

**Ruth Nettles**

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**From:** DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Monday, March 24, 2008 3:57 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** REILLY.STEVE; Jean Hartman; Marshall Deterding  
**Attachments:** Petition on Proposed Agency Action.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Steve Reilly, Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(850) 488-9330  
reilly.steve@leg.state.fl.us

b. Docket No. 060122-WS

In re: Joint petition for approval of stipulation on procedure with Office Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 4 pages.

e. The document attached for electronic filing is Citizen's Petition on Proposed Agency Action (See attached file)

Phyllis W. Philip-Guide  
Assistant to Steve Reilly, Associate Public Counsel.  
Office of Public Counsel  
Telephone: (850) 488-9330  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint petition for approval of stipulation on procedure with Office Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

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Docket No. 060122-WU

Filed: March 24, 2008

**PETITION ON PROPOSED AGENCY ACTION**

The Citizens of the State of Florida ("Citizens") by and through their undersigned attorney, pursuant to Section 120.57, Florida Statutes, and Rules 25-22.029 and 28-106.201, Florida Administrative Code, file this objection to the Florida Public Service Commission's ("Commission") Order No. PSC-08-0137-PAA-WU ("Order"), issued March 3, 2008, and state:

1. The name and address of the agency affected and the agency's file number:

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Docket No. 060122-WU

2. The Citizens include customers of Aloha Utilities, Inc. ("Aloha", "Utility", or "Company") whose substantial interests will be affected by the Order because the Order authorizes the Utility to increase the rates and charges it imposes upon its customers.

DOCUMENT NUMBER-DATE

02188 MAR 24 8

FPSC-COMMISSION CLERK

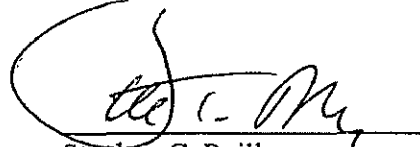
3. Pursuant to Section 350.0611, Florida Statutes, the Citizens' who file this petition are represented by the Office of Public Counsel ("Citizens", "Petitioner" or "OPC") with the following address and telephone number: Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400. Telephone No. (850) 488-9330.
4. The Citizens received a copy of the Order by inter-office courier on March 4, 2008.
5. At this time the ultimate facts alleged, including the specific facts which the Citizens contend warrant reversal or modification of the agency's proposed action are as follows:
  - a. The rate per thousand gallons of water purchased from Pasco County is overstated and should be reduced.
6. The foregoing matter involves disputed issues of material fact.
7. Order No. PSC-08-0137-PAA-WU establishes March 24, 2008, as the date by which protests must be filed.
8. Section 367.081, Florida Statutes, is a specific statute the Citizens contend requires reversal of the agency's proposed action.

9. The Citizens seek the Commission to take the following action with respect to the agency's proposed action.

- a. Reduce the revenue requirement and resulting rates after reducing the rate per thousand gallons to be charged by Pasco County to \$3.43.

WHEREFORE, the Citizens hereby protest and object to Commission Order No. PSC-09-0137-PAA-WU as provided above, and petitions the Commission to conduct a formal evidentiary hearing, under the provisions of Section 120.57 (1), Florida Statutes, and further petitions that such hearing be scheduled at a convenient time within or as close as practical to the Utility's certificated service area.

Respectfully submitted,



Stephen C. Reilly  
Associate Public Counsel

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

Attorney for the Citizens  
of the State of Florida

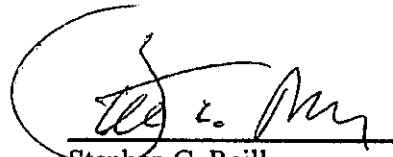
**CERTIFICATE OF SERVICE**

**DOCKET NO. 060122-WU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Service of Citizens' Petition on Proposed Agency Action has been furnished by U. S. Mail and electronic mail to the following parties on this 24<sup>th</sup> day of March, 2008.

Jean Hartman, Esquire  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

John L. Wharton, Esquire  
F. Marshall Deterding, Esquire  
2548 Blairstone Pines Dr.  
Tallahassee, FL 32301

  
Stephen C. Reilly  
Associate Public Counsel