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B. KENNETH GATLIN, P.A.  
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August 15, 1996

**HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32308

- ACK
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RE: Docket No. 960898-WS  
Resolution 96-62 by Board of Flagler County Commissioners  
rescinding Florida Public Service Commission jurisdiction over  
private water and wastewater utilities in Flagler County, Florida

Dear Ms. Bayo:

Enclosed for filing on behalf of Palm Coast Utility Corporation are an original and fifteen copies of a Petition to Intervene, an Objection to Flagler County Resolution 96-62, and a Request for Oral Argument on Palm Coast's Objection to Flagler County Resolution 96-62, in reference to the above docket.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention.

Very truly yours,  
*B. Kenneth Gatlin*

B. Kenneth Gatlin

BKG/met  
Enclosures

cc:w/encl.: Mr. Charles H. Hill, Division of Water and Wastewater  
Division of Legal Services

DOCUMENT NO. / DEPT. / DATE  
08602 AUG 15 96  
FPSC - DIVISION OF REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Resolution 96-62 by Board of Flagler )  
County Commissioners rescinding Florida )  
Public Service Commission jurisdiction over)  
private water and wastewater utilities in )  
Flagler County, Florida )

Docket No. 960898-WS

Filed: August 15, 1996

**PETITION TO INTERVENE**

Pursuant to Rule 25-22.039, Florida Administrative Code, Palm Coast Utility Corporation (PCUC), files this petition to intervene in this docket, and states:

1. PCUC operates as a water and wastewater utility in Flagler County under the jurisdiction of this Commission.
2. PCUC has been operating as a water and wastewater utility company under this Commission's jurisdiction in Flagler County since 1980.
3. The Board of Flagler County Commissioners (County) has adopted its Resolution 96-62 purporting to rescind this Commission's jurisdiction over water and wastewater utilities in Flagler County.
4. Resolution 96-62 is prima facie invalid, is not effective, and does not rescind the jurisdiction of this Commission over water and wastewater utilities in Flagler County.
5. PCUC currently has 11,811 water customers and 10,521 wastewater customers. PCUC has utility plant in service in the amount of \$121,412,974 in Flagler County. As a result, PCUC has a substantial interest in this proceeding, has substantial interest subject to the Commission's determination in this case, and will be directly affected by this proceeding.

WHEREFORE, PCUC moves that this Commission grant PCUC's Petition to Intervene in this docket and allow PCUC to be a party in this proceeding, and as such receive copies of all pleadings, orders, and notices or of any action by the Commission regarding this docket.

DOCUMENT NUMBER - DATE

08602 AUG 15 96

FPSC - WASHINGTON - REPORTING

DATED this 15<sup>th</sup> day of August, 1996.

Respectfully submitted,

B. Kenneth Gatlin

B. Kenneth Gatlin, Esquire  
Fla. Bar #0027966  
Gatlin, Woods & Carlson  
1709-D Mahan Drive  
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(904) 877-7191

Attorneys for  
PALM COAST UTILITY CORPORATION

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to Mr. Albert Hadeed, County Attorney, 1200 East Moody Boulevard, #11, Bunnell, Florida 32110-9764, on this 15<sup>th</sup> day of August, 1996.

B. Kenneth Gatlin

B. Kenneth Gatlin

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF RECORDS &  
REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(904) 413-6770

## Public Service Commission

August 9, 1996

Christopher W. Chinault, County Administrator  
c/o Flagler County Board of County Commissioners  
1200 East Moody Boulevard, #1  
Bunnell, Florida 32110

RE: Docket No. 960898-WS

Dear Mr. Chinault:

This will acknowledge receipt of a resolution 96-62 by Board of Flagler County Commissioners rescinding Florida Public Service Commission jurisdiction over private water and wastewater utilities in Flagler County, which was filed in this office on August 9, 1996 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Division of Records and Reporting  
Florida Public Service Commission