

M E M O R A N D U M

MARCH 31, 2003

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (CHRISTENSEN) *PAC*

RE: DOCKET NO. 000242-WS - REQUEST FOR ACKNOWLEDGMENT OF TRANSFER OF RECEIVERSHIP OF ENTERPRISE UTILITIES CORPORATION (DELTONA) FROM FLORIDA WATER SERVICES CORPORATION TO VOLUSIA COUNTY AND CANCELLATION OF CERTIFICATES NOS. 316-W AND 264-S.

Please enter the attached ORDER GRANTING FLORIDA PUBLIC SERVICE COMMISSION'S MOTION TO WITHDRAW AS A PARTY, in the above-referenced docket file. The Order was rendered by the 7th Judicial Circuit on March 25, 2003.

DATE ORDER SENT ~~ELECTRONICALLY~~ TO CCA 3/31/03

PAC/js
Attachment

DOCUMENT NUMBER-DATE
02972 MAR 31 8
FPSC-COMMISSION CLERK

IN THE CIRCUIT COURT OF
THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY,
FLORIDA

CASE NO. 81-5258-CA-01
Division B

IN RE: ENTERPRISE UTILITIES, INC.

ORDER GRANTING FLORIDA PUBLIC SERVICE COMMISSION'S
MOTION TO WITHDRAW AS A PARTY

THIS CAUSE having come before the Court in Chambers on the Florida Public Service Commission's Motion to Withdraw as a Party, having reviewed the pleading and being fully advised in the premises, the Court finds that:

1. The Florida Public Service Commission (Commission) was granted intervention in this matter when Enterprise Utilities Corporation (Enterprise) was originally abandoned.
2. On April 24, 1998, Florida Water Services Corporation (FWSC) filed its Petition to Withdraw as Receiver for Enterprise.
3. On May 6, 1998, the Commission filed its response to FWSC's Petition to Withdraw and again requested intervention.
4. On February 14, 2000, FWSC's Petition to Withdraw as Receiver for Enterprise was granted.
5. The Commission seeks to withdraw as a party for the

following reasons:

- a) Enterprise is no longer within the Commission's jurisdiction;
- b) the issue of compensation for a receiver is solely within the jurisdiction of the Court; and
- c) the Commission no longer has an interest to protect, thereby requiring the Commission to remain as a party to this case.

6. At the January 6, 2003, hearing, the parties indicated that they had no objection to the Commission's withdrawal as a party from the case.

Therefore, it is

ORDERED AND ADJUDGED that

Florida Public Service Commission's Motion to Withdraw as a Party is hereby granted.

DONE AND ORDERED, in Chambers, in Deland, Volusia County, Florida this _____ day of _____, 2003.

EDWIN P. SANDERS
CIRCUIT JUDGE

W. R 25 2003

SIGNED & DATED

Edwin P.B. Sanders
Circuit Judge