

STATE OF FLORIDA

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Public Service Commission

November 14, 2003

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

Re: Docket No. 030986-WS - Application for acknowledgment of sale of land and facilities of Little Sumter Utility Company to Village Center Community Development District, and for cancellation of Certificate Nos. 580-W and 500-S in Marion and Sumter Counties.

Dear Mr. Friedman:

The Florida Public Service Commission staff has identified no deficiencies with respect to the application filed in the above-referenced docket. Nevertheless, this letter is to request clarification concerning the statement in the application that the Village Center Community Development District (District) is a governmental authority, making the application subject to approval as a matter of right pursuant to Section 367.071(4)(a), Florida Statutes.

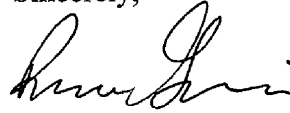
The application cites to Order No. PSC-94-0274-FOF-WS, issued March 9, 1994, in Docket No. 931206-WS, to show that the Commission acknowledged that the District was entitled to a transfer as a matter of right in a prior docket. However, that Order does not indicate how the District meets the requirements of Section 367.071(4)(a), Florida Statutes, such that it should be considered an exempt governmental authority. Section 367.21(7), Florida Statutes, defines a governmental authority to mean "a political subdivision, as defined by s. 1.01(8), a regional water supply authority created pursuant to s. 373.1962, or a nonprofit corporation formed for the purpose of acting on behalf of a political subdivision with respect to a water or wastewater facility." Please advise us, in writing, how the District meets the definition of an exempt governmental entity, such that the transfer should be approved as a matter of right. You may wish to review Commissioner Davidson's dissent to the Commission's decision in Order No. PSC-03-1284-FOF-WS, issued November 10, 2003, in Docket No. 030932-WS, to read the concerns of at least one Commissioner on this subject.

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Please provide your response to this request for clarification by December 15, 2003, by filing your response with the Director, Division of the Commission Clerk and Administrative Services, by that date. If you have any questions about this request, please feel free to contact me.

Sincerely,



Rosanne Gervasi
Senior Attorney

RG/dm

cc: Division of the Commission Clerk and Administrative Services

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