

COMMISSIONERS:
NANCY ARGENZIANO, CHAIRMAN
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
S. CURTIS KISER
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

April 1, 2010

Name
Street Address
City, State, Zip

Re: Docket No. 090366-WU - ARMA Water Service

Dear:

Thank you for your letter dated March 15, 2010, regarding ARMA Water Service's application for a certificate to provide water service in Marion County. In your letter you stated that you have your own well, and you objected being required to take the water service ARMA proposes to provide. Several of your neighbors have also written to object to ARMA's service because they have their own wells and do not want to be forced to purchase ARMA's water.

The purpose of this letter is to inform you that you and your neighbors will not be forced to take water service from ARMA if the Commission grants it a water certificate. Your Marion County Commission has passed an ordinance that specifically states that residential lots in proximity to ARMA shall not be forced to hook up to ARMA's community water system. On January 18, 2005, in Resolution No. 05 - R - 23, which granted ARMA a Special Use Permit to construct the system, the County Commission said, in Section 2, subsection 5, "No surrounding residential lots shall be forced to hook up to the community water system." I am enclosing a copy of that Resolution for your information.

It is unfortunate that this information was not more effectively provided to you and your neighbors, so that the misunderstanding could have been avoided. I am attempting to communicate directly with everyone who has written in to the Commission about this issue, but I would greatly appreciate it if you would pass the word along, in case I miss someone.

I hope this resolves your concern, and that under the circumstances you no longer object to ARMA's petition. If you do still object, and you do intend for your letter to be treated as a protest and request for a formal administrative hearing on ARMA's petition, you will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, and attending the hearing where you would possibly be subject to cross-examination. If you do not wish to pursue a formal hearing and participate as a full party to that hearing, please know that your letter has been placed in the docket file here at the Commission, and remains available for review and informational purposes.

RECEIVED-FPSC
10 APR - 1 AM 10:43
COMMISSION
CLERK

090366-WU-0000
STATE OF FLORIDA
APR 1 2010
090366-WU-0000
FPSC-COMMISSION CLERK

Docket No. 090366-WU

Page 2

April 1, 2010

In any event, the Commission needs to know for certain whether you wish to request a hearing and participate as a party in this proceeding. If you do, please so advise the Commission in writing by Friday, April 16, 2010. If we do not hear from you by that date, we will consider that you no longer object to ARMA's petition, and do not wish to request a formal hearing.

Feel free to call me if you have any questions. My direct line is (850) 413-6187. You may reach me by email at mbrown@psc.state.fl.us.

Sincerely,

Martha C. Brown, Esq.
Senior Attorney
Office of the General Counsel

MCB:th

Enclosure

cc: Division of Economic Regulation (Clapp, Daniel)
ARMA Water Services
Office of Commission Clerk

Docket No. 090366-WU – ARMA Water Service
Objection Letter Distribution List
April 1, 2010

Mr. & Mrs. Samuel Decker
9543 SW 30th Avenue
Ocala, FL 34476

Selma Monroe
9790 SW 29th Court
Ocala, FL 34476

Mr. & Mrs. Jefferey Dean
9440 SW 30th Avenue
Ocala, FL 34476

Ms. Mary A. Schrader
9441 SW 30th Terrace
Ocala, FL 34476

William F. and Mary Dodd
9360 SW 32nd Court
Ocala, FL 34476

Relio J. and Mary Susan Thibodeau
2781 SW 98th Street Road
Ocala, FL 34476-7451

Samuel and Leticia Martian
3060 SW 98th Street Road
Ocala, FL 34476

Georgeann Caldwell Guild
9820 SW 27th Avenue
Ocala, FL 34476

Arnaldo Barros
P.O. Box 85277
Hallandale, FL 33008

Larry Kent Spangler
9510 SW 32nd Court
Ocala, FL 34476

Cynthia Merkey
9400 SW 30th Avenue
Ocala, FL 34476

Bonnie Rainbow
P.O. Box 1104
Bellevue, FL 34421

John & Lisa Villella
9330 SW 32nd Court
Ocala, FL 34476

RESOLUTION NO. 05-R-23

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed by Bruce Wilson and was considered by the Marion County Zoning Commission at its meeting on December 27, 2004; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, January 18, 2005; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 050102SU – ANB Real Estate Investments, Inc.. The application for a Special Use Permit as submitted by Bruce Wilson, a copy of said application being on file with the Zoning Director, is hereby approved for a Special Use Permit in R-4 (Residential Mixed Use) zoning classification for the intended use of allowing the construction of a community water system on 4.49 acres on Parcel Account Nos. 3570-002-005 and 3570-002-006.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval allowing for residential development on the lots.
2. A new/updated driveway permit shall be obtained from the appropriate jurisdictional agency, and a copy shall be provided to the Zoning Department.
3. The Special Use Permit applies to the proposed 20' x 45' fenced water treatment plant that will include 2 wells and will not exceed 35,000 gallons/day, according to the submitted conceptual plan and findings of fact.
4. Construction involving roads shall be in accordance with the Land Development Code.
5. No surrounding residential lots shall be forced to hook up to the community water system.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit could result in revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 18th day of January, 2005.

ATTEST:



DAVID R. ELLSPERMANN, CLERK

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**



ANDY KESSELRING, CHAIRMAN