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STATE OF FLORIDA



GENERAL COUNSEL
MICHAEL G. COOKE
(850) 413-6248

Public Service Commission

September 30, 2008

Mr. Jason Sheffield
Chief Executive Officer
Wilcox Investments, Inc.
PO Box 1100
Welaka, Florida 32193-0297

RECEIVED-FPSC
08 OCT - 1 AM 10:34
COMMISSION
CLERK

Re: Docket No. 070405-WU, Application for certificate to operate water utility in Putnam County by Wilcox Investments, Inc.

Dear Mr. Sheffield:

This letter is to follow-up on the telephone conversation of September 23, 2008, with Stephanie Clapp, during which you stated that the closing on the transfer of the Wilcox Investments, Inc., water utility to the Mount Royal Estates Homeowner Association and the Mount Royal Airpark Homeowner Association had taken place. These closing documents are to be submitted so that staff may verify whether the utility may be considered exempt from Commission regulation pursuant to Section 367.022(7), Florida Statutes. Otherwise, the utility would be required, pursuant to Section 367.031, Florida Statutes, to obtain from the Commission a certificate of authorization to provide water service.

In your conversation with Ms. Clapp, you stated that you would contact the closing agent and request that copies of the closing documents be submitted to the Office of Commission Clerk, with a copy sent by fax to Ms. Clapp by that Friday. To date, neither the Office of Commission Clerk nor Ms. Clapp have received the copies as promised.

Section 367.161(1), Florida Statutes, authorizes the Commission to assess a penalty up to \$5,000 per day for knowingly refusing to comply with, or willfully violating any provision of Chapter 367, Florida Statutes. This is the sixth letter staff has issued this year concerning the need for documentation regarding the closing so the utility's exempt status may be verified. It is imperative that these documents be received by **October 15, 2008**. If the documents are not timely received, staff intends to file a recommendation for the November 13, 2008, Agenda Conference recommending that the utility be show caused for an apparent violation of Section 367.031, Florida Statutes.

DOCUMENT NUMBER
09262 OCT - 1 2008
FPSC-COMMISSION CLERK

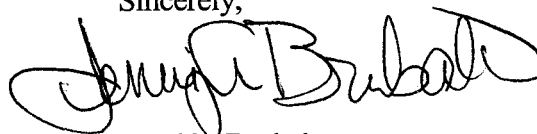
Mr. Jason Sheffield
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When filing the closing documents, please be sure to refer to the docket number and to direct the response to:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Should you have any questions concerning the information in this letter, please contact Stephanie Clapp, of my staff, at (850) 413-6997.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Brubaker". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Brubaker".

Jennifer Brubaker
Attorney Supervisor

JB

cc: Division of Economic Regulation (Clapp, Rieger)
Office of Commission Clerk