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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: Application for Transfer of)
Majority Organization Control of)
Sanlando Utilities Corporation in)
Seminole County to Utilities, Inc.)

Docket No. 980957-WS
RECORDS AND REPORTING

MOTION TO DISMISS OBJECTION
OF FLORIDA WATER SERVICES CORPORATION

Applicant, UTILITIES, INC., by and through its undersigned attorneys and pursuant to Rule 25-22.037(2), Florida Administrative Code, moves this Commission for an Order dismissing the objection filed by FLORIDA WATER SERVICES CORPORATION ("Florida Water") in the above-styled proceeding, and in support thereof states:

1. The instant proceeding is one for approval of the transfer of majority organizational control of Sanlando Utilities Corporation.

2. The objection of Florida Water has nothing to do with the issue of who owns the stock of Sanlando Utilities Corporation; whether it is the prior owners or Utilities, Inc. Obviously, if there is an overlap in service areas, it was not caused by the transfer of ownership of Sanlando Utilities Corporation from the

prior owners to Utilities, Inc.

3. Florida Water's substantial interests are not affected by the Application since this proceeding will not effect the service area of Sanlando Utilities Corporation. If this was an asset sale instead of a stock sale, Florida Water's position may have some merit.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 1
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS Johnson
- OTH _____

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FPSC RECORDS/REPORTING

4. If Florida Water believes there is an overlap in its service area with that of Sanlando Utilities Corporation, then it may have the right to bring that issue to the Commission for resolution; however, it should be in a separate docket since its is unrelated to the issues relevant in the instant docket.

WHEREFORE, Utilities, Inc. requests this Commission enter an Order dismissing Florida Water's objection, or in the alternative, to transfer this issue to a separate docket for a formal hearing and ultimate resolution.

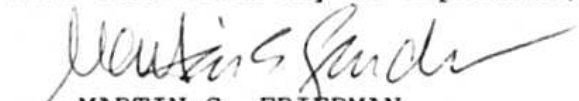
Respectfully submitted on this
11th day of September, 1998, by:

ROSE, SUNDSTROM & BENTLEY, LLP
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Tallahassee, Florida 32301
(850) 877-6555

By: 
MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Dismiss has been forwarded via U.S. Mail to Kenneth A. Hoffman, Esquire, Rutledge, Ecenia, Underwood, Purnell & Hoffman, P.A., Post Office Box 551, Tallahassee, FL 32302-0551, Matthew J. Feil, Esquire, Florida Water Services Corporation, Post Office Box 609520, Orlando, FL 32860-0520 and Roseanne Gervasi, Legal Division, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 this 11th day of September, 1998.


MARTIN S. FRIEDMAN