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Public Service Commission

November 2, 2001

Mr. Steven Harlan, Vice President
First Union National Bank of Florida
726 East Highway 50
Clermont, Florida 34711

Re: Release of escrowed funds/Southlake Utilities, Inc. (Dockets 980992-WS and 981609-WS)

Dear Mr. Harlan:

Commission Order No. PSC-01-1920-FOF-WS, issued September 24, 2001, required Southlake Utilities, Inc. to make a collective refund of \$403,615 to developers no later than January 24, 2002. Southlake is also required to submit a refund report no later than February 24, 2002. In order to make the required refunds, the utility must have access to funds escrowed in the referenced dockets. Therefore, as the Commission's designated agent in such matters, I request that you release all funds in the escrow account to the utility, and that you close the escrow account.

I have enclosed a copy of the order. Please contact me if you have any questions concerning this order or my request.

Sincerely,

Blanca S. Bayó
Blanca S. Bayó

bsb/kf

Enclosure

cc: Southlake Utilities Holding, L.L.C.
Scott L. Schildberg, Esq., Ade & Schildberg, P.A.
Bart Fletcher, Division of Economic Regulation
Rosanne Gervasi, Esq., Division of Legal Services

DOCUMENT NUMBER - DATE

13886 NOV-25

PSC-01 COMMISSION CLERK

State of Florida



Public Service Commission

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

COMMISSION
CLERK

OCT 31 PM 12:34

RECEIVED-FPSC

DATE: October 31, 2001
TO: Division of the Commission Clerk and Administrative Services
FROM: Bart Fletcher, Regulatory Analyst III, Division of Economic Regulation
Rosanne Gervasi, Bureau Chief, Division of Legal Services
RE: Release of Escrow Account for Dockets Nos. 980992-WS and 981609-WS

The appeal time for Order No. PSC-01-1920-FOF-WS expired on October 24, 2001. That Order required Southlake Utilities, Inc. (Southlake or utility) to make a collective refund of \$403,615 to developers no later than January 24, 2002. Southlake is also required to submit a refund report no later than February 24, 2002. In order to make the required refunds, the utility must have access to funds escrowed in the dockets noted above. Therefore, all funds in the escrow account should be released to the utility, and the escrow account should be closed.

CCA Official Filing:

11/2/01***11:18 AM*****Kay Flynn*****1**

Kay Flynn

From: Kay Flynn
Sent: Friday, November 02, 2001 11:18 AM
To: Blanca Bayo
Cc: Carol Purvis
Subject: FW: draft escrow release letter (980992 and 981609)

fyi - letter is on the way for signature

-----Original Message-----

From: Kay Flynn
Sent: Friday, November 02, 2001 11:17 AM
To: Bart Fletcher
Cc: Rosanne Gervasi
Subject: RE: draft escrow release letter (980992 and 981609)

Thanks!

I'll mail this letter once Blanca has signed it and send you a signed copy as well.

-----Original Message-----

From: Bart Fletcher
Sent: Friday, November 02, 2001 10:31 AM
To: Kay Flynn
Cc: Rosanne Gervasi
Subject: RE: draft escrow release letter (980992 and 981609)
Importance: High

According to Order No. PSC-01-1671-FOF-WS, issued August 16, 2001, the Commission granted the transfer of majority organizational control to Southlake Utilities Holding, L.L.C., 3856 Oakton Street, Skokie, Illinois 60076-3456. Also, the bank's name and address in your letter is correct, according to previous correspondence in my file.

-----Original Message-----

From: Kay Flynn
Sent: Thursday, November 01, 2001 5:13 PM
To: Rosanne Gervasi; Bart Fletcher
Subject: RE: draft escrow release letter (980992 and 981609)

Thanks, Rosanne.

Bart, I'll wait to hear from you on that name and address.

Kay

-----Original Message-----

From: Rosanne Gervasi
Sent: Thursday, November 01, 2001 5:03 PM
To: Kay Flynn; Bart Fletcher
Subject: RE: draft escrow release letter (980992 and 981609)

Kay, the content of the letter looks fine to me. re: the cc list, I don't believe Mr. Chapman owns the utility any longer. There was a TMOC recently, transferring the utility from him to another shareholder. So Mr. Chapman's name should be substituted with the name of the current owner. I don't have the file in my office to be able to check the name of the utility owner or the bank's address. (I gave the working file to Larry, who is out of the office this week.) Bart, can you please provide this info. to Kay? Thanks!

-----Original Message-----

CCA Official Filing:

11/2/01***11:18 AM*****Kay Flynn*****2**

From: Kay Flynn

Sent: Thursday, November 01, 2001 4:31 PM

To: Rosanne Gervasi; Bart Fletcher

Subject: draft escrow release letter (980992 and 981609)

Please look over the attached letter and let me know if it is okay for Blanca's signature and mailing to bank. (Please check bank's name also.)

Thanks.

Kay