

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for authority to transfer Certificate Nos. 620-W and 533-S in Highlands County from The Woodlands of Lake Placid, L.P. to L. P. Utilities Corporation. DOCKET NO. 030102-WS
FILED: JULY 19, 2004

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-04-0222-PCO-WS, issued February 26, 2004, and Order No. PSC-04-0295-PCO-WS issued March 16, 2004, the Staff of the Florida Public Service Commission files its prehearing statement as follows:

A. All Known Witnesses

Staff does not intend to call any witnesses

B. Exhibits

Staff does not intend to sponsor any exhibits, but reserves the right to use exhibits for the purpose of cross-examination.

C. Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

D. Issues of Fact, Law and Policy

The following are issues identified by Staff and its positions on these issues. Staff's positions are preliminary, are based upon materials filed by the utility or obtained through discovery and are intended to inform the parties of Staff's preliminary positions. Staff's final positions will be based upon an analysis of the evidence presented at the hearing.

ISSUE 1: Is Camp Florida Property Owners Association, Inc. an exempt entity pursuant to Section 367.022(7), Florida Statutes?

POSITION: No position at this time pending further development of the record.

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ISSUE 2: Should the Commission approve the transfer of Certificate Nos. 620-W and 533-S from The Woodlands of Lake Placid, L.P. to L.P. Utilities Corporation?

POSITION: No position at this time pending further development of the record.

ISSUE 3: Should the Commission approve an acquisition adjustment for the transfer of The Woodlands of Lake Placid, L.P. to L.P. Utilities Corporation?

POSITION: If an acquisition adjustment is necessary, Rule 25-30.0371, Florida Administrative Code, should be followed.

ISSUE 4: Should the Commission approve the transfer of the wastewater facilities to Camp Florida Property Owners Association, Inc. and cancel Certificate No. 533-S?

POSITION: No position at this time pending further development of the record.

ISSUE 5: Should the Commission approve the transfer of majority organizational control of L.P. Utilities Corporation from AnBeth Corporation to Camp Florida Property Owners Association, Inc.?

POSITION: No position at this time pending further development of the record.

E. Stipulated Issues

There are no issues that have been stipulated at this time.

F. Pending Matters

There are no matters pending at this time.


G. Pending Confidentiality Claims or Requests

There are no pending confidentiality claims or requests at this time.

STAFF'S PREHEARING STATEMENT
DOCKET NO. 030102-WS
PAGE 3

H. Compliance with Order No. PSC-04-0222-PCO-WS and Order No. PSC-04-0295-PCO-WS

Staff has complied with all the requirements of the Order Establishing Procedure entered in this docket, as revised.


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of STAFF'S PREHEARING STATEMENT has been furnished by U. S. Mail, this 19th day of July, 2004, to the following:

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