

M E M O R A N D U M

September 12, 2002

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (ECHTERNACHT) *WJ*

RE: DOCKET NO. 020707-SU - APPLICATION FOR TRANSFER OF CERTIFICATE NO. 281-S FROM REALNOR HALLANDALE, INC. IN LEE COUNTY TO BONITA SPRINGS UTILITIES, A NOT-FOR-PROFIT CORPORATION, AND FOR CANCELLATION OF CERTIFICATE NO. 281-S

Attached is a letter from Mr. Michael J. Miceli dated September 9, 2002, to be placed in the docket file.

KNE

Attachment

cc: Division of Economic Regulation (Clapp)

I: 020707m.kne

DOCUMENT NUMBER DATE

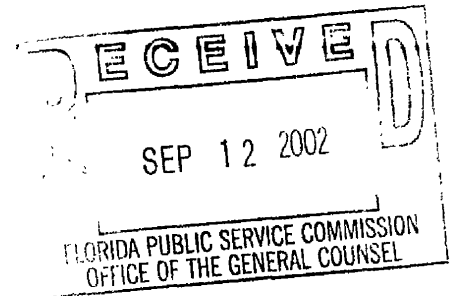
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FPSC-COMMISSION CLERK

BONITA COUNTRY CLUB UTILITIES, INC.
10200 MADDOX LANE
BONITA SPRINGS, FLORIDA 34135
(239) 992-6564 FAX (239) 992-0822

September 9, 2002

David Erwin
Young, Van Assenderp, Varnadoe & Anderson, P.A.
Sun Trust Building
801 Laurel Oak Drive, Suite 300
Post Office Box 7907
Naples, Florida 34101-7907



Re: Application for Transfer of Certificate No. 281-S
From RealNor Hallandale, Inc. to Bonita Springs Utilities, Inc.

Dear Mr. Erwin:

I am in receipt of the filing of RealNor Hallandale's "Application For Sale, Assignment or Transfer of Certificate or Facilities". According to this filing, your firm is representing RealNor Hallandale and you are the attorney. How is this possible if you were our attorney representing Bonita Country Club Utilities in various legal matters over the years? As you are aware the forced take over by RealNor Hallandale of our utility was done so under questionable circumstances. For you to now be representing RealNor Hallandale, I believe is a conflict of interest.

I am therefore requesting your immediate withdrawal from this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Miceli".

Michael J. Miceli
President

✓ Cc: Katherine N. Echnacht
Office of the General Council
Florida Public Service Commission