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April 20, 2005

Rosanne Gervasi, Esquire
Legal Division
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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COMMISSION
CLERK

Re: Aloha Utilities, Inc.; PSC Docket No. 050183-WU
Petition of Natura Homeowners
Our File No. 26038.01

Dear Ms. Gervasi:

It is our understanding that the Commission has opened the above-docket in order to consider the request of some residents of the Natura subdivision to have the Commission initiate a proceeding against Aloha and to delete the Natura neighborhood from Aloha's certificated service territory. We believe that the Commission taking this action is inappropriate for several reasons:

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1. First, there is no finding by the Commission that the concerns of the customers of Natura are the same as the concerns expressed in the Commission's Order in Docket No. 050018-WU. There is no logic to consolidating these with the other pending docket, because they involve different time frames, different parties, different areas, different facts and quite possibly, different issues. Therefore, consolidation of the dockets is inappropriate. Going forward with the existing dockets will allow the most expeditious consideration of the issues raised therein in an orderly fashion. Beginning new cases or bringing in new parties at this point in time only complicates and delays consideration of the underlying issues, to the extent there are some that are common to both cases.
2. Customers don't start license revocation proceedings. After lengthy discussions and consideration, the Commission concluded that only the Commission can bring license revocation proceedings. The Commission must base such a decision on its DATE

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Rosanne Gervasi
April 20, 2005
Page 2

investigation, from which it concludes that such revocation is or is not appropriate. No such investigation has been undertaken by the Commission with regard to the Natura subdivision.

3. The customers from Natura and their Petition and the letters written to the Commission by Ms. Roslyn B. Wrona do not bring new facts to the case upon which the Commission can make a decision as to the specific areas that it would consider for deletion. The Petition itself states no facts as a basis, but simply calls for the Commission to take this action. The only facts alleged therein are those of one individual who forwarded the Petitions and cover letters onto the PSC.
5. The Commission cannot make a decision to delete Natura or any additional areas outside those already considered under Docket No. 050018-WU without undermining the basis for the decision in Docket No. 050018-WU as to what were the appropriate areas for consideration of deletion.

Based upon the above, while we believe it is also wholly inappropriate to have undertaken the deletion petition in Docket No. 050018-WU, it is even more inappropriate to now expand it based upon a request of customers, without any supporting information or facts, and without investigation, or to add to the case already pending in Docket No. 050018-WU at this late date.

Please give this full consideration and we request that the Commission not take the action proposed by Ms. Wrona. If you have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding
For The Firm

FMD/tms

cc: Blanca S. Bayo

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