M-E-M-O-R-A-N-D-U-M-

DATE: November 9, 2005

TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director

FROM: Nina L. Merta, Professional Accountant Specialist, Division of Economic Regulation *nm*

RE: Docket No. 050578-WS, MSM Utilities, LLC *nm*

Attached is a copy of an October 4, 2005 letter from Timothy J. Devlin to Mr. Ben Maltese, MSM Utilities, LLC, advising that the utility is eligible for staff assistance, that the official filing date is November 3, 2005, and that the filing fee is \$500 for water and \$200 for wastewater. Please include this letter in the above docket file.

Cc: Division of Economic Regulation (Rendell)

- CMP _____
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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

October 4, 2005

Mr. Ben J. Maltese
MSM Utilities, LLC
9696 Bonita Beach Road, Suite 210
Bonita Springs, FL 34135

Re: Application for staff assisted rate case by MSM Utilities, LLC, Docket No. 050587-WS

Dear Mr. Maltese:

We have determined eligibility for staff assistance filed by MSM Utilities, LLC (MSM or utility). We find that the utility is eligible for the staff assisted rate case filing.

The staff engineer has determined the filing fee in this rate case is \$500 for water and \$200 for wastewater. The fee is based on the capacity of the utility system as provided by Section 367.145(2) of the Florida Statutes. The filing fee must be received by November 3, 2005 which is the official filing date for this rate case.

Section 367.091(2), Florida Statutes, provides:

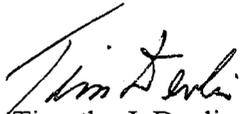
Upon filing an application for new rates, the utility shall mail a copy of the application to the chief executive officer of the governing body of each county within the service areas included in the rate request. The governing body may petition the commission for leave to intervene in the rate change proceeding and the commission shall grant intervenor status to any governing body that files a petition.

Please forward a copy of MSM's application for a SARC to the Chief Executive Officer of Charlotte County as required by law, and copy the Commission as proof that an application was forwarded to them.

Mr. Ben J. Maltese
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October 4, 2005

Members of Commission staff will contact you to schedule a convenient time for examination of the utility's books and records and physical plant. If you have any questions regarding the rate proceeding, please call Sam Merta at (850)413-6427 or Bart Fletcher at (850)413-7017.

Sincerely,



Timothy J. Devlin
Director

TD:sm