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City of Titusville, a municipal corp. of the State of Florida and Brevard County, Florida, a political subdivision

Farmton Water Resources LLC, et al. FPSC Docket No. 021256-WU 1st District Court Case Nos. 1D04-4553 and 1D04-4680

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#### **DOCKET NO. 021256-WU**

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Memorandum dated May 4, 2004 from Katherine E. Fleming, Commission, to all parties of record and all other interested persons advising of May 11, 2004 informal meeting to discuss issues, filed May 4, 2004
Prehearing statement, on behalf of Brevard County, filed May 7, 2004
Titusville's prehearing statement, filed May 7, 2004
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Commission staff's prehearing statement, filed May 7, 2004
County of Volusia's prehearing statement, filed May 7, 2004
Prehearing statement, on behalf of Farmton, filed May 7, 2004
County of Volusia's prehearing statement, filed May 10, 2004
Order PSC-04-0497-PCO-WU granting request for official recognition, issued May 12, 2004
Transcript of prehearing conference held May 17, 2004 in Tallahassee, filed May 20, 2004
Transcript of service hearing held May 13, 2004 in New Smyrna Beach, filed May 21, 2004
Notice of hearing to be held June 22, 2004 in Tallahassee, issued May 24, 2004 486
Notice of June 22, 2004 hearing for publication in June 4, 2004 Florida Administrative Weekly, filed May 26, 2004
Memorandum dated June 7, 2004 from Katherine E. Fleming, Commission, to all parties of record and all other interested persons advising of June 9, 2004 informal meeting to discuss stipulation of issues, filed June 8, 2004

Prehearing Order PSC-04-0589-PHO-WU, issued June 10, 2004
Letter dated July 8, 2004 from Mary Lee Cook to Commission approving of application, filed July 14, 2004
Titusville's post-hearing statement of issues and positions and brief, filed July 29, 2004 515
Titusville's proposed recommended order, filed July 29, 2004
Issues; positions; proposed findings of fact and law; argument, on behalf of Brevard County, filed July 29, 2004
County of Volusia's post-hearing statement, filed July 29, 2004
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County of Volusia's proposed recommended order, filed July 29, 2004 610
Farmton's post-hearing statement of issues and positions, filed July 29, 2004 615
Post-hearing memorandum, on behalf of Farmton, filed July 29, 2004
Memorandum from Commission's Office of the General Counsel and Division of Economic Regulation to Division of the Commission Clerk and Administrative Services, filed August 26, 2004
Final Order PSC-04-0980-FOF-WU granting Certificate No. 622-W, issued October 8, 2004
Notice of administrative appeal, on behalf of Titusville, filed October 15, 2004
Titusville's directions to agency clerk, filed October 15, 2004
Directions to clerk, on behalf of Brevard County, filed October 20, 2004
First District Court of Appeal corrected acknowledgment of receipt of Titusville's notice of appeal, Case No. 1D04-4553, filed October 20, 2004
VOLUME 5
Notice of administrative appeal, on behalf of Brevard County, filed October 21, 2004 808
Letter dated October 22, 2004 from F. Marshall Deterding, Farmton, to Commission with attached proposed tariffs to implement the rates outlined in Order PSC-04-0980-FOF-WU and executed lease with Miami Corporation for use of lands, filed October 22, 2004 851

City of Titusville, a municipal corp. of the Stat	e of )
Appellant,	)
vs.	) Case No. 1D04-4553
Farmton Water Resources LLC, et al.,	)
Appellees,	) ) Volume 4
Brevard County, Florida, a political subdivision	)
Appellant,	)
vs.	) Case No. 1D04-4680
Farmton Water Resources LLC, et al.,	)
Appellees.	) ) )

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Application for certificate to provide water service in Volusia and Brevard Counties by Farmton Water Resources LLC.

### **DOCKET NO. 021256-WU**

Edward P. de la Parte, Jr., Esquire Patrick McNamara, Esquire David M. Caldevilla, Esquire Charles Fletcher, Esquire de la Parte & Gilbert, P.A. Post Office Box 2350 Tampa, Florida 33601-2350

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vs.	) Case No. 1D04-4553
Farmton Water Resources LLC, et al.,	)
Appellees,	) ) Volume 5
Brevard County, Florida, a political sub	division,
Appellant,	)
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Farmton Water Resources LLC, et al.,	)
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Letter dated October 25, 2004 from F. Marshall Deterding, Farmton, to Commission with attached front page of executed lease with Miami Corporation showing proof of being recorded in the official records of Volusia County, filed October 25, 2004
First District Court of Appeal acknowledgment of receipt of Brevard County's notice of appeal, Case No. 1D04-4680, filed October 27, 2004
First District Court of Appeal order consolidating Case Nos. 1D04-4553 and 1D04-4680, filed November 22, 2004
Certificate of Director, Division of the Commission Clerk and Administrative Services 881
HEARING TRANSCRIPTS AND EXHIBITS
Transcript of hearing held June 22, 2004, Volume 1, pages 1 through 134 (reference court reporter's original page numbers in this and all succeeding volumes)
Transcript of hearing held June 22, 2004, Volume 2, pages 135 through 305
Transcript of hearing held June 23, 2004, Volume 3, pages 306 through 452
Transcript of hearing held June 23, 2004, Volume 4, pages 453 through 603

City of Titusville, a municipal corp. of the State of Florida,  Appellant,	) ) )
VS.	) Case No. 1D04-4553
Farmton Water Resources LLC, et al.,	) )
Appellees,	) Supplemental ) Volume 1
Brevard County, Florida, a political subdivision,	)
Appellant,	) )
vs.	) Case No. 1D04-4680
Farmton Water Resources LLC, et al.,	)
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ATTORNEYS FOR APPELLANTS

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Certificate of Director, Division of the Commission Clerk and Administrative Services 881
SUPPLEMENTAL VOLUME 1
Commission conference agenda notice for September 21, 2004 conference
Commission recording of September 21, 2004 conference, provided on DVD format 930
Commission recording of September 21, 2004 conference, provided on DVD format 930  Commission conference minutes from September 21, 2004 conference

Transcript of hearing held June 22, 2004, Volume 1, pages 1 through 134 (reference court reporter's original page numbers in this and all succeeding volumes)

Transcript of hearing held June 22, 2004, Volume 2, pages 135 through 305

Transcript of hearing held June 23, 2004, Volume 3, pages 306 through 452

Transcript of hearing held June 23, 2004, Volume 4, pages 453 through 603

Hearing exhibits 1 through 42 from June 22-23, 2004 hearing