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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Amend-)
ment of Certificate No. 187-S to)
Delete and Extend territory in)
Lee County by Sanibel Sewer)
System Partners, Ltd.)

DOCKET NO. 900802-SU

ORIGINAL
FILE COPY

In re: Application of Sanibel)
Sewer System Partners, Ltd., for)
Amendment to Certificate No.)
187-S in Lee County.)

DOCKET NO. 910476-SU

Filed: May 2, 1991

PREHEARING STATEMENT OF SANIBEL SEWER SYSTEM PARTNERS, LTD.

COMES NOW Sanibel Sewer System Partners, Ltd. ("SSS"), by and through its undersigned attorneys, hereby files its prehearing statement pursuant to Order Establishing Procedure, Order No. 24001, issued 1/17/91, and states as follows:

(a) WITNESS

1. Kim Robert Kreiger
13391 McGregor Blvd.
Ft. Myers, FL 33919

Subject matter of testimony:

- a) background information relating to SSS.
- b) reasons supporting the proposed deletions and additions to the certificated territory.
- c) rebuttal to the City of Sanibel's (City) testimony.
- d) all issues listed in this prehearing statement

(b) EXHIBITS - all exhibits are sponsored by Kim R. Kreiger.

1. Exhibit KK-1 (A system map of SSS)
2. Exhibit KK-2 (Street Map Compilation identifying territory proposed to be added and deleted)
3. Exhibit KK-3 (Lee County tax map compilation identifying territory proposed to added and deleted to certificated territory)

DOCUMENT NUMBER-DATE

04332 MAY-2 1991

PSC-RECORDS/REPORTING

4. Exhibit KK-4 (Overlay map of SSS's certificated territory showing areas proposed to be deleted and added).
5. Composite Exhibit KK-5 (DER operating permit application; Department of Environmental Regulation operating permit no. DO36-188654 issued to Sanibel Sewer System; City's Petition for Formal Administrative Proceeding; Order Dismissing With Leave to Amend City of Sanibel's Objection to DER Permit).
6. Composite Exhibit KK-6 (City of Sanibel Utility permits issued to SSS for installation of facilities within areas proposed for addition to certificated territory).
7. Exhibit KK-7 ("Sanibel Sewer System Level of Service Reduction Commitment, May 1990").
8. Exhibit KK-8 (City of Sanibel Comprehensive Land Use Plan; selected sections).
9. Composite Exhibit KK-9 (Hydrological Study Conclusions from October, 1989 "Investigation of the Effluent Disposal Capacity of the Sanibel Sewer System," prepared by Missimer and Associates, Inc.; pages 2-21 through 2-23 of 3/18/91 Hartman and Associates, SSS Acquisition Valuation Report).

(c) POSITION STATEMENT.

Sanibel Sewer System's request for deletion of and extension to certain areas of its certificated area is in the public interest and should be granted.

(d) ISSUES OF FACT.

Issue 1: Is expansion of the SSS treatment and disposal facility economically reasonable or feasible?

Position: No.

Issue 2: Are there alternatives to central sewer available pursuant to City Ordinance in all geographic areas proposed for deletion in this docket?

Position: Yes.

Issue 3: Is there an existing need for service in the geographic areas proposed for extension?

Position: Yes.

Issue 4: Is there any area that is proposed for deletion that contains a current customer?

Position: No.

Issue 5: Was the methodology used by SSS in determining the proposed areas for deletion appropriate and supportive of a decision to delete these areas?

Position: Yes.

(e) ISSUES OF LAW.

Issue 1: Is it in the public interest to grant SSS's request to delete certain areas from its certificated territory?

Position: Yes.

Issue 2: Is it in the public interest to grant SSS's request to extend its certificated territory, as requested in its application?

Position: Yes.

Issue 3: Does the requested amendment of SSS's certificate of authorization violate the established City of Sanibel Local Comprehensive Plan?

Position: No.

(f) ISSUES OF POLICY.

Issue 1: May SSS be required to serve geographic areas for the reason that the City of Sanibel believes that

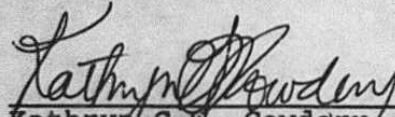
central sewer service by SSS is preferable over all other service alternatives?

Position: No.

(g) There are no stipulated issues or pending motions at this time.

DATED this 2nd day of May, 1991.

Respectfully submitted,

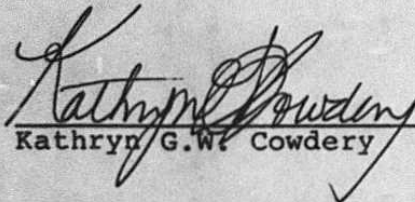


Kathryn G.W. Cowdery
Gatlin, Woods, Carlson & Cowdery
1709-D Mahan Drive
Tallahassee, FL 32308
(904) 877-7191

Attorneys for
Sanibel Sewer System
Partners, Ltd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been furnished by hand delivery to Ms. Catherine Bedell, Esquire, Florida Public Service Commission, 101 E. Gaines Street, Tallahassee, FL 32399-0850, and by U.S. regular mail to Mr. Robert D. Pritt, Esquire, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957, DATED this 2nd day of May, 1991.



Kathryn G.W. Cowdery