



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** July 14, 1999

**TO:** Division of Records and Reporting

**FROM:** Division of Legal Services (Vaccaro) *JV*

**RE:** Docket No. 990489-WS - Application by Florida Cities Water Company, holder of Certificate Nos. 027-W and 024-S in Lee County and 007-W and 003-S in Brevard County, and Poinciana Utilities, Inc., holder of Certificate Nos. 146-W and 103-S in Polk and Osceola Counties, for transfer of facilities to Florida Governmental Utility Authority and cancellation of Certificate Nos. 027-W, 024-S, 007-W, 003-S, 146-W, and 103-S.

Please file the attached letter dated July 12, 1999, in the docket file for the above-referenced docket.

TV/dr

cc: Division of Water and Wastewater (Johnson, Redemann)

I:\990489FM.TV

- AEA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- MAS \_\_\_\_\_
- OPC \_\_\_\_\_
- RRR \_\_\_\_\_
- SEC   I
- WAW \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

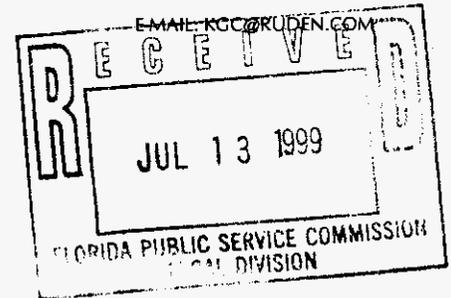
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FPSC-RECORDS/REPORTING

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July 12, 1999

Mr. Tim Vaccaro  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Via Fax and U.S. Mail

Re: Docket No. 990489-WS  
Application for transfer of water and wastewater facilities of Florida Cities  
Water Company and Poinciana Utilities Inc. to Governmental Utility Authority.

Dear Mr. Vaccaro:

At the request of Staff, I am responding to your question concerning the disposition of the two pending First District Court of Appeals cases following approval of FCWC's application for transfer, Docket No. 990489.

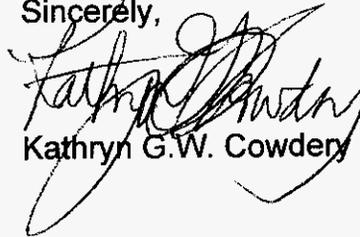
It is FCWC's intent to voluntarily dismiss DCA Case No. 98-4773, Florida Cities Water Company v. State of Florida, Florida Public Service Commission, after the appeal time has run following issuance of the PSC final order approving the transfer application. This intent assumes that the final order does not contain any unforeseen conditions or provisions which are objectionable to FCWC.

Because of the nature of the issues in DCA Case No. 99-1666, Florida Cities Water Company v. State of Florida, Florida Public Service Commission, FCWC has not determined at this time whether or not to pursue the appeal following approval of the transfer application. This determination will in part depend upon the exact language and provisions of the final order approving the transfer, and for that reason a determination will not be made until after issuance of the final order.

Mr. Tim Vaccaro  
July 12, 1999  
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Please let me know if I may be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathryn G.W. Cowdery', written in a cursive style.

Kathryn G.W. Cowdery

KGWC/ldv

RUDEN  
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