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PUBLIC COUNSEL

STATE OF FLORIDA
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ORIGINAL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

April 1, 2003

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

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COMMISSION
CLERK

RE: Docket No. 020344-SU

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Petition on Proposed Agency Action and Objection to Proposed Agency Action for filing in the above-referenced docket.

Also enclosed is a 3.5 inch diskette containing the Petition on Proposed Agency Action and Objection to Proposed Agency Action in WordPerfect for Windows 6.1. Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Stephen C. Burgess
Deputy Public Counsel

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate)
increase in Monroe County by Key)
Haven Utility Corporation.)
_____)

DOCKET NO.: 020344-SU
FILED: April 1, 2003

**PETITION ON PROPOSED AGENCY ACTION
AND OBJECTION TO PROPOSED AGENCY ACTION**

The Citizens of the State of Florida, through their attorney, the Florida Public Counsel, pursuant to section 120.80(13), Florida Statutes, and Rule 28-106.201, Florida Administrative Code, hereby object to certain specified portions of Order No. PSC-03-0351-PAA-SU and put in dispute the issues specified in this pleading. In support of this objection, the Citizens submit the following:

1. The agency affected is the Florida Public Service Commission (PSC), 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The docket number is Docket No. 020344-SU.

2. During the course of these proceedings, service is to be directed to:

Stephen C. Burgess
Deputy Public Counsel
Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, Florida 32399-1400

3. The Citizens became aware of the protested order through the normal process of monitoring PSC decisions.

4. The Citizens raise the following issues for dispute, along with the respective position taken for each issue.

a. Should the costs (both capital and expense) resulting from the infiltration into Key Haven's system be borne entirely by the customers?

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FPSC-COMMISSION CLERK

CITIZENS' POSITION: No. The utility should bear some of these costs.

b. Should the used and useful ratio for the collection system be reduced?

CITIZENS' POSITION: Yes. The collection system used and useful ratio should be lowered.

c. Are there certain related party transactions that should be adjusted to simulate an arm's length situation?

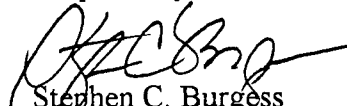
CITIZENS' POSITION: Yes. The Commission should adjust for certain related party transactions.

d. Should the utility be penalized for failing to provide adequate quality of service?

CITIZENS' POSITION: Yes.

WHEREFORE, the Citizens of the State of Florida protest and object to Order No. PSC-03-0351-PAA-SU, and seek a hearing to present evidence and argument on the issues raised in this protest.

Respectfully submitted,


Stephen C. Burgess
Deputy Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400
(850) 488-9330

Attorneys for the Citizens
of the State of Florida

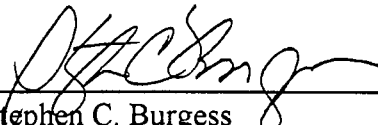
**CERTIFICATE OF SERVICE
DOCKET NO. 020344-SU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition on Proposed Agency Action and Objection to Proposed Agency Action has been furnished by U.S. Mail or *hand-delivery to the following parties, this 1st day of April, 2003.

Ralph Jaeger, Esquire*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Martin S. Friedman
Rose, Sundstrom & Bentley, LLP
600 S. North Lake Boulevard, Suite 160
Altamonte Springs, Florida 32701

Key Haven Utility Corporation
Mr. A. Wayne Lujan
P.O. Box 2067
Key West, Florida 33045-2067



Stephen C. Burgess
Deputy Public Counsel