

Marguerite McLean

PSC-08-0326-FOF - WS

From: Theresa Walsh
Sent: Monday, May 19, 2008 11:14 AM
To: CLK - Orders / Notices; Katherine Fleming
Subject: Order / Notice Submitted

Date and Time: 5/19/2008 11:12:00 AM
Docket Number: 060276
Filename / Path: 060276.050608.OR.kef.doc

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Docket 060276-WS

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- Administrative Procedures Committee
- Eakin Law Firm
- Mariposa Utility Company, LLC
- Putnam County (Upchurch)
- Russell D. Castleberry, Esq.

File Attachments (Right-click an attachment to view the document)

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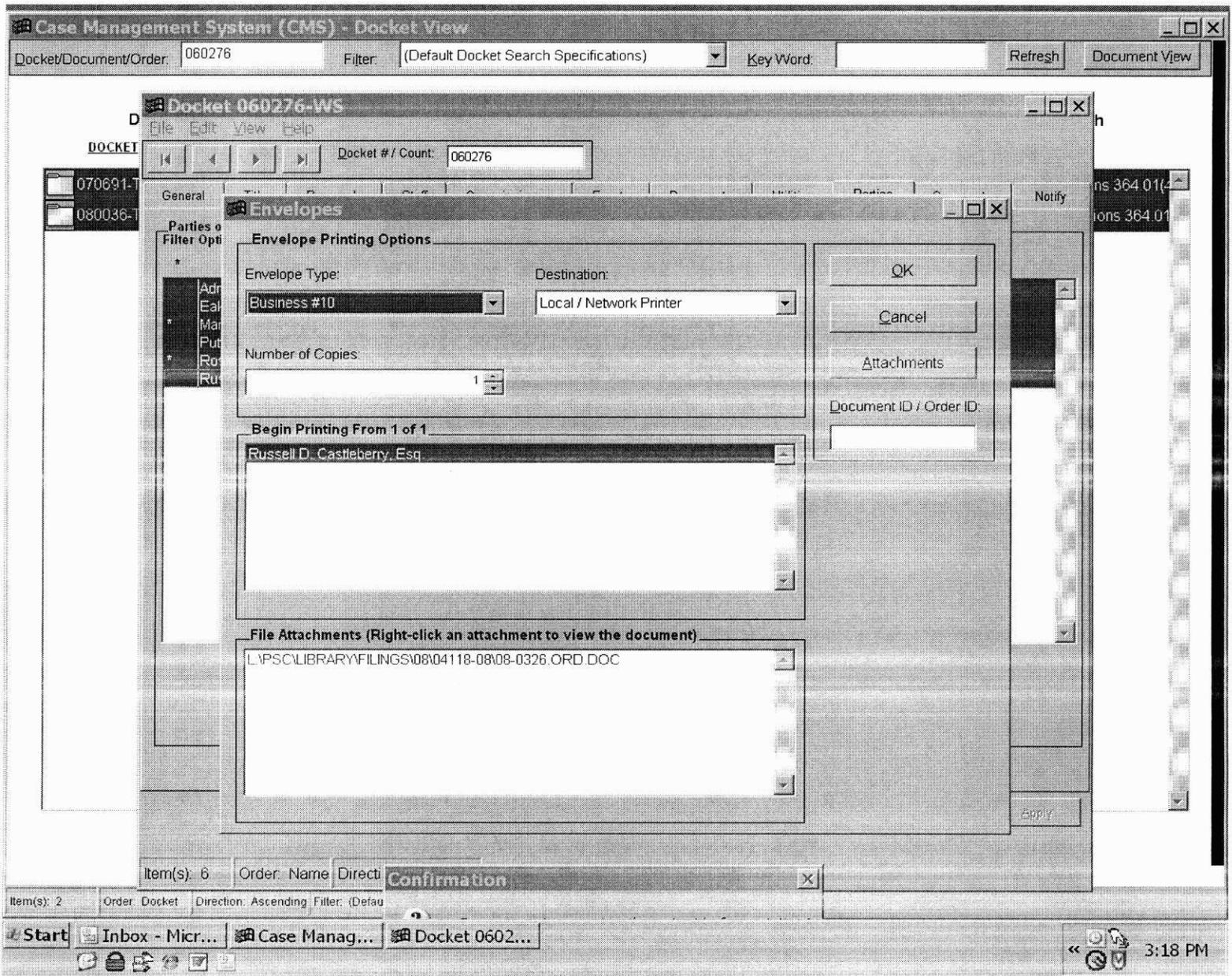
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ROBIN H. UPCHURCH

