

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and request for)
hearing by Linda J. McKenna and 54) DOCKET NO. 990080-WS
petitioners regarding unfair rates)
and charges by SHANGRI-LA BY-THE-LAKE)
UTILITIES, INC. in Lake County, FL.)

RECEIVED-FPSC
00 OCT 13 PM 3:21
RECORDS AND REPORTING

JOINT MOTION TO APPROVE
SETTLEMENT AGREEMENT

SHANGRI-LA BY THE LAKE UTILITIES, INC. ("Utility"), by and through its undersigned attorneys, and THE CITIZENS OF THE STATE OF FLORIDA, by and through the Office of Public Counsel ("OPC") move this Commission for approval of the Settlement Agreement attached hereto.

Respectfully submitted this 13th day of October, 2000, by:

ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850) 877 - 6555

Martin S. Friedman
MARTIN S. FRIEDMAN
For the Firm

- APP _____
- CAF _____
- CMP _____
- COM 3 _____
- CTR _____
- ECR _____
- LEG 1 _____
- OPC _____
- PAL 1 _____
- RG0 1 _____
- SEC 1 _____
- SER _____
- OTH Henry Done 10/16/00

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M. Blackard
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

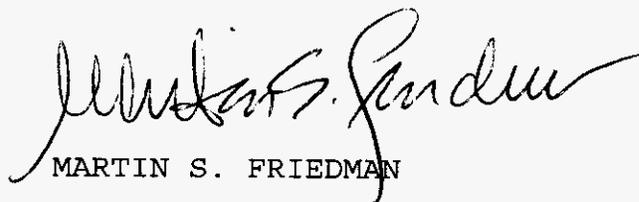
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been forwarded by U.S. Mail this 13th day of October, 2000, to:

Tyler VanLeuven, Esquire
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Linda J. McKenna
134 Shanghai Island Road
Leesburg, Florida 34788

Steve Burgess, Esquire
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400



MARTIN S. FRIEDMAN

werner\jointapproval.mot

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is made and entered into this 8th day of September, 2000, by and between Citizens of the State of Florida ("Citizens") through the Office of Public Counsel, and Shangri-La by the Lake Utilities, Inc. ("Utility").

W I T N E S S E T H

WHEREAS, the Florida Public Service Commission ("PSC") issued Order No. PSC-00-0259-PAA-WS on February 8, 2000 taking certain action with regard to the Complaint filed by Linda J. McKenna and others against the Utility ("PAA Order"); and

WHEREAS, Citizens have filed a timely Petition on Proposed Agency Action objecting to certain portions of the PAA Order; and

WHEREAS, Citizens and Utility desire to resolve their differences with regard to the Citizens' Petition.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below the Citizens and Utility agree as follows:

1. In addition to the refund provided for in the PAA Order, the Utility shall apply the rates approved in the PAA Order to recalculate the customer's bills and will refund to the customers the difference between the recalculated rates and the actual amount paid by the customer.

2. The Utility will not file a rate case any earlier than January, 2002, based upon a test year any earlier than the year ended December 31, 2001.

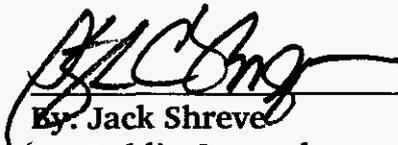
3. Citizens will voluntarily dismiss the Petition on Proposed Agency Action filed February 29, 2000.

4. Except as specifically modified hereby, the provisions and rulings in PAA Order No. PSC-00-0259-PAA-WS are hereby affirmed.

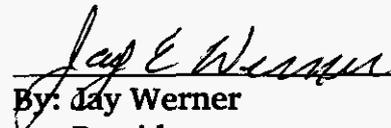
5. The provisions of this Settlement Agreement are not severable and shall become effective only after the Commission has entered an order approving the Agreement in total. In the event the Agreement is not approved in whole, without modification, the Settlement Agreement shall be deemed withdrawn and null and void, and neither party may use this attempted Settlement Agreement in this or any other proceeding.

Citizens of the State of Florida

Shangri-La by the Lake Utilities, Inc.


