

REQUEST FOR CHANGE TO AGENDA CONFERENCE  
HAND DELIVER

ORIGINAL

Date of Request: 01/18/02 Date of Agenda Conference: 01/22/02 Item No. 5

Docket No.: 011344-WS Brief Title: Nassau County Resolution rescinding jurisdiction

Requested by:  Staff  Other Florida Water Services Corporation

Please attach a copy of the written documentation filed (if other) \_\_\_\_\_ (Name)

STAFF's Recommendation to Executive Suite (IF OTHER)  Approve Request  Deny Request

ACTION REQUESTED [see APM 2.11 and SOP 1607]

Defer Item to Agenda Scheduled Date: 02/05/02

Change Order of Item or Take Up at Time Certain

Withdraw Item

Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.

Add Item to Published Agenda [ see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE

Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Florida Water Services Corporation (Florida Water or utility) made the above-indicated request because it "would like further opportunity to evaluate Staff's recommendation for the purpose of determining whether Florida Water can provide Staff with additional information and/or a more persuasive case for the retention of Commission jurisdiction." Moreover, FWSC indicates that one of the key individuals who's assistance is required for that evaluation has been out of the office this week "due to duties arising out of the termination of Florida Water's exclusive negotiations for the sale of Florida Water's assets to the Florida Governmental Utility Authority." Staff supports the request as there are no statutory deadlines by which a decision must be made, and the request appears to be reasonable.

Signature (OPR Staff): [Signature]

Initials (OPR Division Director or Designee): [Initials]

Signature (Legal Staff): [Signature]

Initials (Legal Division Director or Designee): [Initials]

DEPUTY EXECUTIVE DIRECTOR/TECHNICAL OR EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office  Approve Request  Deny Request

Initials: [Initials] Date: 1/18/02

Comments:

CHAIRMAN'S OFFICE:

Initials: [Initials]

Approve Request  Deny Request

Date: 1-18-02

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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January 18, 2002

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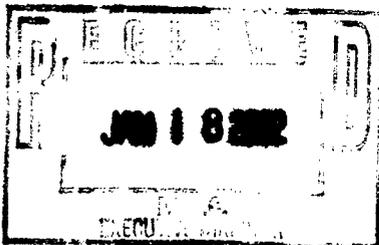
**HAND DELIVERY**

Re: Docket No. 011344-WS  
Resolution No. 2001-128 by Nassau County rescinding FPSC Jurisdiction over  
Investor-owned Water and Wastewater Systems in Nassau County

Dear Ms. Bane:

On December 21, 2001, the Staff issued a recommendation in the above-referenced docket addressing, in part, the issue of whether the Commission has continued jurisdiction over Florida Water Services Corporation's ("Florida Water") water and wastewater systems in Nassau County. That recommendation is currently scheduled to be considered by the Commission as Item 5 at the January 22, 2002 Agenda Conference.

In the recommendation, Staff has suggested that information provided by Florida Water to Staff is insufficient to support a conclusion that the Commission should retain jurisdiction over Florida Water's Nassau County water and wastewater systems pursuant to Section 367.171(7), Florida Statutes, and applicable case law. Florida Water would like further opportunity to evaluate Staff's recommendation for the purpose of determining whether Florida Water can provide Staff with additional information and/or a more persuasive case for the retention of Commission jurisdiction. One of the key individuals with Florida Water whose input and assistance would be required for that evaluation has been out of the office and essentially unavailable this week due to duties arising out of the termination of Florida Water's exclusive negotiations for the sale of Florida Water's assets to the Florida Governmental Utility Authority.



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Accordingly, on behalf of Florida Water, I am requesting a deferral of Item 5 for one agenda and that the matter be rescheduled for consideration by the Commission at the February 5, 2002 Agenda Conference.

Sincerely,



Kenneth A. Hoffman

KAH/rl

cc: Honorable Lila Jaber, Chairperson, via hand delivery  
Honorable J. Terry Deason, Commissioner, via hand delivery  
Honorable Braulio Baez, Commissioner, via hand delivery  
Honorable Michael Palecki, Commissioner, via hand delivery  
Honorable Rudolph Bradley, Commissioner, via hand delivery  
Rosanne Gervasi, Esq., via hand delivery  
Ms. Joann Chase, via hand delivery  
Mr. Bill Berg, via hand delivery  
Mr. Ignacio Ortez, via hand delivery  
Ms. Katrina Tew, via hand delivery