ATTORNEYS AT LAW

*BOARD CERTIFIED
CIVIL TRIAL LAWYER

599 ATLANTIC BOULEVARD, SUITE 4
ATLANTIC BEACH, FLORIDA 32233

Telephone: 904-247-6565
Telecopy: 904-247-6535

FACSIMILE TRANSMISSION COVER SHEET

NAME: MS. BLANCA BAYO, COMMISSION CLERK
FLORIDA PUBLIC SERVICE COMMISSION
Facsimile Number: 850-413-7118

FROM: ROBIN H. UPCHURCH, ATTORNEY AT LAW

DATE: April 24, 2006

SUBJECT: 060276-WS
IN RE: Application of MARIPOSA UTILITY COMPANY, LLC

MESSAGE: Notice of Appearance

IF YOU HAVE ANY PROBLEMS WITH RECEIVING THIS TRANSMISSION, PLEASE CONTACT THIS OFFICE 904-247-6565

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Called her and provided instruction on e-filing. I was advised that original has been mailed.

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

IN RE: Application of MARIPOSA)
UTILITY COMPANY, LLC for original)
water and wastewater Certificates in)
Putnam County, Florida)
_____)

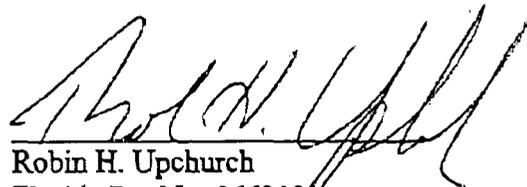
DOCKET NO.: 060276-WS

NOTICE OF APPEARANCE

The undersigned attorney hereby makes her appearance as co-counsel for Putnam County, and requests that all parties of record favor the undersigned with copies of all pleadings and correspondence with respect to the subject matter.

Dated this 24th day of April, 2006.

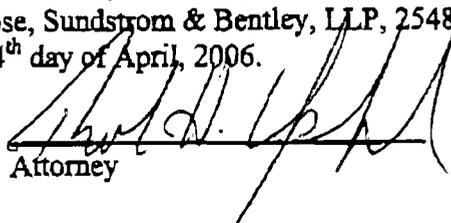
EAKIN & SNEED



Robin H. Upchurch
Florida Bar No. 0662021
599 Atlantic Boulevard, Suite 4
Atlantic Beach, FL 32233
(904) 247-6565
Attorney for Putnam County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by facsimile (850-413-7118) to Ms. Blanca Bayo, Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399, and via facsimile (850-656-4029) to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Dr., Tallahassee, FL 32301, this 24th day of April, 2006.



Attorney

UPCHURCH, BAILEY AND UPCHURCH, P.A.

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COMMISSION
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FAX COVER SHEET

PLEASE DELIVER THE FOLLOWING PAGES TO:

To: Blanca Bayo, Commission Clerk
Of: Florida Public Service Commission
Facsimile: 850-413-7118
Telephone: 850-413-6726
From: Sidney F. Ansbacher (sfansbacher@ubulaw.com)
Re: Our File No. 1-06-269
Date: April 19, 2006
Pages: 4 (Including this Cover Sheet)

PARTIES

Operator: Linda

Comments: Putnam County's Objection to Mariposa Utility Company, LLC's Application for Certificates of Authorization is attached for filing with your Court. Thank you so much and have a great day.

Called + gave her location for e-filing instructions.

