

ORIGINAL

MEMORANDUM

*J. K. Hill*

DATE: July 29, 1998  
 TO: Chairman Julia L. Johnson  
 FROM: Lila A. Jaber, Chief, Bureau of Water and Wastewater, Division of Legal Services *LAS*  
 RE: Docket No. 971663-WS - Petition of Florida Cities Water Company for limited proceeding to recover environmental litigation costs for North and South Ft. Myers Divisions in Lee County and Barefoot Bay Division in Brevard County.

The Office of Public Counsel has filed a Motion to Dismiss in the above-referenced docket. The utility's response was filed today pursuant to an extension of time granted by the prehearing officer at the July 20, 1998 Prehearing Conference. The hearing is currently scheduled for August 12, 1998. Accordingly, Staff will file a recommendation on Friday, July 31, 1998 for the Commission's consideration at the August 4, 1998 Agenda Conference.

LAJ/dr

cc: Division of Legal Services (Gervasi)  
 Division of Water and Wastewater (Hill, Lowe, Willis, Merchant)

*Recommend approval.  
 The motion to Dismiss  
 should be addressed  
 prior to the hearing.  
 WAB  
 7/29/98*

- MR \_\_\_\_\_
- MA \_\_\_\_\_
- DP \_\_\_\_\_
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- ROH \_\_\_\_\_
- SEC 1
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