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**ORIGINAL**

021256-WU

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

BREVARD COUNTY, FLORIDA, a  
political subdivision of the State of  
Florida,

Appellant,

CASE NO. 1D04-4680

v.

THE FLORIDA PUBLIC SERVICE  
COMMISSION, et al.,

Appellees.

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AUG -2 AM 10:25  
COMMISSION  
CLERK

Opinion filed July 27, 2005.

An appeal from an order of the Public Service Commission.  
Blanca S. Bayó, Director.

Scott L. Knox, County Attorney, Office of the County Attorney, Viera, for appellant.

Richard D. Melson, General Counsel and Richard C. Bellak, Associate General  
Counsel, Florida Public Service Commission, Tallahassee, for appellee Florida Public  
Service Commission.

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR \_\_\_\_\_ Edward P. de la Parte, Jr., Patrick J. McNamara, David M. Caldevilla, and Charles R.

ECR \_\_\_\_\_ Fletcher, of de la Parte & Gilbert, P.A., Tampa, for appellee City of Titusville.

GCL \_\_\_\_\_

OPC \_\_\_\_\_ John L. ~~Warton~~ <sup>Wharton</sup> and F. Marshall Deterding, of Rose, Sundstrom & Bentley, LLP,  
Tallahassee, for appellee Farnton Water Resources, LLC.

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SGA \_\_\_\_\_ PER CURIAM.

SEC 1

OTH Lockard AFFIRMED.

ERVIN, WOLF and WEBSTER, JJ., CONCUR.

DOCUMENT NUMBER-DATE

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