

ORIGINAL

# ABEL | BAND®

ATTORNEYS AND COUNSELORS AT LAW

Mailing Address: P.O. Box 49948, Sarasota, FL 34230-6948

240 South Pineapple Avenue  
Sarasota, FL 34236  
TEL 941-366-6660  
FAX 941-366-3999

WWW.ABELBAND.COM

RECEIVED-EPSC

Jeffrey S. Russell  
Board Certified Real Estate Attorney  
Writer's Direct Line: (941) 364-2703  
Direct E-mail: jrussell@abelband.com  
Please refer to our file number: 041294-10  
COMMISSION CLERK

December 9, 2004

**VIA FEDERAL EXPRESS**

Ms. Blanca Bayo, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

04 DEC 10 AM 9:55  
DISTRIBUTION CENTER

Re: ***Docket No. 041294: Transfer of Water and Wastewater Service Areas from Lake Suzy Utilities, Inc. to DeSoto County, and Cancellation of Certificate Nos. 599-W and 514-S in Charlotte and DeSoto Counties.***

Dear Ms. Bayo:

This filing supplements the filing made by Lake Suzy Utilities, Inc. on November 9, 2004, and provides the Florida Public Commission with further information about the proposed transfer and cancellation of certificates to inform the Commission's decision.

**Principal Contacts for Desoto County and Lake Suzy Utilities, Inc.**

DeSoto County

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

County Administrator's Office  
DeSoto County Administration Building  
201 East Oak Street, Suite 201  
Arcadia, FL 34266

Thomas A. Cloud, Esq.  
GrayRobinson, P.A.  
301 East Pine Street, Suite 1400  
Orlando, FL 32801  
Phone (407) 244-5624

SARASOTA, FLORIDA | VENICE, FLORIDA | DENVER, COLORADO

**ABEL, BAND, RUSSELL, COLLIER, PITCHFORD & GORDON, CHARTERED**

DOCUMENT NUMBER-DATE

13039 DEC 10 5

Lake Suzy Utilities, Inc.

Mr. Richard D. Hugus  
President, Southern Division  
Philadelphia Suburban Corporation  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Jeffrey S. Russell, Esq.  
Abel, Band, Russell, Collier,  
Pitchford & Gordon, Chartered  
240 South Pineapple Avenue  
Sarasota, FL 34236  
Phone (941) 364-2703

Glenn P. LaBrecque  
President  
Aqua Utilities of Florida, Inc.  
6960 Professional Parkway East  
Suite 400  
Sarasota, Florida 34240

**Statement Regarding the Disposition of Customer Deposits**

All customer deposits together with accumulated interest thereon, if any, not previously refunded pursuant to applicable Florida Public Service Commission regulations will be assigned at the closing of the transaction to DeSoto County.

**Statement Regarding the Disposition of Any Outstanding Regulatory Assessment Fees, Fines, or Refunds Owed**

Lake Suzy Utilities, Inc. has no outstanding fines or refunds owed as the result of Florida Public Service Commission action. Lake Suzy Utilities, Inc. is disposing of all regulatory assessment fees (RAFs) by paying the estimated RAF for the period of August 2004 through December 2004 (December 2004 RAF) for a total of \$11,664.03, and is paying an estimated RAF covering the entire month of January 2005 of \$2,880.00, and sending the appropriate estimated RAF forms for those payments. Those RAF payments are being made in another supplemental filing.

Upon closing of the transaction between Lake Suzy Utilities, Inc. and DeSoto County, Lake Suzy Utilities, Inc. will send a letter to the Florida Public Service Commission within thirty (30) days of the closing of the transaction together with actual RAF forms for the December 2004 RAF and the January 2005 RAF, either with an additional payment or requesting a refund, as appropriate.

**Statement from Desoto County Regarding Review of  
Lake Suzy Utilities, Inc.'s Financial Information**

Attached to this letter is a statement from the governmental authority buyer, DeSoto County, satisfying the requirement that it has obtained from Lake Suzy Utilities,

December 9, 2004

Page 3

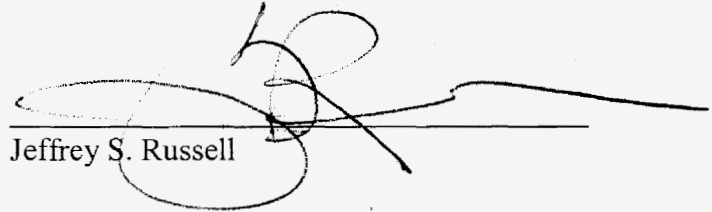
Inc. and reviewed the utility's most recent available income and expense statement, balance sheet and statement of rate base for regulatory purposes and contributions in aid of constructions.

