



Public Service Commission

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

---

**DATE:** April 17, 2000  
**TO:** Division of Records and Reporting  
**FROM:** Division of Legal Services (Van Leuven) *DLV*  
**RE:** Docket No. 000079-SU - Complaint by Sunset Ventures of Key West, Inc. against K W Resort Utilities Corp. for discontinuance of service in violation of service availability agreement in Monroe County.

---

Please file the attached letter dated April 10, 2000, in the docket file for the above-referenced docket.

DTV/dm

cc: Division of Water and Wastewater (Rendell)

FA000079FM.DTV

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

DOCUMENT NUMBER-DATE  
**04696 APR 17 8**  
 FPSC-RECORDS/REPORTING

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**

2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

(850) 877-6555

CHRIS H. BENTLEY, P.A.  
E. MARSHALL DETERDING  
MARTIN S. FRIEDMAN, P.A.  
JOHN R. JENKINS, P.A.  
STEVEN T. MINDLIN, P.A.  
DAREN L. SHIPPY  
WILLIAM E. SUNDBSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON

April 10, 2000

MAILING ADDRESS  
POST OFFICE BOX 1567  
TALLAHASSEE, FLORIDA 32302-1567

TELECOPIER (850) 656-4029

ROBERT M. C. ROSE  
OF COUNSEL

Tyler Van Leuven, Esquire  
Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

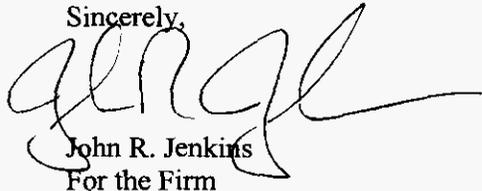
Re: K.W. Resort Utilities Corp.;  
Complaint by Sunset Ventures; Docket No. 000079-SU  
Our File No. 34000.02

Dear Mr. Van Leuven:

In your letter dated February 29<sup>th</sup> you recognized the parties' agreement to hold the response to Staff data requests in abeyance for a period of thirty (30) days in an effort to work out our differences regarding the Complaint. Since that time, I prepared an Amended and Restated Contract for Wastewater Treatment which has been reviewed by my client and provided to the attorneys for Sunset Ventures on February 24th. No response was received regarding the Amended and Restated Contract until last week. At that time I was informed by the attorneys for Sunset Ventures that they were reviewing the document with their client and would be responding on a number of issues. I also understood that the parties would agree to a further extension of time to respond to the Complaint in order to continue work on the agreement. While out of town on Friday, I received a voice mail in the afternoon informing me that Sunset Ventures would not seek an extension of time to respond to the data requests.

It is unclear to me whether all of this means that the parties can not work things out. However, I will provide a response to the Staff's data request in the next few days. This may be in the form of an answer to the Complaint. Thank you for your cooperation in this matter.

Sincerely,



John R. Jenkins  
For the Firm

JRJ:dcr

cc: Mr. Doug Carter  
Bill Smith, Esquire  
Kenneth Gatlin, Esquire

KWResort/Van Leuven3.ltr

MAIL ROOM  
00 APR 13 AM 9 14  
SERVICES DIVISION  
LEGAL DIVISION

