

STATE OF FLORIDA

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HAROLD A. MCLEAN
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(850) 413-6199

Public Service Commission

February 24, 2003

James Gardner
130 Twinbrook Road
N. Ft. Myers, FL 33917

Re: Docket No. 021251-WU, Request for acknowledgment of nonprofit exemption in Lee County and for cancellation of Certificate No. 056-W, by Mobile Manor, Inc.

Dear Mr. Gardner:

Thank you for your response to the notice of the above-referenced docket. In your response you have indicated that you object to the cancellation of Certificate No. 056-W held by Mobile Manor, Inc. (Mobile Manor).

Mobile Manor's water rates are currently regulated by the Commission as service is being provided to both members and non-members of the corporation. Mobile Manor is proposing to become exempt from Commission regulation pursuant to Section 367.022(7), Florida Statutes, which provides an exemption from Commission regulation for nonprofit corporations providing service solely to members who own and control the corporation.

In its application, Mobile Manor has filed affidavits from all members of the Board of Directors which state that, upon cancellation of its certificate, Mobile Manor will sell water only to those residents who are members of the corporation. All non-members will be provided water at no charge until such time as membership can be resolved.

The Commission needs to know your intent regarding your objection to this docket. If you choose to pursue the objection, you may request a formal hearing, which will be scheduled and at which you will be required to provide testimony and other evidence to support your protest. Although the Commission allows individuals to represent themselves at hearing, you may wish to hire an attorney to represent you.

Please advise this Commission by March 11, 2003 if you intend to pursue your objection and wish to request a formal hearing. Your request should be made in writing and should be addressed to Blanca Bayó, Director, Division of Commission Clerk and Administrative Services, Florida

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

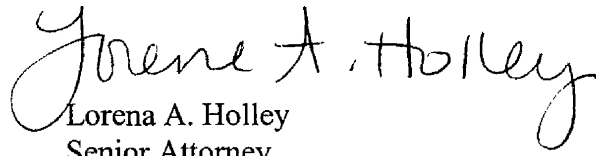
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Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If we do not hear from you by March 11, 2003, we will assume that you do not wish to pursue a formal hearing and the petition will be placed on the correspondence side of the docket file in this case for informational purposes.

If you have any questions, you may contact me at (850) 413-6185 or Jennifer Rodan at (850) 413-6189.

Sincerely,


Lorena A. Holley
Senior Attorney

LAH/jar

cc: Division of the Commission Clerk and Administrative Services
Division of Economic Regulation (Brady, Bass)

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