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MICHAEL G. COOKE
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COMMISSION
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Public Service Commission

September 1, 2006

Mr. James Brett, President
Island Club West Homeowners Association
7320 Ober Lane
Chagrin Falls, OH 44023

Re: Docket No. 050595-WS-Application for Certificates to provide water and wastewater service in Polk County by Four Points Utility Corporation

Dear Mr. Brett:

Pursuant to Section 120.573, Florida Statutes, state agencies have been charged with the responsibility of promoting mediation of administrative disputes. Mediation is an informal dispute resolution process in which a neutral third party, the mediator, helps the disputing parties reach an agreement upon the disputed matter. The mediator has no power to impose a decision on the parties. Mediation is a desirable alternative to an administrative hearing in that it can be less expensive, less time-consuming, and allows the parties themselves to negotiate settlement of disputed issues.

At our meeting scheduled for September 13, 2006, staff would like to discuss whether this case can be handled through mediation. We encourage you to attend this meeting and raise any questions or concerns you may have in this regard.

MP _____
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If the parties agree to proceed to mediation, staff would draft and submit for your approval an agreement to mediate. The agreement would include provisions for mediator selection, the allocation of any costs and fees associated with the mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation, as well as the participation by staff in the mediation process. The mediation would conclude within 60 days of the agreement unless otherwise agreed upon by the parties. If mediation results in settlement of the administrative dispute, staff would present the settlement to the Commission for consideration and would recommend appropriate action consistent with the agreement to mediate. If mediation terminates without settlement of the dispute, the Commission would notify the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, would resume.

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If you have any questions, please contact me at (850) 413-6224. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosanne Gervasi".

Rosanne Gervasi
Senior Attorney

RG/pz

cc: Division of Economic Regulation (Daniel, C. Johnson, Walden)
Division of Commission Clerk and Administrative Services (Bayó)