

State of Florida



ORIGINAL
Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: April 24, 2002
TO: Division of the Commission Clerk and Administrative Services
FROM: Economic Regulation Section - Office of the General Counsel (Vining) *AEV*
RE: Docket No. 011333-EU - Petition of City of Bartow to Modify Territorial Agreement or, in the Alternative, to Resolve Territorial Dispute with Tampa Electric Company in Polk County.

Please file the attached letter dated April 19, 2002, from Dunlap & Toole, P. A., in the docket file for the above-referenced docket.

Thank you.

AEV/jb

cc: Division of Economic Regulation

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
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MMS _____
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OTH _____

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BC

DUNLAP & TOOLE, P.A.

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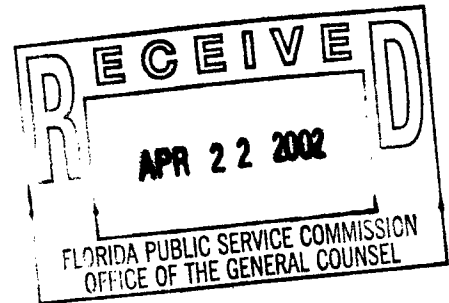
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DAVISSON F. DUNLAP

April 19, 2002

BY FACSIMILE and U.S. MAIL
(413-6184)

Ms. Adrienne Vining
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863



Re: Territorial Dispute Between City of Bartow and
Tampa Electric Company ("TECO"); PSC Docket No. 011333-EU
Current Status of Old Florida Plantation Development

Dear Adrienne:

Based on the concerns that were expressed by the PSC staff regarding the current development plans of the Old Florida Plantation, I had a conversation yesterday afternoon with Lou Roeder, General Partner of the Old Florida Plantation Limited Partnership.

I specifically asked him about the spine road that is depicted on the current maps for the development. Mr. Roeder said that the approval of the gas pipe line has significantly impacted their development plans. As a developer, he is concerned that prospective purchasers of the home sites are not going to want to be located close to the gas pipe line. Because of this, Old Florida Plantation is currently going through a redesign process that will likely result in changes in the configuration of the development. He anticipates that what we are referring to as the spine road will be moved away from its current location. He also thinks that the location of the golf courses and home sites will also be adjusted.

There is a current lawsuit between the pipe line company and Old Florida Plantation that is scheduled for a jury trial beginning August 5 of this year. Mr. Roeder indicated that, either in connection with or immediately after that trial, the revised plans for the development will become finalized.

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Since the PSC staff has suggested that the issues posed in the Bartow-TECO dispute could be significantly influenced by the final configuration of the Old Florida Plantation development plan, I wanted to let you know about this conversation with Mr. Roeder.

Sincerely yours,



Davisson F. Dunlap, Jr.

Enclosures

cc Mr. Richard A. Williams
Mr. James D. Beasley