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REPLY TO ALTAMONTE SPRINGS

May 3, 2004

MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD, OF COUNSEL
(LICENSED IN TEXAS ONLY)

HAND DELIVERED

RECEIVED - FPSC
MAY - 3 AM 11:29
COMMISSION CLERK

Ms. Blanca Bayo
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No.: 030102-WS; Application for Authority to Sell, Assign or Transfer Utility Facilities of The Woodlands of Lake Placid, L.P., in Highland County, Florida to Camp Florida Property Owners Association, Inc., and Application to Transfer Majority Organizational Control of L.P. Utilities, Inc., to Camp Florida Property Owners Association, Inc.
Our File No.: 37074.03

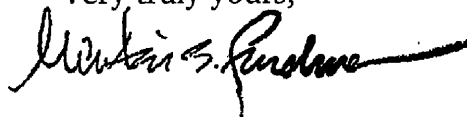
Dear Ms. Bayo:

- CMP _____
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- SEC 1 w/cover ltr.
- OTH _____

Enclosed please find for filing in the above-referenced docket an original and fifteen (15) copies of L. P. Utilities Corporation's Response in Opposition to Motion to Reschedule the Hearing Date.

Should you have any questions regarding this matter, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

Dictated by Mr. Friedman
but signed in his absence
to avoid delay in mailing.

cc: Mr. John Lovelette (w/ enclosure)
Katherine E. Fleming, Esquire (w/enclosure)
Stephen C. Burgess, Esquire (w/enclosure)

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for Authority
to Sell, Assign or Transfer
Utility Facilities of **THE WOODLANDS
OF LAKE PLACID, L.P.** in Highlands
County, Florida to **CAMP FLORIDA
PROPERTY OWNERS ASSOCIATION, INC.**,
and Application to Transfer Majority
Organizational Control of L.P.
Utilities Corporation to **CAMP FLORIDA
PROPERTY OWNERS ASSOCIATION, INC.**

Docket No. 030102-WS

**RESPONSE IN OPPOSITION TO MOTION TO
RESCHEDULE THE HEARING DATE**

L.P. UTILITIES CORPORATION, by and through its undersigned attorneys and pursuant to Rule 28-106.204, Florida Administrative Code, files this Response to Public Counsel's Motion to Reschedule Hearing Date.

1. The sole reason for Public Counsel request for the hearing to be rescheduled is to allow customers who do not live in Florida year round to attend the final hearing. Public Counsel has made no allegation that such customers are integral to its case or that specific non-resident customers will testify at the final hearing. It appears that such additional testimony will merely be repetitive and duplicative of testimony that Public Counsel can introduce at hearing. Public Counsel has prefiled no testimony on behalf of any of these customers. If their testimony was so necessary, one would have expected them to file prefiled testimony.

2. Rescheduling the hearing date to accommodate non-resident customers would create a bad precedence in future proceedings before the Commission. There

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are alternative ways for those customers to make their opinions known to the Commission. This is especially true in the instant case where none of the customers have been identified by Public Counsel as witnesses.

3. Both L.P. Utilities and the Property Owners Association (“POA”) will be prejudiced by a delay. Public Counsel’s clients are members of the POA and are using this proceeding to attempt to thwart the will of the majority of the POA members. The POA is a democracy, and as in all democracies, the minority must accept the decisions of the majority. These rights are clearly set forth in the Covenants and Restrictions on the members’ properties. When they purchased their property, the members were given notice that the POA was a democracy and that the majority rules. If minority members believe there was some impropriety in the vote, they have a remedy in the judicial system, not before this Commission. These minority members are abusing this process by using the Public Counsel (for free) to seek to address issues that belong in the judicial system (for which they would have to hire an attorney). This Commission has no jurisdiction to determine the validity of a POA vote.

4. The requested delay will not beneficially affect any of L.P. Utilities’ regulatory obligations. The only two remaining obligations are to install meters and to make refunds. The meter installations will be completed well in advance of the August hearing dates, and the refunds will be completed by September, 2004.


5. L.P. Utilities and the POA have entered into a valid binding contract, the closing of which should not be further delayed.

WHEREFORE, L.P. UTILITIES CORPORATION, requests this Commission to deny

Public Counsel's Motion to Reschedule Hearing Dates.

Respectfully submitted on this 3rd day of
May, 2004, by:

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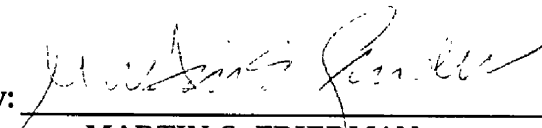
MARTIN S. FRIEDMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail this 3rd day of May, 2004, to:

Stephen C. Burgess, Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

Katherine Fleming, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

By: 

MARTIN S. FRIEDMAN