

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

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**PREHEARING STATEMENT OF
HARTWOOD PROPERTIES, INC., GROVELAND, INC., BLR-SHELL POND, LLC,
MARINA LANDING, INC., AND FLORIBRA USA, INC.**

Hartwood Properties, Inc., Groveland, Inc., BLR-Shell Pond, LLC, Marina Landing, Inc.,
and Floribra USA, Inc., ("Hartwood"), by and through its below signed counsel, provides the
following Prehearing Statement.

At the Prehearing Conference held August 18, 2003, it was agreed that Hartwood would
file a Prehearing Statement articulating its positions on the issues set forth in the Prehearing
Stipulation prior to August 28, 2003. the following sets forth those positions.

A. NAMES OF WITNESSES

Not applicable.

B. EXHIBITS

Not applicable.

C. STATEMENT OF BASIC POSITION

Hartwood owns approximately 2,000 acres in the area proposed to be served by LUSI. It
plans to develop this property. There is no present need for service. Hartwood's plans
for development are not taken into consideration in LUSI's application to extend its
territory, and this failure to consider the proposed growth demonstrates the current lack of
need and LUSI's inability to provide timely and cost effective service when it is needed.

As landowners and potential customers with an interest in ensuring timely and cost

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effective services, Hartwood would be adversely affected by approval of LUSI's application.

D. STATEMENT OF FACTS AT ISSUE

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

HARTWOOD'S POSITION:

Any need for service in the area will not be fully required for a substantial period of time.

2. **Does the applicant have the financial ability to serve the proposed territory?**

HARTWOOD'S POSITION

Yes.

3. **Does the applicant have the technical ability to serve the proposed territory?**

HARTWOOD'S POSITION

Yes.

4. **Does the applicant have sufficient plant capacity to serve the proposed territory?**

HARTWOOD'S POSITION

Yes.

5. **Is the proposed amendment consistent with the local comprehensive plan?**

HARTWOOD'S POSITION

Hartwood takes no position at this time pending further development of the record.

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

HARTWOOD'S POSITION

Hartwood takes no position at this time pending further development of the record.

7. **If the proposed amendment would result in an extension of a system which would be in competition with, or a duplication of another system, is that system inadequate to meet the reasonable needs of the public or is the owner of the system unable, unwilling or neglecting to provide reasonably adequate service to the proposed territory?**

HARTWOOD'S POSITION

Hartwood takes no position at this time pending further development of the record.

8. **Do the entities objecting have the financial ability to serve the proposed territory?**

HARTWOOD'S POSITION

Hartwood contends that it has the financial ability to serve the proposed territory.

9. **Do the entities objecting have the technical ability to serve the proposed territory?**

HARTWOOD'S POSITION

Hartwood contends that it has the technical ability to serve the proposed territory.

10. **Do the entities objecting have sufficient plant capacity to serve the proposed territory?**

HARTWOOD'S POSITION

Hartwood takes no position at this time pending further development of the record.

11. **Are the objecting entities' proposals to serve the area consistent with the local comprehensive plan?**

HARTWOOD'S POSITION

Hartwood's proposal to serve the area is consistent with the local comprehensive plan.

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?**

HARTWOOD'S POSITION

Hartwood contends that it is not in the public interest to grant the amendment.

- E. STATEMENT OF QUESTIONS OF LAW AT ISSUE

Hartwood contends that there are no questions of law at issue.

- F. STATEMENT OF POLICY QUESTIONS AT ISSUE

Hartwood contends that there are no policy questions at issue.

- G. STATEMENT OF STIPULATED FACTS

No facts have been stipulated by the parties.

- H. STATEMENT OF ALL PENDING MOTIONS

Hartwood has no pending motions.

- I. STATEMENT OF PARTIES' PENDING REQUESTS FOR CONFIDENTIALITY

Hartwood has no pending requests for confidentiality.

- J. STATEMENT REGARDING REQUIREMENTS OF THE ORDER THAT CANNOT BE COMPLIED WITH.

There are no requirements of the Order that Hartwood cannot comply with.

K. OBJECTIONS TO QUALIFICATIONS OF EXPERT WITNESSES

No expert witnesses have been identified by any party. All objections Hartwood may have upon disclosure of experts are reserved at this time.

Dated: August 22nd, 2003

Respectfully Submitted,



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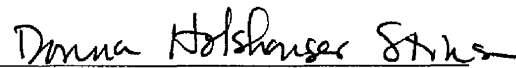
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been furnished via first class mail to the parties listed below this 22nd day of August, 2003.



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