

MACFARLANE FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

111 MADISON STREET, SUITE 2300
P.O. BOX 1531 (ZIP 33601)
TAMPA, FLORIDA 33602
(813) 273-4200 FAX (813) 273-4396

400 CLEVELAND STREET
P. O. BOX 1669 (ZIP 34617)
CLEARWATER, FLORIDA 34615
(813) 441-8966 FAX (813) 442-8470

IN REPLY REFER TO:

May 24, 1996

Tampa Office

Public Service Commission
Records and Reportings
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

**ORIGINAL
FILE COPY**

Re: Application of Southern States Utilities, Inc., et al.
Docket No. 920199-WS

Gentlemen:

Enclosed please find the following for proper filing in the above-captioned case:

SUGARMILL WOODS CIVIC ASSOCIATION'S RESPONSE - 5843
TO KEYSTONE HEIGHT'S, ET AL., PETITION TO INTERVENE
and
NOTICE OF OBJECTION TO SERVICE OF PETITION TO INTERVENE - 5844
(Original plus 15 copies of each pleading)

Would you please be so kind as to stamp the enclosed copy of this transmittal letter when received and return same to this office in the enclosed stamped self-addressed envelope. Thank you.

Very truly yours,

Susan W. Fox

Susan W. Fox
(Signed for attorney to avoid delay)

ACK _____
AFA 3
APP _____
CAF _____
CMU _____
CTR _____ SWF/ce
EAG _____
LEG Jabe Enclosures
LIN 5
OPC _____
RCH _____
SEC 1
VAS _____
WTH _____

RECEIVED & FILED
FPSC-BUREAU OF RECORDS

95 6 28 MAY 96

Petition Intervene
DOCUMENT NUMBER-DATE
05843 MAY 28 96

FPSC-RECORDS/REPORTING

Notice of Object.
DOCUMENT NUMBER-DATE
05844 MAY 28 96
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL
FILE COPY**

In re: Application of)
Southern States Utilities, Inc.)
and Deltona Utilities, Inc.)
for Increased Water and)
Wastewater Rates in Citrus,)
Nassau, Seminole, Osceola, Duval,)
Putnam, Charlotte, Lee, Lake,)
Orange, Marion, Volusia, Martin,)
Clay, Brevard, Highlands,)
Collier, Pasco, Hernando, and)
Washington Counties.)
_____)

Docket No. 920199-WS

Served: May 24, 1996

SUGARMILL WOODS CIVIC ASSOCIATION'S RESPONSE
TO KEYSTONE HEIGHT'S, ET AL., PETITION TO INTERVENE

Consistent with the position taken throughout this litigation and on appeal, Sugarmill Woods Civic Association asserts that the customers who are entitled to notice of this proceeding have never been given proper notice, have never had a clear point of entry into the proceedings, nor an opportunity to be heard. However, intervention should not be granted to this group of customers at this time. At various times, other customer groups (for example, Sugarmill Manor, Inc., and the property owners' association of undeveloped lots in the Sugarmill Woods service area) have sought intervention in support of Sugarmill Woods Civic Association's position in this litigation, and have been denied intervention. Similarly, the Commission has denied motions to intervene by groups apparently seeking to favor uniform rates, and has denied previous motions to intervene by City of Keystone Heights. To be consistent, the Commission would have to deny the instant petition to intervene, for to do otherwise would arbitrarily and

003578

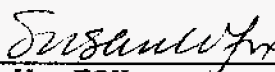
DOCUMENT NUMBER-DATE

05843 MAY 28 1996

FPSC-RECORDS/REPORTING

capriciously grant intervention to selected parties. Nevertheless, as stated at the outset, nothing less than "starting over" with the uniform rate decision in this matter, with proper notice and a point of entry to all interested parties, would cure the notice and representation defects in this docket.

Respectfully submitted,



SUSAN W. FOX
Florida Bar No. 241547
MACFARLANE FERGUSON & McMULLEN
P. O. Box 1531
Tampa, Florida 33601
(813) 273-4200
Attorneys for Sugarmill Woods
Civic Association, Inc., f/k/a
Cypress and Oaks Villages
Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been furnished via U.S. Mail, postage prepaid, this 24th day of May, 1996 to the following persons:

Brian P. Armstrong, Esquire
Southern States Utilities, Inc.
1000 Color Place
Apopka, Florida 32703

Arthur J. England, Jr., Esq.
Greenberg, Traurig, Hoffman,
Lipoff, Rosen & Quentel, P.A.
1221 Brickell Avenue
Miami, Florida 33131

Kenneth A. Hoffman, Esquire
William B. Willingham, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
Post Office Box 551
Tallahassee, Florida 32302

Robert A. Butterworth, Esquire
Attorney General
Michael A. Gross, Esquire
Assistant Attorney General
Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399

Michael B. Twomey, Esquire
Post Office Box 5256
Tallahassee, Florida 32314-5256

Larry M. Haag, Esquire
County Attorney
2nd Floor, Suite B
111 West Main Street
Inverness, Florida 34450

Jack Shreve, Esquire
Public Counsel
Harold McLean, Esquire
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison Street - Room 812
Tallahassee, Florida 32399

Robert D. Vandiver, Esquire
General Counsel
Christina T. Moore, Esq.
Associate General Counsel
Lila Jaber, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard - Room 370
Tallahassee, Florida 32399-0862

Michael S. Millin, Esq.
P. O. Box 1563
Fernandina Beach, Florida 32034

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin
Davidson, Rief & Bakas
117 South Gadsden Street
Tallahassee, Florida 32301

Darol H. M. Carr
Farr, Farr, Emerich, Sifrit
Hackett and Carr, P.A.
2315 Aaron Street
Port Charlotte, Florida 33949



Attorney