**Original Florida PSC Certificates for Lake Suzy Utilities, Inc.**

Attached to this letter are Lake Suzy Utilities, Inc.'s original Florida Public Service Commission Certificate Nos. 599-W and 514-S for cancellation.

Very truly yours,

ABEL, BAND, RUSSELL, COLLIER,  
PITCHFORD & GORDON, CHARTERED



Jeffrey S. Russell

JSR:jrh

cc: Ms. Patricia Brady (w/encls.)  
Christopher Lunning, Esq.  
Glenn LaBrecque  
Thomas Cloud, Esq.  
Jennifer Brubaker, Esq., Florida PSC, Office of the General Counsel  
Cheryl Johnson, Florida PSC, Division of Economic Regulation  
Kathleen Kaproth, Florida PSC, Division of Economic Regulation

GRAY | ROBINSON  
ATTORNEYS AT LAW

SUITE 1400  
301 EAST PINE STREET (32801)  
P.O. BOX 3068  
ORLANDO, FL 32802-3068  
TEL 407-843-8880  
FAX 407-244-5690  
gray-robinson.com

CLEARWATER  
DEERFIELD BEACH  
LAKELAND  
MELBOURNE  
ORLANDO  
TALLAHASSEE  
TAMPA

407-843-8880  
TCLGUD@GRAY-ROBINSON.COM

December 9, 2004

**VIA E-MAIL AND U.S. MAIL**


Will Cox, Esquire  
ABEL | BAND  
240 South Pineapple Avenue  
Sarasota, FL 34236  
P.O. Box 49948  
Sarasota, FL 34230-6948

Re: Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. ("Lake Suzy")  
Client-Matter No. 40140-2

Dear Mr. Cox:

As you know, this firm is special counsel to DeSoto County, Florida. In support of the application for approval of the transfer of Lake Suzy's water system to DeSoto County filed with the Florida Public Service Commission, Docket No. 041294, we hereby acknowledge that we have received from Lake Suzy its most recent annual report and have reviewed the same on behalf of DeSoto County.

Sincerely yours,



Thomas A. Cloud, Esquire

GrayRobinson, P.A.

Special Counsel to DeSoto County

TAC:WCB:ds

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number

599 - W

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to:

LAKE SUZY UTILITIES, INC.  
dba AQUA UTILITIES FLORIDA, INC.

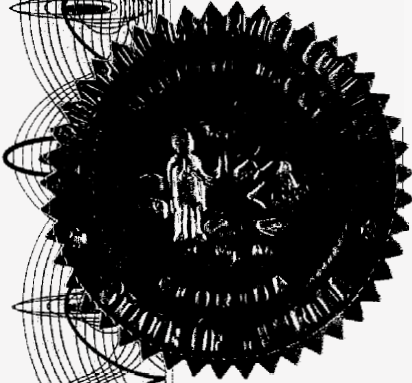
Whose principal address is:

6960 Professional Parkway East, #400  
Sarasota, FL 34240 (Charlotte & DeSoto Counties)

to provide water service in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER	PSC-00-0575-PAA-WS	DOCKET	970657-WS
ORDER	PSC-04-0715-F0F-WS	DOCKET	040359-WS
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	



BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION

*James S. Lajoie*  
Commission Clerk and Administrative  
Services Director

**FLORIDA PUBLIC SERVICE COMMISSION**

Certificate Number

514 - S

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to:

LAKE SUZY UTILITIES, INC.  
dba AQUA UTILITIES FLORIDA, INC.

Whose principal address is:

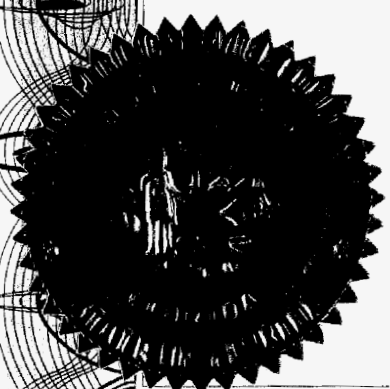
6960 Professional Parkway East, #400  
Sarasota, FL 34240 (Charlotte & DeSoto Counties)

to provide wastewater service in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER	PSC-00-0575-PAA-WS	DOCKET	970657-WS
ORDER	PSC-04-0715-FOF-WS	DOCKET	040359-WS
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	
ORDER		DOCKET	

BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION



*Flanna S. Bayo*  
Commission Clerk and Administrative  
Services Director