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September 10, 2008

VIA UPS NEXT DAY AIR

Florida Public Service Commission
Director, Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32314-5256

Re: **Application of Aqua Utilities, Florida, Inc., for Amendment of Certificate No. 106 - W and 120 - S to extend water and/or sewer services to include certain territory in Lake County, etc. -Docket No. 080541 - WU**

Dear Sir or Madam:

Enclosed you will find a Notice of Objection to Application for Extension of Service Area, which is being submitted on behalf of the City of Leesburg, Florida, for entry in the above referenced pending matter before the Florida Public Service Commission.

Thank you for your assistance.

Yours truly,


FRED A. MORRISON

*Dme
9/11/08
R-V-N.*

FAM:pd
Enclosure
pc: Ray Sharp

RECEIVED-FPSC
08 SEP 11 PM 12:42
COMMISSION
CLERK

08 SEP 11 8 11 AM
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RE: Application of Aqua Utilities, Florida, Inc. for Amendment of Certificate No. 106 – W and 120 – S to extend water and/or sewer services to include certain territory in Lake County, etc.

Docket No. 080541 – WU

NOTICE OF OBJECTION TO APPLICATION FOR EXTENSION OF SERVICE AREA

Notice is hereby given to Aqua Utilities Florida, Inc., and to the Florida Public Service Commission, that the City of Leesburg, Florida, objects to the Application for Extension of Service Area filed by Aqua Utilities Florida, Inc., PSC Docket #080540, for the area legally described in the notice received by the City of Leesburg as follows – Silver Lake Estates/Western Shores:

BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND RUN South 0°35'53"West A DISTANCE OF 551.0 FEET, THENCE RUN South 87°25'33"East A DISTANCE OF 708.4 FEET, THENCE RUN North 1°2'19"East A DISTANCE OF 542.4 FEET, THENCE RUN DUE EAST A DISTANCE OF 120.0 FEET TO THE SHORELINE OF HAINES CREEK; THENCE MEANDOR EASTERLY ALONG THE SHORELINE OF HAINES CREEK LAKE EUSTIS A DISTANCE OF 11,368.4 FEET TO A POINT LOCATED South 21°13'04" West A DISTANCE OF 2,886.9 FEET FROM THE North West CORNER OF SECTION 8, THENCE RUN South 89°56'16"West A DISTANCE OF 1,075.7 FEET, THENCE RUN North 1°8'21"E A DISTANCE OF 3,775.9 FEET, THENCE RUN DUE WEST A DISTANCE OF 185 FEET, THENCE RUN North 00°20'06"East A DISTANCE OF 42.0 FEET, THENCE RUN South 88°52'12"West A DISTANCE OF 33.9 FEET, THENCE RUN South 01°09'02"West A DISTANCE OF 90.1 FEET, THENCE RUN North 86°35'45"West A DISTANCE OF 347.5 FEET, THENCE RUN North 01°03'21"East A DISTANCE OF 62.0 FEET, THENCE RUN North 89°39'54"West A DISTANCE OF 4,803.4 FEET, THENCE RUN DUE NORTH A DISTANCE OF 202.2 FEET, THENCE RUN South 89°50'18"West A DISTANCE OF 2,212.8 FEET, THENCE RUN South 1°4'45"West A DISTANCE OF 1,294.1 FEET, THENCE RUN South 89°29'20"West A DISTANCE OF 1,668.1 FEET, THENCE RUN South 0°56'37"West A DISTANCE OF 3,937.1, THENCE RUN North 89°48'10"West A DISTANCE OF 1,319.7, THENCE RUN South 1°01'27"West A DISTANCE OF 334.6 FEET, THENCE RUN North 89°15'52"West A DISTANCE OF 666.3 FEET, THENCE RUN North 1°02'17"East A DISTANCE OF 327.0 FEET, THENCE RUN North 88°33'36"West A DISTANCE 653.1 FEET, THENCE RUN DUE NORTH A DISTANCE OF 1,325.3 FEET, THENCE RUN North 88°32'43"West A DISTANCE OF 84.7 FEET, THENCE RUN North 0°27'58"East A DISTANCE OF 315.6 FEET, THENCE RUN North 85°12'56"East A DISTANCE OF 397.6 FEET, THENCE RUN South 1°49'46"East A DISTANCE OF 190.9 FEET, THENCE RUN South 87°39'52"East A DISTANCE OF 99.6 FEET, THENCE RUN DUE SOUTH A DISTANCE OF 162.4 FEET, THENCE RUN South 89°07'39"East A DISTANCE OF 934.3 FEET, THENCE RUN North 0°34'47"East A DISTANCE OF 1,977.0 FEET, THENCE RUN North 89°31'53"West A DISTANCE OF 2,039.9, THENCE RUN North 0°02'23"East A DISTANCE OF 359.5 FEET, North 64°47'35"West A DISTANCE OF 658.7 FEET, THENCE RUN North 0°48'35"East A DISTANCE OF 724.2 FEET, THENCE RUN South 89°19'51"East A DISTANCE OF 460.7 FEET, THENCE RUN North 12°5'35"East A DISTANCE OF 407.8 FEET, THENCE RUN South 89°22'45"East A DISTANCE OF 122.2 FEET, THENCE RUN South 0°44'7"West A DISTANCE OF 266.7 FEET, THENCE RUN South 89°20'24"East A DISTANCE OF 273.3 FEET, THENCE RUN North 0°2'11"East A DISTANCE OF 800.0 FEET, THENCE RUN South 89°20'24"East A DISTANCE OF 755.6 FEET, THENCE RUN South 0°14'45"West A DISTANCE OF 800.3 FEET, THENCE RUN South 89°0'51"East A DISTANCE OF 987.0 FEET, THENCE RUN North 0°59'9"East A DISTANCE OF 602.5 FEET, THENCE RUN South 89°14'21"East A DISTANCE OF 184.3 FEET, THENCE RUN North 0°52'29"East A DISTANCE OF 66.0 FEET, THENCE RUN South 89°14'22"East A DISTANCE OF 1,104.3 FEET, THENCE RUN North 1°12'19"East A DISTANCE OF 661.8 FEET, THENCE RUN South 89°11'30"East A DISTANCE OF 1,336.6 FEET, THENCE RUN North 1°00'57"East A DISTANCE OF 1,337.6 FEET, THENCE RUN South 89°20'17"East A DISTANCE OF 2,632.5 FEET TO THE POINT OF BEGINNING.

