

ORIGINAL

GRAY ROBINSON  
ATTORNEYS AT LAW

SUITE 1400  
301 EAST PINE STREET (32801)  
POST OFFICE BOX 3068  
ORLANDO, FL 32802-3068  
TEL 407-843-8880  
FAX 407-244-5690  
gray-robinson.com

CLERMONT  
KEY WEST  
LAKELAND  
MELBOURNE  
ORLANDO  
TALLAHASSEE  
TAMPA

Thomas A. Cloud, Esquire

407-244-5624

T.CLOUD@GRAY-ROBINSON.COM

November 1, 2004

**VIA FEDEX DELIVERY**

Blanca S. Bayo, Director  
Division of Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
04 NOV -2 AM 10:49  
COMMISSION  
CLERK

Re: Docket Nos. 010492-WS and 030682-WS  
October Status Report Regarding Zellwood Station Cooperative Transfer  
to Orange County

Dear Ms. Bayo:

Please find enclosed the original and seven (7) copies of a letter Status Report in  
the above-referenced docket to Tricia W. Merchant per her request for filing.

Sincerely yours,



Thomas A. Cloud, Esquire

GrayRobinson, P.A.

Attorneys for Zellwood Station  
Cooperative, Inc.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_ TAC:ds
- OPC \_\_\_\_\_ Enclosure
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH kim P.

*1 each dkt*

GRAY | ROBINSON  
ATTORNEYS AT LAW

Thomas A. Cloud, Esquire

407-244-5624

T.CLOUD@GRAY-ROBINSON.COM

SUITE 1400  
301 EAST PINE STREET (32801)  
POST OFFICE BOX 3068  
ORLANDO, FL 32802-3068  
TEL 407-843-8880  
FAX 407-244-5690  
gray-robinson.com

CLERMONT  
KEY WEST  
LAKE LAND  
MELBOURNE  
ORLANDO  
TALLAHASSEE  
TAMPA

November 1, 2004

**VIA FACSIMILE 850-413-6919 & U.S. MAIL**

Tricia W. Merchant, Bureau of Rate Filings  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket Nos. 010492-WS and 030682-WS  
October Status Report Regarding Zellwood Station Cooperative Transfer  
to Orange County

Dear Ms. Merchant:

Pursuant to our prior commitment, I am providing to you and all other parties to this proceeding our status report of activities concerning the transfer of the water and sewer plants from Zellwood Station Cooperative to Orange County for the month of October. During the month of October, negotiations between Orange County and the City of Apopka concluded and a final deal was struck pursuant to which the City of Apopka will purchase Orange County's rights under the Zellwood deal documents to become the wholesale provider of water and wastewater services to Zellwood Station.

The wholesale water and wastewater services which were originally to be provided by Orange County to Zellwood after the closing, will now be fulfilled by the City of Apopka. Apopka will utilize capacity in its existing treatment and supply facilities rather than taking over the existing Zellwood facilities. The three parties are to meet to modify the current Orange County/Zellwood asset purchase agreement to remove the requirement that Zellwood convey the water and wastewater plants (as they will be demolished as part of the deal) and likewise remove the requirement for Zellwood to provide certain releases. As a result of the approval of the deal between Orange County and the City of Apopka, the deal between Zellwood and Orange County is on track to close before the end of the year.

Tricia W. Merchant  
November 1, 2004  
Page 2

If you, or anyone else, has any questions, comments or concerns whatsoever regarding this or any other issue related to this transaction, please don't hesitate to contact us. Copies of any documents referred to in this letter are available upon request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas A. Cloud", is enclosed in a light gray rectangular box.

Thomas A. Cloud, Esquire

GrayRobinson, P.A.  
Attorneys for Zellwood Station  
Cooperative, Inc.

TAC:ds

Tricia W. Merchant  
November 1, 2004  
Page 3

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and exact copy of the above and foregoing has been furnished by Federal Express to Blanca S. Bayo, Director, Division of Clerk and Administrative Services, Florida Public Service Commission and by facsimile and U.S. Mail to the following parties of record this 1<sup>st</sup> day of November, 2004.

Jennifer Brubaker, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

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



---

Thomas A. Cloud, Esquire  
W. Christopher Browder, Esquire  
GrayRobinson, P.A.  
301 East Pine Street, Suite 1400  
Orlando, Florida 32802-3068  
Ph. (407) 843-8880  
Fax: (407) 244-5690  
Attorneys for Zellwood Station Co-Op, Inc.