

ORIGINAL

Timolyn Henry

From: Trina Collins [tcollins@rsbattorneys.com]
Sent: Thursday, April 05, 2007 4:49 PM
To: Filings@psc.state.fl.us
Cc: 'Valerie L. Lord'; tcollins@rsbattorneys.com
Subject: Filing in Docket No.: 060258-WS; Sanlando Utilities Corp.'s Application for Rate Increase in Seminole County, Florida
Importance: High
Attachments: Cross-Petition of Sanlando Utilities Corp.04-05-2007.pdf

- a. Valerie L. Lord, Esquire
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 PHONE: (407) 830-6331
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- b. Docket No.: 060258-WS In re: Sanlando Utilities Corp.'s Application for Rate Increase in Seminole County, Florida
 – Cross-Petition of Sanlando Utilities Corp.
- c. Sanlando Utilities Corp.
- d. Letter – 1 page
 Pleading – 5 pages

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REPLY TO CENTRAL FLORIDA OFFICE

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MARTIN S. FRIEDMAN, P.A.
VALERIE L. LORD
BRIAN J. STREET

April 5, 2007

VIA E-FILING

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

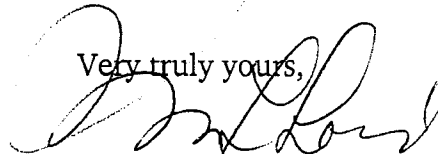
RE: Docket No. 060258-WS; Sanlando Utilities Corp.'s Application for Rate Increase in
Seminole County, Florida
Our File No.: 30057.116

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is the Cross-Petition of Sanlando Utilities
Corp.

Should you have any questions regarding this filing, please do not hesitate to give me a
call.

Very truly yours,



VALERIE L. LORD
For the Firm

VLL/tlc
Enclosures

cc: Jennifer Brubaker, Esquire, Office of General Counsel (w/enc. - by hand delivery)
Mr. Bart Fletcher, Division of Economic Regulation (w/enc. - by hand delivery)
Steven M. Lubertozi, Chief Regulatory Officer (w/enclosures - by U.S. Mail)
Ms. Kirsten E. Weeks (w/o enclosures - by U.S. Mail)
John P. Hoy, Regional Vice President for Operations (w/o enclosures - by U.S. Mail)
Patrick C. Flynn, Regional Director (w/enclosures - by U.S. Mail)
Stephen Reilly, Esquire, Office of Public Counsel (w/enclosures - by U.S. Mail)

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
SANLANDO UTILITIES CORP.
for an increase in water and wastewater
rates in Seminole County, Florida

DOCKET NO. 060258-WS

CROSS-PETITION OF SANLANDO UTILITIES CORP.

SANLANDO UTILITIES CORP. (the *Utility*), by and through its undersigned attorneys and pursuant to Section 120.57, Florida Statutes, and Rule 25-22.029(3), Florida Administrative Code, files this Cross-Petition, objecting to Order No. PSC-07-0205-PAA-WS (*Order*) of the Florida Public Service Commission (*Commission*) issued March 6, 2007, and states:

Preliminary Matters

1. The name and address of the agency affected and the agency's docket number is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Docket No. 060261-WS

2. The name of the Utility and its mailing address is:

Sanlando Utilities Corp.
2335 Sanders Road
Northbrook, IL 60062

3. The address of the Florida office is:

200 Weathersfield Avenue
Altamonte Springs, FL 32714-4099

4. The names and address of the persons authorized to receive notices and communications in respect to this application are:

Martin S. Friedman, Esquire
Valerie L. Lord, Esquire
Rose, Sundstrom & Bentley, LLP

Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, FL 32799
Telephone: (407) 830-6331
Facsimile: (407) 830-8522
Email: mfriedman@rsbattorneys.com
vlord@rsbattorneys.com

