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January 6, 1997

Via Federal Express

Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Building, Room 110
Tallahassee, Florida 32399-0850

RE: Joint Application by Clay Utility Company and South Broward Utility, Inc., for Transfer of Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utility Facilities from South Broward Utility, Inc., to Clay Utility Company, Docket No. 960695-WS

Dear Ms. Bayo:

In connection with the above-referenced matter, please find enclosed for filing an original and seven copies of Notice of Withdrawal by Clay Utility and South Broward Utility, Inc., of Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities. Please file the original and distribute the 1 copies in accordance with your usual procedures.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely yours,

Scott G. Schildberg
Scott G. Schildberg

SGS:msa
Enclosures

cc: Timothy Vaccaro, Esquire
Susan Fleischner Kornspan, Esquire
John R. Marks, Esquire

- ACK _____
- AFA 1
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
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- OPC _____
- ROH _____
- SEC 1
- WAS 1 *Brady*
- OTH _____

DOCUMENT NUMBER-DATE

00146 JAN-7 97

FPSC-RECORDS/REPORTING

ORIGINAL
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Application by Clay Utility Company and South Broward Utility, Inc., for Transfer of Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utility Facilities from South Broward Utility, Inc., to Clay Utility Company)	DOCKET NO.: 960695-WS
)	Date Submitted for
)	Filing: January 6, 1997
)	
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NOTICE OF WITHDRAWAL BY CLAY UTILITY COMPANY AND SOUTH BROWARD UTILITY, INC., OF MOTION TO DISMISS OR STRIKE CITY OF SUNRISE'S OBJECTION TO CLAY UTILITY COMPANY'S AND SOUTH BROWARD UTILITY, INC.'S JOINT APPLICATION FOR TRANSFER OF SOUTH BROWARD UTILITY'S WATER CERTIFICATE NO. 359-W, WASTEWATER CERTIFICATE NO. 290-S, AND UTILITIES FACILITIES

South Broward Utility, Inc. ("South Broward Utility"), and Clay Utility Company, by and through the following undersigned attorneys, hereby file this Notice of Withdrawal by Clay Utility Company and South Broward Utility, Inc., of Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities, and state as follows:

1. Clay Utility Company and South Broward Utility, Inc. ("Applicants") filed a Joint Application by Clay Utility Company and South Broward Utility, Inc., for Transfer of Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utility Facilities from South Broward Utility, Inc., to Clay Utility Company in this Docket No. 960695-WS ("Application for Transfer").
2. The City of Sunrise ("Sunrise") filed City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward

DOCUMENT NUMBER-DATE
00146 JAN-75
FPSC-RECORDS/REPORTING

Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities ("Sunrise's Objection").

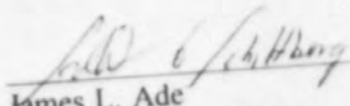
3. Applicants filed a Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward's Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities ("Motion to Dismiss").

4. Sunrise filed Notice of Withdrawal of City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utilities Water Certificate No. 359-W, Wastewater Certificate No. 290-S and Utilities Facilities ("Sunrise's Notice of Withdrawal of Sunrise's Objection").

5. In response to Sunrise's Notice of Withdrawal of Sunrise's Objection, Applicants hereby file this Notice of Withdrawal by Clay Utility Company and South Broward Utility, Inc., of Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities.

Dated this 6th day of January, 1997.

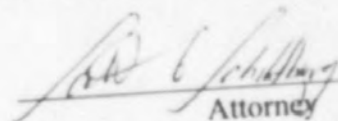
MARTIN, ADE, BIRCHFIELD &
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Scott G. Schildberg
Florida Bar No. 0613990
One Independent Drive, Suite 3000
Jacksonville, Florida 32202
Telephone: (904) 354-2050

Attorneys for Clay Utility Company and
South Broward Utility, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and seven copies of the Notice of Withdrawal by Clay Utility Company and South Broward Utility, Inc., of Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities have been furnished to Blanca Bayo, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Betty Easley Conference Center, Room 110, Tallahassee, Florida 32399-0850, by Federal Express this 6th day of January, 1997, and copies of the foregoing Notice of Withdrawal by Clay Utility Company and South Broward Utility, Inc., of Motion to Dismiss or Strike City of Sunrise's Objection to Clay Utility Company's and South Broward Utility, Inc.'s Joint Application for Transfer of South Broward Utility's Water Certificate No. 359-W, Wastewater Certificate No. 290-S, and Utilities Facilities have been furnished to Susan Fleischner Kornspan, Nason, Gildan, Yeager, Gerson & White, P.A., 1645 Palm Beach Lake Boulevard, Suite 1200, West Palm Beach, Florida 33401; John R. Marks, Katz, Kutter, Haigler, Alderman, Marks & Bryant, P.A., 106 East College Avenue, Suite 1200, Tallahassee, Florida, 32301; and Tim Vaccaro, Esquire, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; by Facsimile and U.S. mail this 6th day of January, 1997.


Attorney

To: Division of Records & Reporting
March 28, 1997

For your information from:

Scott Schildberg
MARTIN, ADE. BIRCHFIELD & MICKLER, P.A.

Patricia Brady requested to mail
the original to you.

Thank you.

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