

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 1-26-98

Docket No. 980178 SU

- 1. Division Name/Staff Name Water and Wastewater/Gilchrist
- 2. OPR WAW
- 3. OCR LEG, AFAD
- 4. Suggested Docket Title Disposition of Gross-up Funds collected by Eagle Ridge Utilities, Inc., in Lee County.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

Mr. F. Marshall Deterding, Attorney

Rose, Sundstrom and Bentley

P.O. Box 1567

Tallahassee, FL 32302-1567

2. Interested Persons and their representatives (if any)

6. Check one: Documentation is attached.
- _____ Documentation will be provided with recommendation.

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ROBERT M. C. ROSS
OF COUNSEL

January 23, 1998

Ms. Jackie Gilchrist
Division of Water & Wastewater
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED
JAN 26, 1998

Re: Eagle Ridge Utilities, Inc.
1996 CIAC Report
Our File No. 20082.03

Florida Public Service Commission
Division of Water and Wastewater

Dear Jackie:

While Eagle Ridge Utilities, Inc. disagrees with the Staff's calculation of above the line taxable income, it does not intend to raise that issue since there is no change in the result. Should the Commission require a refund for 1996, four contributors would be entitled to refunds.

Should you have any additional questions regarding this matter, please do not hesitate to contact me.

Very truly yours,


MARTIN S. FRIEDMAN
For the Firm

MSF:brm

Enclosure

cc: Ms. Theresa Jacobs
Robert C. Nixon, CPA