



JACK SHREVE
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OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
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November 4, 1999

ORIGINAL

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RECORDS AND REPORTING

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 971220-WS

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of Citizens' Response to Utility's September 13th Motion to Exceed Page Limit And Citizens' Motion to Accept Late Post-Hearing Statement for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Harold McLean
Associate Public Counsel

- AFA _____
- APP _____
- CAF _____ HM/dsb
- CMU _____ Enclosures
- CTR _____
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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of)
Certificates Nos. 592-W and 509-S)
From Cypress Lakes Associates,)
Ltd.. To Cypress Lakes Utilities,)
Inc. In Polk County, Florida)

Docket No. 971220-WS

Filed: November 5, 1999

CITIZENS' RESPONSE TO UTILITY'S SEPTEMBER
13TH MOTION TO EXCEED PAGE LIMIT

And

CITIZENS' MOTION TO ACCEPT LATE POST-HEARING STATEMENT

The Citizens of the State of Florida, by and through JACK SHREVE, Public Counsel, (Citizens) respond to Utilities, Inc. And its wholly owned subsidiary, Cypress Lakes Utilities, Inc. (the utility) Motion ov November 4, 1999 and the Citizens move the Commission to accept their Posthearing Statement filed November 4, 1999, and say as follows:

Utility's motion to exceed page limit:

The Citizens do not oppose the Utility's exceeding the page limit.

Citizens motion for late filing

Undersigned counsel departed town on October 22, 1999, secure in the knowledge that the post hearing statement was prepared and was ready to be filed by OPC support personnel on its due date, November 4, 1999, as indeed it was. Very soon thereafter, undersigned counsel learned that the true due date for the filing of the statement was November 3, 1999, as confirmed by Order No. PSC-99-2143-PHO-WS, which was issued on November 1, 1999. The order served to impeach

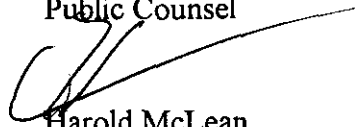
undersigned counsel's notes taken at the October 4, 1999 prehearing conference which erroneously provided the November 4 date in lieu of the correct November 3 date.

Undersigned counsel is authorized to represent that Counsel for the Utility, Mr. Ben Girtman, does not oppose this motion.

WHEREFORE, the Citizens move the Commission to accept their posthearing statement which was filed on November 4, 1999, as if it had been filed the day before.

Respectfully submitted,

Jack Shreve
Public Counsel



Harold McLean
Associate Public Counsel

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c/o The Florida Legislature
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Attorneys for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 971220-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing CITIZENS' RESPONSE TO UTILITY'S SEPTEMBER 13TH MOTION TO EXCEED PAGE LIMIT AND CITIZENS' MOTION TO ACCEPT LATE POST-HEARING STATEMENT has been furnished by U.S. Mail or *hand delivery to the following parties, this 5th day of November, 1999.

Jennifer Brubaker, Esquire*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Ben E. Girtman, Esquire
1020 East Lafayette Street
Suite 207
Tallahassee, Florida 32301



Harold McLean
Associate Public Counsel