5. On March 27, 2007, the Citizens of the State of Florida, by and through the Office of Public Counsel (*OPC*), filed a Petition on Proposed Agency Action objecting to the Order (*Petition*).
6. The Utility received a copy of the Petition on March 27, 2007.
7. The interests of the Utility is substantially affected by the Order. The specific facts that the Utility contends warrant reversal or modification of the Order are as follows:
 - (a) Pro forma plant is understated in that it failed to include amounts for:
 - (1) Wekiva WWTP – bar screen replacement
 - (2) Wekiva WWTP – replacement of Clarifier #1 gear drive
 - (3) Lift Station C-10 control panel replacement
 - (4) Sand Lake Rd. utility relocation
 - (5) The Springs- Wisteria Dr. manhole rehabilitation
 - (6) Des Pinar WTP – roof replacement
 - (7) Des Pinar WWTP – control building roof replacement
 - (8) Wekiva control building – roof replacement
 - (9) Lift Station H-4 – Pump #1 replacement
 - (10) Lift Station H-1 – Driveway installation
 - (11) Sanlando Consumptive Use Permit renewal
 - (12) Des Pinar WTP – Paint exterior of structures
 - (13) Wekiva soil remediation – petroleum

- (14) Sanlando hydro tank and GST inspections
 - (b) Rate case expense is understated.
 - (c) Salaries are understated.
 - (d) Operations and maintenance expenses for allocated cell phone charges are understated by \$16,606.00.
8. Each of the foregoing matters involve disputed issues of material fact.
9. Chapter 367.081, Florida Statutes, is the specific statute that the Utility contends requires reversal or modification of the Order.
11. This Cross-Petition is filed for the purpose of seeking the Commission's action with respect to:
- (a) Determining that the proper rate base includes amounts for (1) Wekiva WWTP – bar screen replacement; (2) Wekiva WWTP – replacement of Clarifier #1 gear drive; (3) Lift Station C-10 control panel replacement; (4) Sand Lake Rd. utility relocation; (5) The Springs- Wisteria Dr. manhole rehabilitation; (6) Des Pinar WTP – roof replacement; (7) Des Pinar WWTP – control building roof replacement; (8) Wekiva control building – roof replacement; (9) Lift Station H-4 – Pump #1 replacement; (10) Lift Station H-1 – Driveway installation; (11) Sanlando Consumptive Use Permit renewal; (12) Des Pinar WTP – Paint exterior of structures; (13) Wekiva soil remediation – petroleum; (14) Sanlando hydro tank and GST inspections.
 - (b) Determining that the proper rate case expense amount includes amounts requested by the Utility and set out in its rate case expense schedule submitted to Staff on November 29, 2006, plus the rate case expense associated with the formal administrative hearing.
 - (c) Determining that the proper salary expense includes the amounts that the Utility has

requested in the Minimum Filing Requirements.

(d) Determining that the proper operations and maintenance expense amount includes \$16,606.00 for allocated cell phone charges.

WHEREFORE, the Utility hereby protests and objects to Order No. PSC-07-0205-PAA-WS as to the specific issues raised in this Cross-Petition, and petitions the Commission to conduct a formal evidentiary hearing, under the provisions of Section 120.57(1), Florida Statutes, and further petitions that such hearing be scheduled at a convenient time within or as close as practical to the Utility's certificated service area.

Respectfully submitted this 5th day of April,
2007, by:

ROSE, SUNDBSTROM & BENTLEY, LLP
Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, FL 32799
Telephone: (407) 830-6331



MARTIN S. FRIEDMAN
VALERIE L. LORD
For the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Cross-Petition of Sanlando Utilities Corp. has been served upon the following parties by U.S. Mail this 5th day of April, 2007.

Stephen C. Reilly, Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Jennifer Brubaker, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

A handwritten signature in black ink, appearing to read "M. S. Friedman", is written over a horizontal line.

MARTIN S. FRIEDMAN
VALERIE L. LORD