

**Marguerite McLean**

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**From:** Mike Twomey [miketwomey@talstar.com]  
**Sent:** Friday, September 19, 2008 4:46 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Re: Electronic filing in Docket No. 080534  
**Attachments:** 080534 Aqua response to Pasco County.pdf



**080534**  
sponse to

- > a. Person responsible for this electronic filing:
  - >
  - > Michael B. Twomey
  - > PO Box 5256
  - > Tallahassee, Fl 32314-5256
  - > 850-421-9530
  - >
- > b. Docket No. 080534-WU
  - >
  - > In re: Application for quick-take amendment and application for
  - > amendment of Certificate Nos. 209-W and 154-S to extend water and
  - > wastewater services to certain territory (Jasmine Lakes) in Pasco
  - > County, by Aqua Utilities Florida, Inc.
  - >
- > c. Document being filed on behalf of Aqua Utilities, Inc.
  - >
- > d. There are a total of 4 pages.
  - >
- > e. The documents attached for electronic filing are my September 19,
- > 2008 response to Pasco County's September 12, 2008 letter objecting to
- > Aqua Utilities request to extend its service area to provide WAW
- > service in Pasco County, as well as a corrected legal description to
- > be renoticed by publication and a cover letter to Ms. Cole.
  - >
  - > Thank you for your attention and cooperation to this request.
  - >
  - >
- > Mike Twomey

**MICHAEL B. TWOMEY**

ATTORNEY AT LAW  
POST OFFICE BOX 5256  
TALLAHASSEE, FLORIDA 32314-5256  
Tel. (850) 421-9530 Fax. (850) 421-9530  
e-mail: [miketwomey@talstar.com](mailto:miketwomey@talstar.com)

September 19, 2008

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
1540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

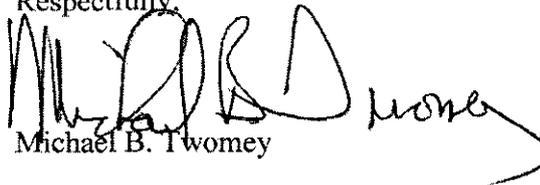
Re: Docket No. 080534-WU – Application for quick-take amendment and application for amendment of Certificate Nos. 209-W and 154-S to extend water and wastewater services to certain territory (Jasmine Lakes) in Pasco County, by Aqua Utilities Florida, Inc.

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter is my September 19, 2008 response to Pasco County's September 12, 2008 letter objecting to Aqua Utilities request to extend its service area to provide WAW service in Pasco County, as well as a corrected legal description to be renoticed by publication.

Thank you for your assistance with this filing.

Respectfully,

  
Michael B. Twomey

cc: William T. Rendell  
Carl Smith

DOCUMENT NUMBER-DATE

08870 SEP 19 08

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**MICHAEL B. TWOMEY**

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September 19, 2008

Joseph D. Richards, Esquire  
Office of the County Attorney  
Pasco County, Florida  
7530 Little Road, Suite 340  
New Port Richey, Florida 34654

Re: Docket No. 080534 – Re: Notice of Extension of Service Area – Jasmine Lakes –  
Aqua Utilities – Notice of appearance and request for formal hearing

Dear Mr. Richards:

This is in response to your letter of September 12, 2008 to the Florida Public Service Commission objecting to Aqua Utilities, Inc.'s request to extend its service territory in Pasco County as described in the legal notice published August 12, 2008. The stated basis for your objection and request for a formal hearing is that the expansion described in the legal notice includes area presently being served by Pasco County Utilities.

My understanding is that the legal notice Pasco County is basing its September 12 objection on does, in fact, include area currently served by Pasco County Utilities. However, as you recognize in your letter, the inclusion of a portion of the County's service area in the legal description was a mistake. I am informed that Mr. Carl D. Smith of Aqua Utilities, Inc. has provided Mr. Kenneth Mathewson of Pasco County Utilities with a corrected legal description that properly describes the extension territory sought by Aqua and, further, that Mr. Mathewson has confirmed that this legal description does not infringe on the service territory of Pasco County Utilities. I have attached a copy of the revised legal notice, which I am informed Aqua Utilities, Inc. will renounce by publication.

If the revised legal notice cures your concern that Aqua Utilities, Inc. is attempting to take a portion of Pasco County Utilities, I would appreciate you so advising the Florida Public Service Commission and withdrawing Pasco County's objection and request for formal hearing.

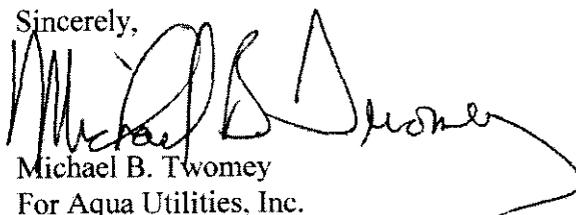
DOCUMENT NUMBER-DATE

08870 SEP 19 08

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If you have any questions regarding this request or the republication of the correct legal description, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Twomey". The signature is stylized with large, overlapping loops and a long, sweeping tail that extends to the right.

Michael B. Twomey  
For Aqua Utilities, Inc.

cc: Florida Public Service Commission  
Carl D. Smith, Aqua Utilities, Inc.

JASMINE LAKES REVISED LEGAL DESCRIPTION

IN TOWNSHIP 25 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA.

SECTION 14,15,16:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 16 AND RUN S02°29'30"E A DISTANCE OF 1,345.0 FEET TO THE POINT OF BEGINNING, THENCE RUN S89°55'16"E A DISTANCE OF 5,177.9 FEET, THENCE RUN S00°16'01"W A DISTANCE OF 1,327.6 FEET, THENCE RUN S89°51'14"E A DISTANCE OF 636.7 FEET, THENCE RUN S03°00'18"W A DISTANCE OF 2,640.8 FEET, THENCE RUN N89°48'11"W A DISTANCE OF 472.5 FEET, THENCE RUN S89°55'38"W A DISTANCE OF 2,652.0 FEET, THENCE RUN N00°09'12"E A DISTANCE OF 1,645.3 FEET, THENCE RUN DUE WEST A DISTANCE OF 3,222.1 FEET, THENCE RUN NORTHEASTERLY ALONG THE EAST RIGHT OF WAY LINE OF US HIGHWAY 19 A DISTANCE OF 2,442.8 FEET TO THE POINT OF BEGINNING.

DOCUMENT NUMBER-DATE

08870 SEP 19 88

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