DOCUMENT NUMBER-DATE

08964 OCT-16

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

IN RE: Application of MARIPOSA)	
UTILITY COMPANY, LLC for original)	
water and wastewater Certificates in)	DOCKET NO.: 060276-WS
Putnam County, Florida)	
<hr/>		

**PUTNAM COUNTY'S OBJECTION TO
MARIPOSA UTILITY COMPANY, LLC'S
APPLICATION FOR CERTIFICATES OF AUTHORIZATION**

Petitioner, Putnam County (hereafter, "County"), files this objection to the Application of Mariposa Utility Company, LLC (hereafter, "MUC"), requests a formal hearing pursuant to §120.569 and §120.57 Florida Statutes, Rule 28-106.201, Rule 25-30.031 and Chapter 25-22, Florida Administrative Code, and states:

1. The County will be substantially affected if the Application by MUC is granted.¹
2. The County possesses authority to provide water and wastewater services to the Mariposa community located in East Putnam County as granted by the Constitution and laws of the State of Florida, including those set forth in Chapter 153.
3. Chapter 153, Florida Statutes, provides for, among other provisions, the authority of any county to construct, improve, extend or enlarge a water supply and sewage disposal system within its county or adjoining counties. Further, Chapter 153, Florida Statutes, provides for the authority of any county to accept federal government or agency grants or contributions of any source for the planning, purchase, construction or financing of such a facility.

¹ Putnam County received notice of the application by publication on or about March 22, 2006. The County has no records of receipt of any notice by mail.

4. The County has already obtained funding from the St. Johns River Water Management District for the purpose of providing water services for the area, including the Mariposa community. Additionally, the County is applying for, and is optimistic it will receive, financial assistance from the United States Department of Agriculture.

5. George McClure, who is attorney for the developers of the Mariposa community, stated at a public County Commission hearing that he is still interested in, and is comfortable with, working with the County on the provision of water, particularly in light of the St. Johns Water Management District's commitment to help fund the County's water treatment plant.

6. The County has every intention of providing water and wastewater services for the Mariposa community in a prompt and efficient manner. It anticipates being able to do so by the first quarter of 2008. By comparison, Mariposa's early filings herein state the Applicant hopes to be operational in three (3) years.

7. The County recognizes the public interest in providing water and wastewater systems to the Mariposa community, as well as other users in East Putnam County. A primary purpose for the County's decision to provide central services was to avoid further water depletion problems presented by historic seasonal drawdowns.

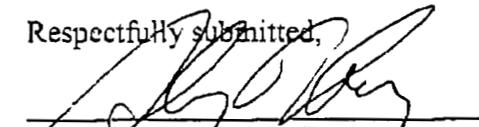
8. The County objects to the Application of MUC for the following grounds:

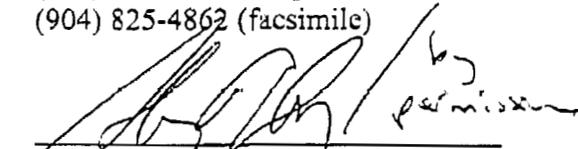
- a. The granting of the Application of MUC will result in a duplication of service and/or competition with service the County intends to provide in and around the proposed area.
- b. The granting of the Application of MUC is not in the public interest.

- c. The possible periodic or permanent depletion of water supplies in the area.

WHEREFORE, Petitioner respectfully requests that this matter be set for a formal Administrative Hearing and that the application of Respondent be denied.

Respectfully submitted,

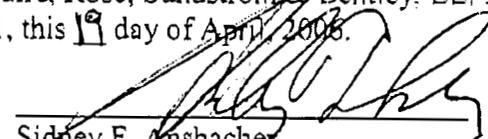

 Sidney F. Ansbacher, Esquire
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 by permission
 Russell D. Castleberry, Esquire
 Florida Bar No.: 0275859
 P.O. Box 758
 Palatka, FL 32178-0758
 (386) 329-1903

Counsel for Putnam County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by facsimile (850-413-7118) to Ms. Blanca Bayo, Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399, and via facsimile (850-656-4029) to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Dr., Tallahassee, FL 32301, this 19 day of April, 2006.


 Sidney F. Ansbacher

DOCUMENT NUMBER - DATE
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STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

March 24, 2006

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
Sanlando Center
2180 West State Road 434, Suite 2118
Longwood, Florida 32779

ADMINISTRATIVE

Re: Docket No. 060276-WS

Dear Mr. Friedman:

This will acknowledge receipt of an application for certificates to provide water and wastewater service in Putnam County by Mariposa Utility Company, LLC, was filed in this office on March 23, 2006, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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DOCUMENT NO. DATE

08964-07 10/01/2007
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