

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a Rate Increase )  
in Seminole County by SANLANDO UTILITIES )  
CORPORATION )

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FPSC-RECORDS/REPORTING

RESPONSE TO NOTICE OF SUPPLEMENTAL AUTHORITY

COMES NOW, TRICIA A. MADDEN, as President of the WEKIVA HUNT CLUB COMMUNITY ASSOCIATION, INC., and Individually (hereinafter "Wekiva"), by and through their undersigned attorneys and files this response to the NOTICE OF SUPPLEMENTAL AUTHORITY filed herein by SANLANDO UTILITIES CORPORATION (Sanlando), FLORIDA AUDUBON SOCIETY (Audubon), and FRIENDS OF THE WEKIVA RIVER, INC. (Friends) and states as follows:

1. Sanlando, Audubon and Friends allege that new Chapter 94-243, Laws of Florida, dictates that the Public Service Commission must grant them the relief that they request. They cite several sections from that new law in an effort to substantiate that position.

We strongly disagree with their strained interpretation of the quoted sections. We also note that they failed to cite the other sections of new Section 367.0817 that clearly reflect that the Commission must still determine the appropriateness of the plan and specifically preserves the right to protest any such plan. (See Subsections 367.0817(2) and (5).)

2. Sanlando, Audubon, and Friends additionally attempt to make new Section 367.0817 retroactively apply to the proceedings that are presently before the Commission. They do this in at least two ways.

First, they argue that the Commission is now required to accelerate the hearing date to accommodate the new statute. Surely the legislature did not intend this result.

Secondly they argue that Wekiva raised only the question of taxation in its protest. Wekiva strongly disagrees with this statement. The protest is not limited to the taxation issue, but instead specifically protests all



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