

**BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION**

IN RE: Application of )  
LAKE UTILITY SERVICES, INC. )  
for extension of water and )  
wastewater service in )  
Lake County, Florida. )  
\_\_\_\_\_ )

Docket No. 020907-WS

**OBJECTION TO APPLICATION FOR AMENDMENT  
TO CERTIFICATES OF AUTHORIZATION AND  
REQUEST FOR FORMAL ADMINISTRATIVE HEARING**

Petitioner, the City of Clermont, by and through undersigned counsel, hereby supplements its previously filed objection to the Application of Lake Utility Services, Inc. (hereafter, "Lake Utility") and request a formal hearing pursuant to § 120.569 and 120.57 Florida Statutes, Rule 28-106.201, Rule 25-30.031 and Chapter 25 -22, Florida Administrative Code, and does hereby state:

1. The City of Clermont (the "City") is a municipality located within Lake County, Florida and possessing all corporate powers and authority as granted by the Constitution and laws of the State of Florida including those set forth in Chapter 180, Florida Statutes.

2. Chapter 180, Florida Statutes provides for, among other provisions, the authority of a municipality to provide municipal public works both within its municipal boundaries and the extension and execution of all of its corporate powers for the promotion of the public health, safety and welfare beyond its corporate limits, including the provision of water and wastewater services within its municipal boundaries and within a 5 mile service area pursuant to Section 180.02(3), Florida Statutes.

3. Lake Utility is an existing utility which has filed an Application for Amendment of Certificates 465-S and 496-W (the "Application") to extend its water and wastewater service areas.

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4. The City will be substantially affected if the Application filed by Lake Utility is granted.

5. The City objects to the Application filed by Lake Utility for the following grounds:

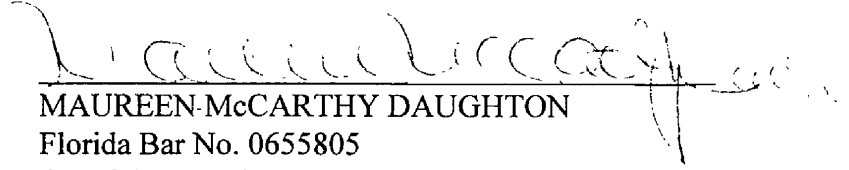
- a. The proposed amendment is inconsistent with the Lake County, Florida Comprehensive Plan and the Comprehensive Plan of the City.<sup>1</sup>
- b. Lake Utility does not have either the financial or the technical ability to provide water and wastewater service to the proposed area.
- c. Lake Utility has failed to comply with the provisions of 25-30.036(2), Florida Administrative Code.
- d. Lake Utility is not is capable of serving the proposed area with its existing water and wastewater treatment facilities.
- e. The City provides water and wastewater utility services within the proposed area and has the capability of providing water and wastewater service to the area sought to be included within the proposed amendment.
- f. The granting of the Application of Lake Utility will result in a duplication of service in the proposed area.
- g. The granting of the Application of Lake Utility is not in the public interest.

WHEREFORE, the Petitioner respectfully requests that this matter be set for a formal Administrative Hearing and that the application of Respondent be denied.

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<sup>1</sup>See Document No. 10210-02, Letter to Timothy Devlin, Director, Division of Economic Regulation to Charles Gauthier, AICP Chief, Comprehensive Planner, dated September 20, 2002.

Respectfully submitted,



MAUREEN-McCARTHY DAUGHTON

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ATTORNEYS FOR CITY OF CLERMONT,  
PETITIONER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to MARTIN S. FRIEDMAN, ESQ., Rose Sundstrom & Bentley, LLP, 650 N. Lake Boulevard, Suite 420, Altamonte Springs, Florida 32701 and DONNA HOLSHOUSER STINSON, ESQUIRE, Broad and Cassel, 215 S. Monroe Street, Suite 400, P.O. Drawer 11300, Tallahassee, Florida 32302, on this 30 day of December, 2002.

  
MAUREEN McCARTHY DAUGHTON