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State of Florida



Public Service Commission

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COMMISSION  
CLERK

**DATE:** December 11, 2003  
**TO:** Division of the Commission Clerk and Administrative Services  
**FROM:** Office of the General Counsel (Holley) *YAH*  
**RE:** Docket No. 020896-WS - Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

Please file the following letters in the docket file for the above-referenced docket:

- ▶ Letter to Lila Jaber, Chairman, from Senator Mike Fasano, Representative Tom Anderson, Representative Heather Fiorentino, and Representative Ken Littlefield, dated November 17, 2003; and
- ▶ Letter to Senator Mike Fasano, from Lorena Holley, Senior Attorney, dated December 11, 2003.

LAH/dm

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**THE FLORIDA  
SENATE**

Tallahassee, Florida 32399-1100

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Governmental Oversight and Productivity  
Health, Aging, and Long-Term Care

**SENATOR MIKE FASANO**  
11th District

November 17, 2003

The Honorable Lila Jaber, Chair  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

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Florida Public Service Commission  
CHAIRMAN JABER

Dear Chair Jaber:

As you are well aware, there has been a docket held in abeyance (020896-WS) which addresses a customer-led petition effort pertaining to Aloha. This petition was signed by 1400-plus customers who are fed up with Aloha's continued provision of so-called "potable drinking water" that is black and smelly. Further, the ongoing cavalier attitude Aloha's management expresses towards its customers has not changed, thus forcing the customers to petition the Commission to be separated from this water monopoly.

We the undersigned legislators who represent Pasco County respectfully request and demand that the Commission take this docket out of its state of abeyance and schedule a public hearing in the New Port Richey/ Trinity area. The hearing must be held in New Port Richey/ Trinity because this is the community served by Aloha and all customers who would like to address the Commission on this issue should be given the opportunity to attend without undue expense or inconvenience.

Thank you in advance for your attention to this request. We look forward to the public hearing being scheduled for a time in the near future.

Yours truly,

Mike Fasano  
State Senator, District 11

Tom Anderson  
State Representative, District 45

Heather Fiorentino  
State Representative, District 46

Ken Littlefield  
State Representative, District 61

Cc: Honored Members of the Florida Public Service Commission  
Steve Burgess, Associate Public Counsel  
Wayne Forehand, Aloha CAC Chairman

REPLY TO:

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- 310 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website [www.flsenate.gov](http://www.flsenate.gov)

JAMES E. "JIM" KING, JR.  
President

ALEX DIAZ DE LA PORTILLA  
President Pro Tempore

STATE OF FLORIDA

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CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

## Public Service Commission

December 11, 2003

The Honorable Mike Fasano, Florida Senate  
8217 Massachusetts Avenue  
New Port Richey, Florida 34653-3111

Re: Docket No. 020896-WS - Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

Dear Senator Fasano:

I am writing in response to your November 17, 2003, letter to Chairman Jaber, in which you, along with Representatives Tom Anderson, Heather Fiorentino, and Ken Littlefield, request that the Commission take Docket No. 020896-WS, which addresses a petition filed by approximately 1,400 Aloha Utilities customers, out of its state of abeyance and schedule a public hearing to be held in the New Port Richey/Trinity area.

The Office of Public Counsel (OPC) filed a motion on December 4, 2003, also requesting that the Commission remove the docket from its state of abeyance and schedule appropriate procedures for a hearing. In addition to OPC's Motion, there are several other outstanding Motions that have been filed in this docket, including a Motion to Dismiss the customer's petition that was filed by Aloha Utilities. Because this docket has been held in a state of abeyance, these Motions have not been ruled upon by the Commission.

Accordingly, staff will be filing a recommendation for the Commission's February 3, 2004, Agenda Conference, which will address all of the outstanding Motions in this docket, as well as the several requests to set this docket for hearing. Your office, as well as other interested parties will receive a copy of staff's recommendation. Should you have any questions or concerns regarding this letter, please do not hesitate to contact me at (850) 413-6185.

Sincerely,

A handwritten signature in cursive script that reads "Lorena A. Holley".  
Lorena A. Holley  
Senior Attorney

LAH/dm

cc: Division of the Commission Clerk and Administrative Services  
The Honorable Tom Anderson  
The Honorable Heather Fiorentino  
The Honorable Ken Littlefield  
Stephen C. Burgess, Esquire, Office of Public Counsel  
Wayne Forehand, Aloha CAC Chairman  
All Parties of Record  
Lila A. Jaber, Chairman  
Commissioner Braulio L. Baez  
Commissioner Rudolph "Rudy" Bradley  
Commissioner Charles M. Davidson  
Commissioner J. Terry Deason

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