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November 12, 1997

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Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

HAND DELIVERY

Re: Docket No. 920199-WS

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Florida Water Services, Inc. ("Florida Water") are the original and fifteen copies of Florida Water's Clarification to Brief on Remand Addressing Potential Refunds and Surcharges.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

Kenneth A. Hoffman
Kenneth A. Hoffman

ACK 1
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APP 2
CAF _____
CMU _____
CTR _____
ENG _____
LEG 1 KAH/rl
LIT 5 Enclosures
MFC _____
NLS _____
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OTH _____

cc: All Parties of Record

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of)
Southern States Utilities,)
Inc. and Deltona Utilities,)
Inc. for Increased Water and)
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

Filed: November 12, 1997

FLORIDA WATER SERVICES CORPORATION'S
CLARIFICATION TO
BRIEF ON REMAND ADDRESSING POTENTIAL
REFUNDS AND SURCHARGES

Florida Water Services Corporation ("Florida Water"), by and through its undersigned counsel, for purposes of correction and clarification, hereby withdraws the last sentence starting on page 31 and finishing on page 32 of its Brief on Remand Addressing Potential Refunds and Surcharges filed on November 5, 1997. That sentence states:

Such an approach mirrors the approach taken by the Commission in the GTE remand for the collection of surcharges.

Upon further review, Florida Water believes the above sentence should be withdrawn from its brief. Florida Water intended to convey its position that any refund/surcharge mechanism established by the Commission which did not include the imposition of surcharges on former customers would be consistent with the Commission's decision on remand from GTE Florida Incorporated v. Clark, 668 So.2d 971 (Fla. 1996). Florida Water did not intend to suggest that in the GTE remand, the Commission imposed surcharges

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on all existing customers. Therefore, Florida Water withdraws the above sentence and replaces it with the following clarifying sentence:

Such an approach builds on the approach taken by the Commission in the GTE remand by foregoing the imposition of surcharges on former customers and recognizing that the Southern States decision, unlike GTE, did not mandate that any surcharges ordered by the Commission be collected only from customers who received service during the period of time uniform rates were in effect.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail this 12th day of November, 1997 to the following:

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