



DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
STATE OF FLORIDA  
TALLAHASSEE, FLORIDA 32399-1850

JON S. WHEELER  
CLERK OF THE COURT

August 12, 2005

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COMMISSION  
CLERK

(850) 488-6151

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Blanca S. Bayo, Director  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Brevard County, Florida a political subdivision etc  
Docket No: 1D04-4680  
Lower Tribunal Case No.: 021256-WU  
v. The Florida Public Service Comm. et al.

Dear Ms. Bayo:

I have been directed by the court to issue the attached mandate in the above-styled cause. It is enclosed with a certified copy of this Court's opinion.

Yours truly,

Jon S. Wheeler  
Clerk of the Court

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

JSW/je  
Enclosures  
c: (letter and mandate only)  
Scott L. Knox  
William J. Bosch, III  
David M. Caldevilla

John L. Wharton  
Richard C. Bellak  
Edward P. De La Parte, Jr.

F. Marshall Deterding  
Jennifer A. Rodan

DOCUMENT NUMBER-DATE

07893 AUG 15 05

FPSC-COMMISSION CLERK

# M A N D A T E

From

## DISTRICT COURT OF APPEAL OF FLORIDA FIRST DISTRICT

To J. Terry Deason, Commissioner, Public Service Commission

WHEREAS, in that certain cause filed in this Court styled:

BREVARD COUNTY, FLORIDA A  
POLITICAL SUBDIVISION ETC

Case No : 1D04-4680

v.

Lower Tribunal Case No : 021256-WU

THE FLORIDA PUBLIC  
SERVICE COMM. ET AL.

The attached opinion was issued on July 27, 2005.

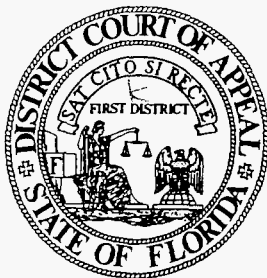
YOU ARE HEREBY COMMANDED that further proceedings, if required, be had in accordance with said opinion, the rules of Court, and the laws of the State of Florida.

WITNESS the Honorable CHARLES J. KAHN, JR., Chief Judge

of the District Court of Appeal of Florida, First District,

and the Seal of said Court done at Tallahassee, Florida,

on this 12th day of August 2005.



*Jon S. Wheeler*  
\_\_\_\_\_  
JON S. WHEELER, Clerk

District Court of Appeal of Florida, First District

DOCUMENT NUMBER-DATE

07893 AUG 15 05

FPSC-COMMISSION CLERK

**CORRECTED COPY**  
8/1/05 *JK*

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

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

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

Appellant,

CASE NO. 1D04-4680

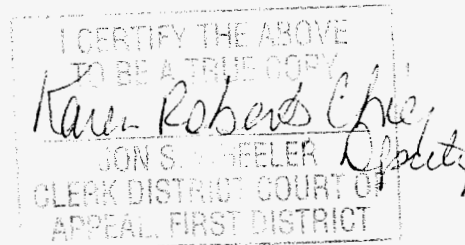
v.

THE FLORIDA PUBLIC SERVICE  
COMMISSION, et al.,

Appellees.

\_\_\_\_\_  
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.

Edward P. de la Parte, Jr., Patrick J. McNamara, David M. Caldevilla, and Charles R. Fletcher, of de la Parte & Gilbert, P.A., Tampa, for appellee City of Titusville.

*Wharton*  
John L. ~~Wharton~~ and F. Marshall Deterding, of Rose, Sundstrom & Bentley, LLP, Tallahassee, for appellee Farnton Water Resources, LLC.

PER CURIAM.

AFFIRMED.

ERVIN, WOLF and WEBSTER, JJ., CONCUR.

