



# Public Service Commission

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

**DATE:** May 11, 2000

**TO:** Dr. Mary Bane, Deputy Executive Director, Technical Division

**FROM:** Jason K. Fudge, Division of Legal Services *JF RRR*  
 Marshall Willis, Division of Water and Wastewater *(MW)*

**RE:** Request for Deferral of Item #34, Docket No. 990243-WS - Application for limited proceeding increase and restructuring of water rates by Sun Communities Finance Limited Partnership in Lake County, and overearnings investigation.

Attached is the request of Sun Communities Finance Limited Partnership (Sun Communities or utility) for deferral of Item 34, from the May 16, 2000 Agenda Conference to the June 6, 2000 Agenda Conference. Staff agrees that this item should be deferred because the utility's attorney will be out of the country from the 14th of May to the 30th of May. If the Commission accepts staff's recommendation in its entirety, the amount of excess revenue that will accrue during this three week delay will be approximately \$3,000. The utility has agreed that any revenues ultimately determined to be "excessive" will be considered held subject to refund from the date the Commission was to consider this matter (May 16, 2000), until the June 6, 2000 Agenda Conference. Therefore, staff recommends that the request for deferral of Item 34 be granted.

JKF/lw

Attachment

cc: Division of Records and Reporting

*Recommend Approval  
MBB  
5/11/00*

*OK JCF  
for Chairman  
5-11-00*

EA990243DE.JKF

AFA	_____
APP	_____
CAF	_____
CMU	_____
CTR	_____
EAG	_____
LEG	_____
MAS	_____
OPC	_____
RRR	_____
SEC	_____
WAY	_____
OTH	_____

DOCUMENT NUMBER-DATE

06066 MAY 178

FPSC-RECORDS/REPORTING

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

2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

(850) 877-6555

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

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

TELECOPIER (850) 656-4029

ROBERT M. C. ROSE  
OF COUNSEL

May 10, 2000

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

MAY 10 2000

Re: Sun Communities Finance LLC; PSC Docket No. 990243-WS  
Application for Limited Proceeding Increase  
Our File No. 33013.01

Dear Ms. Bayo:

I received a copy of the Staff Recommendation in the above-referenced docket on Tuesday afternoon, May 9, 2000. It is due to be considered at the Commission's May 16, 2000 agenda conference. The purpose of this letter is to request a delay in the consideration of this matter, until the Commission's June 6, 2000 agenda conference.

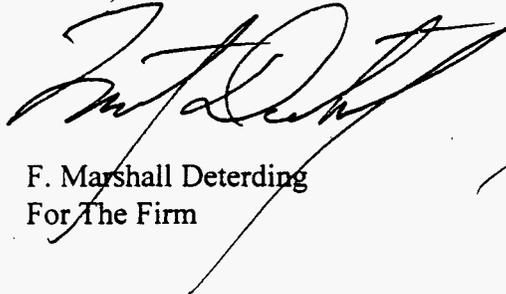
I will be out of the country beginning on the 14<sup>th</sup> of May through the 30<sup>th</sup> and will be unable to attend the agenda conference. No one else within my firm is infinitely familiar with the issues in this rather complicated case, and as such, my presence is necessary. I discussed this matter with members of the Commission staff who have no objection to the delay in consideration of this matter until June 6, 2000, as long as the Utility is agreeable that any revenues ultimately determined to be "excessive" will be considered held subject to refund from the date the Commission was originally to consider this matter (May 16, 2000) forward. If the Commission accepts the Staff Recommendation in its totality without change, the amount of this excess revenue that will accrue during this three week delay will be approximately \$3,000. My client is agreeable to that condition.

Blanca S. Bayo, Director  
May 10, 2000  
Page 2

Please let me know as soon as possible whether the Commission is agreeable to this delay.  
Should you have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP



F. Marshall Deterding  
For The Firm

FMD/tmg

cc: Jason Fudge, Esquire  
Ms. Cecilia Rehwinkel  
Mr. Gerald Edwards  
Mr. Troy Rendell  
Marshall Willis, CPA  
Ms. Jennie Lingo  
Mr. Stan Rieger  
Mr. Neil Bethea

wateroak\3bayo.ltr