By: Jack Shreve
Public Counsel

DEPUTY
PUBLIC COUNSEL


By: Jay Werner
President

Concurring with the Settlement Agreement:

03/06/1995 05:47 8504884491

PUBLIC COUNSEL

PAGE 02
NO. 021 V002

FROM : Jay and Laura Wenner

FAX NO. : 815 739 2300

Sep. 09 2000 12:54PM #3

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is made and entered into this 8th day of September, 2000, by and between Citizens of the State of Florida ("Citizens") through the Office of Public Counsel, and Shangri-La by the Lake Utilities, Inc. ("Utility").

WITNESSETH

WHEREAS, the Florida Public Service Commission ("PSC") issued Order No. PSC-00-0259-PAA-WS on February 8, 2000 taking certain action with regard to the Complaint filed by Linda J. McKenna and others against the Utility ("PAA Order"); and

WHEREAS, Citizens have filed a timely Petition on Proposed Agency Action objecting to certain portions of the PAA Order; and

WHEREAS, Citizens and Utility desire to resolve their differences with regard to the Citizens' Petition.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below the Citizens and Utility agree as follows:

1. In addition to the refund provided for in the PAA Order, the Utility shall apply the rates approved in the PAA Order to recalculate the customer's bills and will refund to the customers the difference between the recalculated rates and the actual amount paid by the customer.

2. The Utility will not file a rate case any earlier than January, 2002, based upon a test year any earlier than the year ended December 31, 2001.

3. Citizens will voluntarily dismiss the Petition on Proposed Agency Action filed February 29, 2000.

FROM : Jay and Laura Werner

FAX NO. : 915 736 2508

Sep. 08 2000 12:54PM #2

4. Except as specifically modified hereby, the provisions and rulings in PAA Order No. PSC-00-0259-PAA-WS are hereby affirmed.

5. The provisions of this Settlement Agreement are not severable and shall become effective only after the Commission has entered an order approving the Agreement in total. In the event the Agreement is not approved in whole, without modification, the Settlement Agreement shall be deemed withdrawn and null and void, and neither party may use this attempted Settlement Agreement in this or any other proceeding.

Citizens of the State of Florida

Shangri-La by the Lake Utilities, Inc.

By: Jack Shreve
Public Counsel

Jay Werner

By: Jay Werner
President

Concurring with the Settlement Agreement:

Laura J. McKernan

werner\settlement agr

03/06/1995 09:47 9584884491

PUBLIC COUNSEL

PAGE 02
NUM 1 1802

FROM : Jay and Laura Weyner

FAX NO. : 815 739 2900

Sep. 08 2000 12:54PM #3

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is made and entered into this 8th day of September, 2000, by and between Citizens of the State of Florida ("Citizens") through the Office of Public Counsel, and Shangri-La by the Lake Utilities, Inc. ("Utility").

WITNESSETH

WHEREAS, the Florida Public Service Commission ("FSC") issued Order No. FSC-00-0259-FAA-W3 on February 8, 2000 taking certain action with regard to the Complaint filed by Linda J. McKenna and others against the Utility ("FAA Order"); and

WHEREAS, Citizens have filed a timely Petition on Proposed Agency Action objecting to certain portions of the FAA Order; and

WHEREAS, Citizens and Utility desire to resolve their differences with regard to the Citizens' Petition.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below the Citizens and Utility agree as follows:

1. In addition to the refund provided for in the FAA Order, the Utility shall apply the rates approved in the FAA Order to recalculate the customer's bills and will refund to the customer the difference between the recalculated rates and the actual amount paid by the customer.
2. The Utility will not file a rate case any earlier than January, 2002, based upon a test year any earlier than the year ended December 31, 2001.
3. Citizens will voluntarily dismiss the Petition on Proposed Agency Action filed February 29, 2000.

FROM : Jay and Laura Werner

FAX NO. : 813 738 2880

SEP. 28 2000 12:54PM #2

4. Except as specifically modified hereby, the provisions and rulings in PAA Order No. PSC-00-0299-PAA-WS are hereby affirmed.

5. The provisions of this Settlement Agreement are not severable and shall become effective only after the Commission has entered an order approving the Agreement in total. In the event the Agreement is not approved in whole, without modification, the Settlement Agreement shall be deemed withdrawn and null and void, and neither party may use this attempted Settlement Agreement in this or any other proceeding.

Citizens of the State of Florida

Shangri-La by the Lake Utilities, Inc.

By: Jack Shreve
Public Counsel

By: Jay Werner
President

Concurring with the Settlement Agreement:

Laura J. McKern

George Shephard

www.settlement.org