ALSO, THAT PORTION LOCATED IN THE SOUTHWEST ¼ OF SECTION 1 SOUTH AND WEST OF HAINES CREEK.

The basis for the objection is set forth below:

DOCUMENT NUMBER-DATE
08484 SEP 11 8
FPSC-COMMISSION CLERK

1. The City of Leesburg operates a potable water utility serving customers within and outside its municipal limits.
2. Attached is a drawing depicting in blue the potable water lines the City of Leesburg has already installed in the area of the proposed expansion of service by Aqua Utilities. The City of Leesburg is already serving customers in the proposed area of expansion by way of the lines shown.
3. §367.045(5)(a) states in pertinent part: "The commission may not grant a certificate of authorization for a proposed system, or an amendment to a certificate of authorization for the extension of an existing system, which will be in competition with, or a duplication of, any other system or portion of a system, unless it first determines that such other system or portion thereof is inadequate to meet the reasonable needs of the public or that the person operating the system is unable, refuses, or neglects to provide reasonably adequate service."
4. Permitting Aqua Utilities to expand its service area as requested would duplicate service already being provided in the same area by the City of Leesburg, without the requisite showing that the City of Leesburg is not able to meet the reasonable needs of customers in that area, or that the City of Leesburg is unable to serve the area or has refused or neglected to provide adequate service.
5. The petition of Aqua Utilities indicates it is service 38 water customers in the proposed area of expansion, however the City of Leesburg serves as many, if not more, customers in the same area and as depicted on the attached drawing has an extensive system of potable water lines in the area.
6. There is no basis to expand the service area of Aqua Utilities absent a showing that the City of Leesburg is unable or unwilling to provide service to customers there.
7. The City of Leesburg requests a public hearing on the petition of Aqua Utilities.

RESPECTFULLY SUBMITTED this 10th day of September, 2008.



