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Public Service Commission

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COMMISSION CLERK

DATE: February 16, 2004
TO: Division of Commission Clerk & Administrative Services
FROM: Stanley D. Rieger, Division of Economic Regulation *SDR*
RE: Docket No. 030593-SU, application for amendment of Certificate No. 247-S to extend wastewater service area in Lee County by North Fort Myers Utility, Inc.

Please insert into the above mentioned docket file the attached February 4, 2004, letter to Stan Rieger from Martin S. Friedman. Thank You

Attachment

- AUS _____
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REPLY TO ALTAMONTE SPRINGS

February 4, 2004

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VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

Mr. Stan Rieger
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399


Re: Docket No. 030593-SU; North Fort Myers Utility, Inc.'s Application for Amendment to Certificate of Authorization
Our File No.: 16319.59

Dear Stan:

As you requested when we met yesterday, this letter is to give you an update on the status of the negotiations between NFMU and the Developer regarding the above referenced Territory Amendment Docket. As you know, the Public Service Commission voted yesterday to accept the Staffs Recommendation that the Commission does not have jurisdiction over NFMU's Bulk Service Agreement with the City of Cape Coral. With that decision, we will move forward with amending that Agreement to include the territory that is subject to the above referenced Application, and additional territory that is in NFMU's current certificated area. Once they have reached agreement, then NFMU will dismiss the above referenced proceeding and file a new proceeding to delete the territory the City of Cape Coral has annexed, which will be included in this development.

We would expect to finalize the written agreement within thirty (30) days of this date. I will keep you advised as these negotiations proceed, however, should you have any questions in the interim please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/tlc

cc: Mr. Tony Reeves
Mr. Jack Schenkman
Dr. Joel Schenkman
Dr. Michael Schenkman (w/o enclosure)

04 FEB - 6 AM 10:49
ECONOMIC REGULATION
PUBLIC SERVICE