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Interim Public Counsel

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May 4, 2007

Ms. Ann Cole, Director Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0870 COMMISSION
COMMISSION

Re: Docket Nos.- 060256-SU 03797-07 03796-07 060258-WS 03795-07 03792-07 060260-WS 03794-07 03793-07 060261-WS 03798-07 03804-07

Dear Ms. Cole:

Enclosed for filing and appropriate distribution are the original and 15 copies of Joint Motion Requesting Commission Approval of Settlement Agreements for the above dockets.

I am also including a second copy of this letter, that I ask you to stamp and return for our files.

Thank you for your assistance.

est.

Stephen C. Reilly

Yours truly,

Associate Public Counsel

SPRICEIVED & FILED

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## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

,	In re: Application of SANLANDO UTILITIES CORP. DOCKET NO. 060258-WS for an increase in water and wastewater rates in Seminole County, Florida  SETTLEMENT AGREEMENT
	SETTLEMENT AGREEMENT
	THIS SETTLEMENT AGREEMENT is made and entered into this 4 day of May, 2007,
	by and between Sanlando Utilities Corp. ("Sanlando" or "Utility"), and the Office of Public Counsel
	on behalf of customers of Sanlando ("Citizens").
	WITNESSETH
	WHEREAS, the Florida Public Service Commission ("Commission") issued Proposed
	Agency Action Order No. PSC-07-0205-PAA-WS in this docket on March 6, 2007 ("PAA Order");
	and
	WHEREAS, on March 27, 2007, the Citizens filed a timely protest to the PAA Order; and
	WHEREAS, on April 5, 2007, Sanlando filed a timely Cross-Petition; and
CMP	WHEREAS, in order to avoid the time, expense and uncertainty associated with adversarial
CTR _	litigation, and in keeping with the Commission's long-standing policy and practice of encouraging
ECR_	parties in protested proceedings to settle issues whenever possible, the Citizens and Sanlando hereby
GCL <b>S</b>	enter into this Agreement to settle this case in accordance with the terms and conditions contained
	herein.
SCR _ SGA _	
	— Citizens and Sanlando agree as follows:
OTH _	RECEIVED & FILED
•	L-V.N DOCUMENT NUMBER-DATE
	UREAH OF RECORES

03792 MAY-45

- 1. The PAA Order shall be amended to eliminate the language relating to the determination of the used and usefulness of Sanlando's water and wastewater plants. It is the intent of Sanlando and Citizens that the PAA Order shall have no precedential value as to the issues of determining the used and usefulness of Sanlando's water and wastewater plants. Notwithstanding this amendment to the PAA Order, the parties stipulate to the revenue requirement as set forth in the PAA Order. Further, approval by Sanlando and the Citizens of the above stipulated revenue requirements shall in no way limit or estop either party from espousing whatever positions either deems appropriate for each and every issue that might be in controversy in any subsequent proceeding.
- 2. The submission of this Settlement Agreement by the Parties is in the nature of an offer to settle. Consequently, if this Settlement Agreement is not accepted and approved without modification by Commission Order, then this Settlement Agreement is rejected and shall be considered null and void and neither Party may use the attempted agreement in this or any other proceeding.
- 3. Sanlando and the Citizens expressly agree that all activity relating to this docket should be suspended until the Commission disposes of the Joint Motion Requesting Commission Approval of Settlement Agreement.
- 4. This Settlement Agreement will become effective on the date the Commission enters a final order approving the agreement in total. Upon the Commission issuing a final order approving this Settlement Agreement, the Citizens Petition on Proposed Agency Action and Sanlando's Cross-Petition shall be deemed resolved, in accordance with the terms of this Settlement Agreement.
  - 5. The Parties have evidenced their acceptance and agreement with the provisions of this

Settlement Agreement by their signatures, and personally represent that they have authority to execute this Settlement Agreement on behalf of their respective Parties.

OFFICE OF PUBLIC COUNSEL

Stephen C. Reilly

Associate Public Counsel On behalf of the Customers of Sanlando Utilities Corp. SANLANDO UTILITIES CORP.

Martin S. Friedman Attorney for Sanlando

Utilities Corp.

M:\1 ALTAMONTE\UTILITIES INC\SANLANDO\(.116) 2005 RATE CASE\SETTLEMENT AGREEMENT (5-2-07).wpd