

ORIGINAL

MEMORANDUM

January 26, 2006

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COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (BRUBAKER) *JSB*

RE: DOCKET NO. 041294-WS - Transfer of water and wastewater service areas from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to DeSoto County, and cancellation of Certificate Nos. 599-W and 514-S in Charlotte and DeSoto Counties.

Please file the attached letter from Aqua America dated January 23, 2005 [sic] which was received by the Office of General Counsel on January 26, 2006, in the above-referenced docket.

JSB/pz  
Attachment

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

Cc: Division of Economic Regulation (C. Johnson, Kaproth, Daniel)

DOCUMENT NUMBER-DATE

00802 JAN 26 06

FPSC-COMMISSION CLERK



January 23, 2005

Aqua America, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Kathy L. Pape  
Vice President,  
Treasurer and Rate Counsel

Via Fax & U.S. Mail

Jennifer Brubaker, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

T: 610.645.1142  
F: 610.519.0989  
klpape@aquaamerica.com  
www.aquaamerica.com

**RE: Aqua Utilities Florida, Inc.  
Docket No. 041294-WS**

Dear Ms. Brubaker:

In September, 2004 DeSoto County and Lake Suzy Utility, Inc. ("Company") entered into an agreement that addressed the provision of public water and wastewater services to the residents of DeSoto County. In the agreement, the County was to be the water provider, and Lake Suzy was to be the wastewater provider for a large portion of the County. An application to the Florida Public Service Commission ("FPSC") was duly filed, and ultimately approved. Since that time, the parties have entered into various discussions aimed at modifying the transaction approved by the FPSC. These negotiations have focused on the County entering into an inter-local agreement with neighboring Charlotte County, in which a residential developer (US Homes) will be responsible for constructing an approximate two mile sewer line that will transmit wastewater from DeSoto County to Charlotte County for treatment and disposal. Once that agreement is finalized between the two counties, DeSoto will then enter into an agreement with Lake Suzy allowing it to transmit its wastewater from new development that will occur within its franchise. In addition, it is anticipated that the parties will continue their relationship for the purchase of bulk water from the Peace River Water Authority, and will execute an amendment to the September, 2004 agreement.

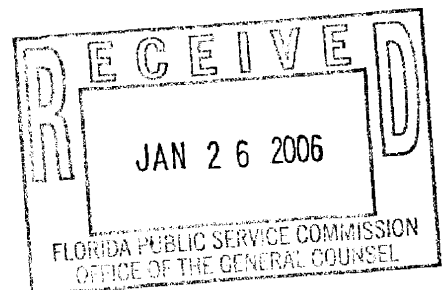
It is anticipated that negotiation between Charlotte and DeSoto Counties and subsequent negotiation between DeSoto County and the Company will conclude in approximately four months. To accommodate the time needed to finalize the negotiation between the Counties and the Company and file the resulting documents with the Commission, the Company respectfully requests that the Commission keep the above-referenced docket open through May 31, 2006.

Very truly/yours,

Kathy L. Pape

KLP/kab

cc: Jack Lihvarcik

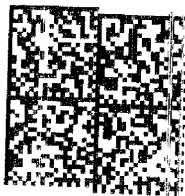


**AQUA**

America.

Aqua America, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Jennifer Brubaker, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850



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