

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

SEP 28 PM 3:59

COMMISSION
CLERK

Public Service Commission

September 27, 2004

Mr. James Weeks
7552 Congress Street
New Port Richey, Florida 34653

Re: Docket No. 040173-WU Application for transfer of majority organizational control of L.W.V. Utilities, Inc. holder of Certificate No. 152-W in Pasco County

Dear Mr. Weeks:

You were notified in March 2004 and again in July 2004, that your application for transfer was incomplete and that you needed to respond to the deficiency letters. According to our conversation on September 27, 2004, the information contained in your original application is no longer correct. You indicated that Mr. Cochran's trust has been dissolved and that you are in the process of setting up a corporation to acquire the utility. Your application must be completed and in compliance with all of the requirements of Section 367.071, Florida Statutes and Rule 25-30.037, Florida Administrative Code, in order for staff to process your application for a transfer. We will be glad to review a proposed notice before your mail it to ensure that it is in the correct format. Until staff receives this information, no further action will be taken on your application.

Please be advised that you are operating a regulated utility without Commission approval and as such, you are subject to fines of up to \$5,000 per day, pursuant to Section 367.161, Florida Statutes. Your response to this letter should be filed with the Commission on or before **October 22, 2004**. Please include the docket number and direct the response to the

Division of Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

DOCUMENT NUMBER - DATE

10473 SEP 28 04

FPSC-COMMISSION CLERK

Mr. James Weeks
Page 2
September 27, 2004

If you have any questions please call Ms. Cheryl Johnson at (850) 413-6984, Ms. Adrienne Vining at (850) 413-6183, or Mr. Stan Rieger at (850) 413-6970. We will be happy to assist you in any way.

Sincerely,



Patti Daniel, Supervisor
Bureau of Certification & Tariffs

PD/CJ:kb

cc: Office of General Counsel (Vining)
Division of Economic Regulation (Johnson, Rieger)
Division of the Commission Clerk and Administrative Services.

