

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of)
Florida Water Services)
Corporation for Amendment of)
Certificate No. 106 to add and)
delete territory in Lake County,)
Florida.)
_____)

DOCKET NO. 990054-WU

RECORDS AND
REPORTING

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OBJECTION OF CRYSTAL RIVER UTILITIES, INC. TO
THE APPLICATION OF FLORIDA WATER SERVICES
CORPORATION FOR AMENDMENT OF CERTIFICATE NO. 106-W
TO ADD AND DELETE TERRITORY IN LAKE COUNTY,
AND DEMAND FOR FORMAL HEARING

CRYSTAL RIVER UTILITIES, INC. (hereinafter referred to as "CRU"), by and through its undersigned attorneys and pursuant to Sections 120.569, 120.57 and 367.045, Florida Statutes, and Rule 28-106.201, Florida Administrative Code, hereby files this Objection to the Application of Florida Water Services Corporation (hereinafter referred to as "Florida Water") for Amendment of Certificate No. 106-W to add and delete territory in Lake County, and demands a Formal Hearing, and states that:

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 2 _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- OTW 1 _____

1. The name and address of the Objecting Party is:

CRYSTAL RIVER UTILITIES, INC.
c/o AquaSource, Inc.
411 Seventh Avenue
Pittsburgh, PA 15230

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Done 4/27/99

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2. The name and address of the person authorized to receive notices and communications in respect to this application is:

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

3. CRU became aware of FWSC's application in this Docket on or about April 7, 1999. FWSC did not file a Certified Mail Return Receipt Card for CRU and CRU is unaware of having received the Notice of Application For an Extension of Service Area dated December 31, 1998. See Affidavit of Richard Bowles as Late Filed Exhibit "A".

4. FWSC has not given effective notice, and therefore the time period for filing objections has not yet run. Pursuant to Rule 25-30.030(5), Florida Administrative Code, notice to governmental entities and other utilities shall be provided within 7 days of filing the application. In the instant case, FWSC mailed the notices 15 days before filing the application. Had the Commission intended to allow noticing of the entities prior to filing the application, it would have said so, as it did for providing notices to customers pursuant to Rule 25-30.030(6), Florida Administrative Code.

5. The substantial interests of CRU are affected by this application since CRU has lines in close proximity and adjacent to the disputed territory which are capable of serving the disputed territory. CRU customers will not benefit from economics of scale if CRU is not allowed to utilize those lines to serve the disputed territory.

6. The following issues of material fact are in dispute:

- a. Whether Florida Water has the technical ability to serve the disputed territory.
- b. Whether Florida Water has the financial ability to serve the disputed territory.
- c. Whether Florida Water sufficient water capacity to serve the disputed territory.
- d. Whether CRU can provide service to the disputed territory at a lower cost.
- e. Whether it is in the public interest for Florida Water to serve the disputed territory, or for CRU to serve the disputed territory.
- f. Whether there is a need for service in the disputed territory.

7. The following ultimate facts are alleged:

- a. CRU has water lines that can be easily extended to serve the disputed territory.
- b. CRU can provide water to the disputed territory as a lower rate and more efficiently.
- c. CRU has sufficient water capacity to serve the disputed territory, whereas Florida Water does not have sufficient capacity
- d. It is in the public interest for CRU to serve the disputed territory.

8. CRU is entitled to relief by virtue of Section 367.045, Florida Statutes.

WHEREFORE, CRU requests that the Commission:

- a. Hold a formal administrative hearing; and
- b. Deny Florida Water's application.

Respectfully submitted this 19th day of April, 1999, by:

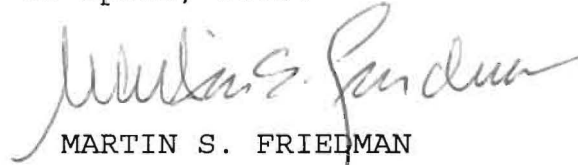
ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
(850) 877-6555
(850) 656-4029 FAX



MARTIN S. FRIEDMAN
FL Bar ID No. 0199060
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing has been furnished by U.S. Mail to Matthew J. Feil, Esquire, Florida Water Services Corporation, P.O. Box 609520, Orlando, Florida 32860-9520 and Samantha McRae, Esquire, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 this 19th day of April, 1999.


MARTIN S. FRIEDMAN

Crystal River\objection