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Public Service Commission

January 14, 2005

Mr. Kenneth A. Hoffman
Rutledge, Ecenia, Purnell & Hoffman
P.O. Box 551
Tallahassee, FL 32302-0551

RE: Docket No. 040951-WS; Joint Application for Approval of Sale of Florida Water Services Corporation's Land, Facilities, and Certificates in Brevard, Highlands, Lake, Orange, Pasco, Polk, Putnam, a portion of Seminole, Volusia, and Washington Counties to Aqua Utilities Florida, Inc.

Dear Mr. Hoffman:

On October 22, 2004 we received your response to our territory inquiry along with other information. We have been investigating these systems to determine if an order approving the territory had been approved. With respect to the Friendly Center, the tariff indicates the Friendly Center is in Township 20 South, Range 26 East, Section 30, Lake County. Order No. PSC-93-0862-FOF-WS states that the Friendly Center was actually within the already certificated area of Southern States. We have reviewed the territory of Florida Water's Lake County systems and could not confirm that the Friendly Center was included in any certificated area of Florida Water. We could not find a certificate order for The Palms Mobile Home Park.

The reference to a tariff does not give the utility authorization to provide service and Tariff Sheet Volume I Section II 3rd Revised Sheet No. 12 does not include a reference to a Commission order authorizing Florida Water (Southern States) to serve those areas. Your reference to rate case orders does not include a reference to a certificate amendment or a transfer for these systems. In accordance with Section 367.045(2) Florida Statutes, a utility may not delete or extend its service outside the area described in its certificate of authorization until it has obtained an amended certificate of authorization from the Commission. Your letter indicates that these systems were acquired in a transfer. Therefore, the appropriate application would be a transfer application. I have enclosed two transfer applications for your convenience. Please file these applications by February 18, 2005.

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PSC COMMISSION CLERK

Mr. Kenneth A. Hoffman

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If you have questions, please contact me at (850) 413-6999.

Sincerely,

A handwritten signature in black ink that reads "Richard Redemann". The signature is written in a cursive style with a prominent initial "R".

Richard Redemann, PE

C:/Msword/040951b Letter.doc

cc: Jennifer Brubaker, Office of General Counsel
Tom Walden, Division of Economic Regulation
Division of Commission clerk and Administrative Services