

State of Florida



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

DATE: September 17, 2002
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Brubaker) *JSB*
RE: Docket, No. 011621-WU - Petition for limited proceeding to implement an increase in water rates in Highlands County, by Placid Lakes Utilities, Inc.

Please file the attached letter from Stephen C. Burgess, Esquire, dated September 11, 2002, in the docket file for the above-referenced docket.

JSB/dm

cc: Division of Economic Regulation (Merchant, Joyce, Willis)

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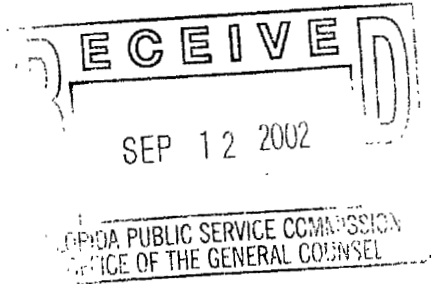
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FPSC-COMMISSION CLERK



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September 11, 2002

Marty McDonnell, Esquire
Rutledge, Ecenia, Purnell
& Hoffman
215 South Monroe St.
Suite 420
Tallahassee, FL 32301-1841

Dear Marty:

I was somewhat suprised by the letter to me dated August 30, 2002.

At the August 6th Agenda Conference, I raised several concerns that we had with the Staff Recommendation on Placid Lakes (Docket No. 011621-WU). In an effort to avoid unnecessary rate case expense, the Commissioners unanimously deferred action and instructed the parties to discuss OPC's concerns.

OPC represented to the Commission that we would be happy to meet with the utility to discuss matters further. You, Jack and I began trying to arrange the meeting advised by the Commission. During this time, you asked me to send you a description of the issues that I had raised to the Commission. Solely to accomodate your request, I put together some informal notes and faxed them to you. We were led to believe this was simply to facilitate the discussion intended by the Commission, and understood that you would contact us to re-schedule the meeting as soon as you had conferred with your client. We never intended our accommodations to you to be a filing with the Commission and I am sure Jack has more issues and thoughts he would have put forward had he been included in the discussions that the PSC Commission had requested that we hold.

I was quite surprised, therefore, to see Ken's letter, particularly with its copies to various Staff personnel.

I now take it from the letter that you have no intention of discussing this matter further. It also appears that you sought to obtain the notes you requested from me simply so you could put

Marty McDonnell, Esquire
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together a refutation to send to the PSC Staff. If you never intended to discuss the case, I wish you would have been more forthright with our office and with the Commission. You could have simply told the Commission, at the agenda conference, that you had no intention of discussing the case and let the PSC rule on each issue when it was before them.

If I have misconstrued the intent of the letter and you do intend to discuss a resolution to avoid the possibility of unnecessary rate case expense, please let me know.

Sincerely,



Stephen C. Burgess
Deputy Public Counsel

SCB:bsr

cc: Mr. Marshall Willis
Jennifer Brubaker, Esq.
Ms. Trish Merchant
Harold Mclean, Esq.