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Attorney For City of Leesburg

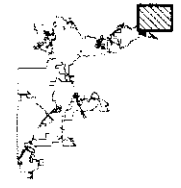
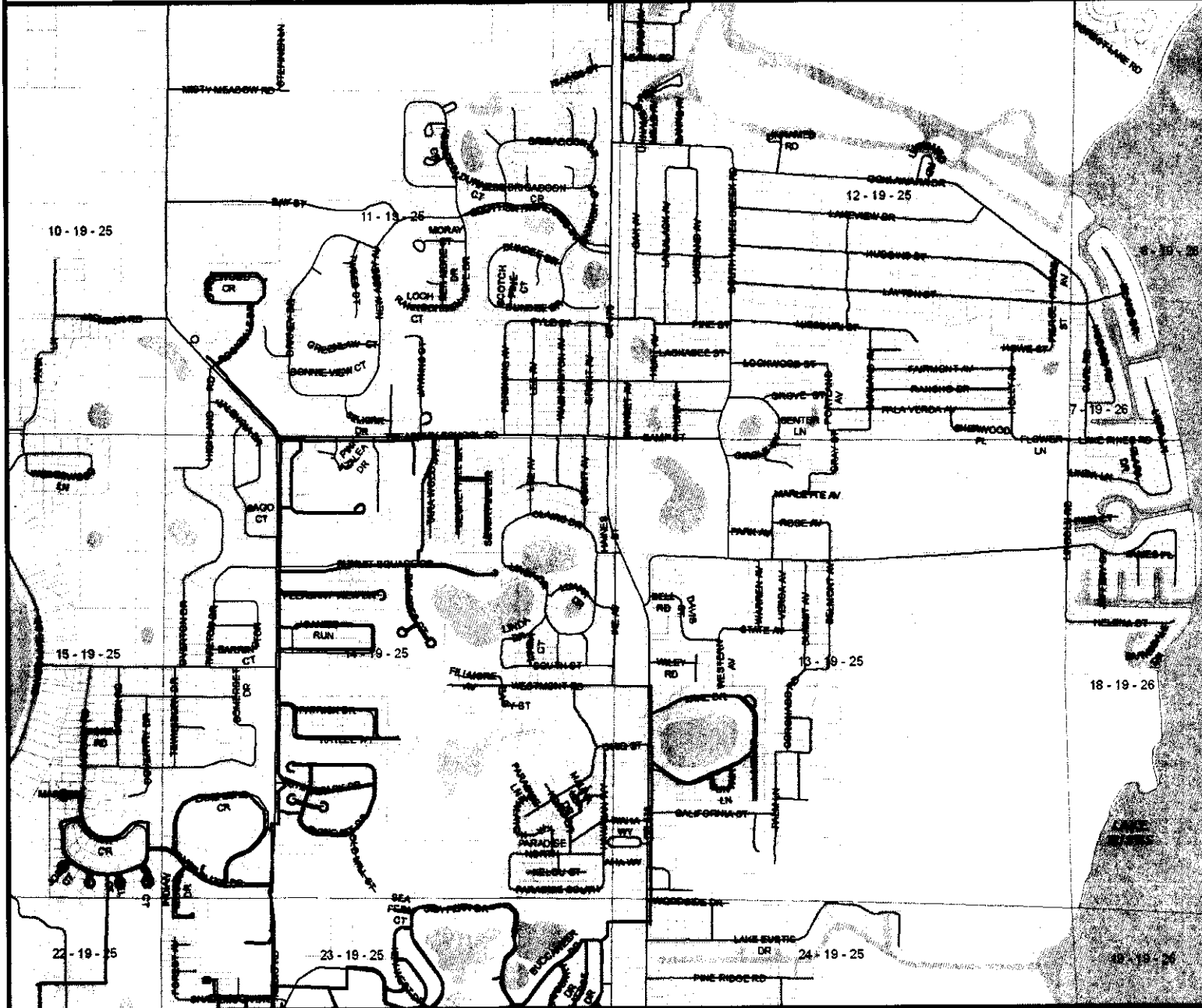
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document has been furnished by UPS overnight delivery on the 10th day of September, 2008, to Michael B. Twomey, Esquire, 8903 Crawfordville Road, Tallahassee, FL 32305.

A handwritten signature in cursive script, appearing to read "Fred A. Morrison".

FRED A. MORRISON

Water Lines - Existing



- Water Mains**
- Water Type, Lifecycle Status
 - Potable Water, Active
 - Potable Water, Proposed
 - Raw Water, Active
 - Potable Water, Abandoned
 - Raw Water, Abandoned
- Streets
- Section Grd
 - City Property
 - City Boundary
 - Lakes
 - Lake County Parcels

1,672 ft



DISCLAIMER: The data displayed on this map are from a variety of sources. This map is not a survey and should only be used for planning purposes. The information on this map is provided in an "as is" condition. For further information, contact the City of Leesburg.



LEESBURG
The Lakelost City