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REPLY TO ALTAMONTE SPRINGS

MARTIN S. FRIEDMAN, P.A.
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(LICENSED IN TEXAS ONLY)

August 4, 2003

HAND DELIVERY

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

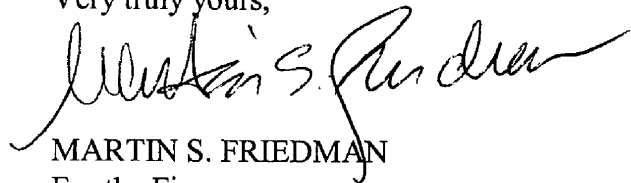
Re: Docket No.: 020907-WS; Lake Utility Services, Inc.'s Application for Extension of Water and Wastewater Service in Lake County, Florida
Our File No. 30057.49

Dear Ms. Bayo:

Enclosed please find for filing in the above-referenced docket the original and fifteen (15) copy's and a disk in WP format of Lake Utility Services, Inc.'s Prehearing Statement.

Should you have any questions or concerns, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

AUS _____
CAF _____
CMP _____
COM 3 Enclosures
CTR _____
ECR _____
GCL _____
OPC _____
IAMS _____
SEC 1
OTH _____

cc: Adrienne Vining, Esquire (w/enclosure)
Donna Holshouser Stinson, Esquire (w/enclosure)
Gregory T. Stewart, Esquire (w/enclosure)
Mr. Steven M. Lubertozi (w/enclosure)
Mr. Patrick Flynn (w/enclosure)
Mr. David L. Orr (w/enclosure)

DOCUMENT NUMBER-DATE

07064 AUG-4 8

FPSC-COMMISSION CLERK

ORIGINAL

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

LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT

Pursuant to Order No. PSC-03-0099-PCO-WS, issued January 15, 2003, Lake Utility Services, Inc. ("LUSI" or the "Utility"), by and through its undersigned counsel, files its Prehearing Statement as follows:

A. All Known Witnesses

<u>Witness Name</u>	<u>Title</u>	<u>Subject</u>
David L. Orr, PE	Regional Manager	All Issues

LUSI reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony and witnesses to address issues not presently designated but that may be designated by the Prehearing Officer at the prehearing conference. In addition, LUSI did not take the deposition of a representative of the Ames/Hartwood developers since that party's objections seem to have been addressed. However, LUSI reserves the right to take such deposition and to have it admitted in this proceeding.

B. All Known Exhibits

LUSI has identified and intends to sponsor the following exhibits:

<u>Exhibit No</u>	<u>Description</u>	<u>Person/s Sponsoring</u>
DLO-1	Application	David L. Orr

LUSI may utilize other documents as exhibits at the time of hearing, either during cross examination or as further impeachment or rebuttal exhibits and the precise identification of such documents cannot be determined at this time. LUSI also intends to utilize demonstrative exhibits.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT
DOCKET NO. 020907-WS

C. LUSI's Statement of Basic Position

LUSI has met the requirements for the approval of an amendment to its Water and Wastewater Certificates to include the additional territory applied for as amended by its agreement with the City of Clermont. When the City of Clermont has adopted its revised Ordinance defining its service area, LUSI will amend its territory description consistent with that Ordinance and the Settlement Agreement to be entered into between the City and LUSI.

D. Issues & LUSI's Positions

The following are issues identified by LUSI and its positions on these issues.

ISSUE 1: Is there a need for service in the proposed territory, and if so, when will service be required?

POSITION: Yes, the majority of the proposed territory consists of 3,800 acres owned by the Ames/Hartwood property, or is adjacent to Highway 27. The Ames/Hartwood property stretches from Highway 27 to the Orange County line adjacent to the huge Metro West development in Orange County. This Ames/Hartwood property is in the planning stage and service is expected to be needed in approximately two years. The current plan for that property proposes 7,700 to 11,500 residential dwelling units in addition to commercial development. Planning for providing water and wastewater service needs to commence at this time.

ISSUE 2: Does the applicant have the financial ability to serve the proposed territory?

POSITION: Yes, LUSI has the financial ability to serve the proposed territory

ISSUE 3: Does the applicant have the technical ability to serve the proposed territory?

POSITION: Yes, LUSI has the technical ability to serve the proposed territory.

LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT
DOCKET NO. 020907-WS

ISSUE 4: Does the applicant have sufficient plant capacity to serve the requested territory?

POSITION: While it would not be prudent for LUSI to have current plant capacities to serve its entire service area at buildout, LUSI has the ability to expand plant capacities to meet the needs as they arise.

ISSUE 5: Is the proposed amendment consistent with the local comprehensive plan?

POSITION: While the proposed development of the proposed territory is not entirely consistent with the Lake County Comprehensive Plan as it currently exists, proposed changes to the Comprehensive Plan will render it so.

ISSUE 6: Will the proposed amendment to the applicant's territory duplicate or compete with any other system?

POSITION: No. The proposed amendment will not duplicate or compete with any other system.

ISSUE 7: Do the entities objecting have the financial ability to serve the requested territory?

POSITION: The entities objecting have not provided any testimony or evidence that they have the technical ability to serve the requested territory.

ISSUE 8: Do the entities objecting have the technical ability to serve the requested territory?

POSITION: The entities objecting have not provided any testimony or evidence that they have the technical ability to serve the requested territory.

LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT
DOCKET NO. 020907-WS

ISSUE 9: Do the entities objecting have sufficient plant capacity to serve the requested territory?

POSITION: The entities objecting have not provided any testimony or evidence that they have sufficient plant capacity to serve the requested territory.

ISSUE 10: Are the objecting entities' proposals to serve the area consistent with the local comprehensive plan?

POSITION: While the proposed development of the proposed territory may not be entirely consistent with the Lake County Comprehensive Plan as it currently exists, proposed changes to the Comprehensive Plan will render it so.

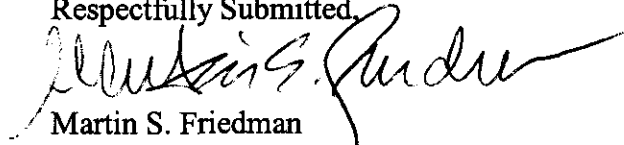
ISSUE 12: Is it in the public interest for the applicant to be granted an amendment to Certificate Nos. 496-W and 465-S for the territory proposed in its application?

POSITION: Yes, it is in the Public interest for LUSI to be granted an amendment to its Water and Wastewater Certificates for the territory proposed in its application as amended by its agreement with the City of Clermont.

- E. There are no questions of law that are a issue.
- F. There are no policy questions that are a issue.
- G. LUSI knows of no known stipulations, but believes that most of the issues will be stipulated to based upon the unwritten agreements between LUSI and the objecting parties.
- H. There are no pending Motions or other matters on which LUSI seeks action.
- I. There are no pending requests or claims for confidentiality.
- J. LUSI knows of no requirements of the Prehearing Order that can not be complied with.
- K. LUSI has no objections to any witnesses qualifications.

LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT
DOCKET NO. 020907-WS

Respectfully Submitted,



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LAKE UTILITY SERVICES, INC.'S PREHEARING STATEMENT
DOCKET NO. 020907-WS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Lake Utility Services, Inc. Prehearing Statement has been furnished by U.S. Mail to the following parties on this 4th day of August, 2003:

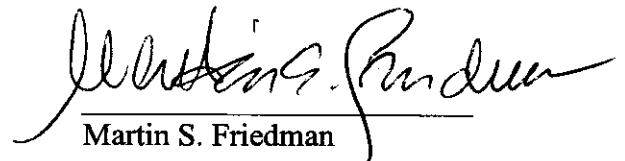
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