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October 9, 2007

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center  
Room 110  
Tallahassee, FL 32399-0850

**HAND DELIVERY**

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07 OCT -9 PM 3:13  
COMMISSION  
CLERK

Re: Docket No. 070183-WS

Dear Ms. Cole:

**CMP** \_\_\_\_\_ Enclosed for filing on behalf of Aqua Utilities Florida, Inc. ("AUF"), is an original and fifteen copies of Aqua's Petition for Leave to Intervene.

**COM** \_\_\_\_\_  
**CTR** \_\_\_\_\_ Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

**ECR** \_\_\_\_\_  
**GCL** 2 Thank you for your assistance with this filing.

**OPC** \_\_\_\_\_  
**RCA** \_\_\_\_\_  
**SCR** \_\_\_\_\_  
**SGA** \_\_\_\_\_  
Sincerely,  
  
Kenneth A. Hoffman

**SEC** \_\_\_\_\_ KAH/rl  
Enclosures

**OTH** CLV cc: Rosanne Gervasi, Esq.  
Stephen C. Reilly, Esq.  
Martin S. Friedman, Esq.  
Kimberly A. Joyce, Esq.

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COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Proposed adoption of Rule 25-30.4325, )  
F.A.C., Water Treatment Plant Used and )  
Useful Calculations. )  
\_\_\_\_\_ )

Docket No. 070183-WS

Filed: October 9, 2007

**AQUA UTILITIES FLORIDA, INC.'S  
PETITION FOR LEAVE TO INTERVENE**

Aqua Utilities Florida, Inc. ("AUF"), by and through its undersigned counsel and pursuant to Rules 28-106.201 and 28-106.205, F.A.C., petitions for leave to Intervene in this docket, and in support thereof, states:

1. The name, address and telephone number of AUF is:

Aqua Utilities Florida, Inc.  
6960 Professional Parkway, E., Suite 400  
Sarasota, Florida 34240  
(941) 907-7400 (Telephone)  
(800) 250-7532 (Telephone)  
(941) 907-7401 (Facsimile)

2. The name, address and telephone number of the AUF's representatives are:

Kenneth A. Hoffman, Esq.  
Marsha E. Rule, Esq.  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P. O. Box 551  
Tallahassee, Florida 32302  
(850) 681-6788 (Telephone)  
(850) 681-6515 (Facsimile)

Kimberly A. Joyce, Esq.  
Aqua America, Inc.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
(610) 645-1077 (Telephone)  
(610) 519-0989 (Facsimile)

3. Pursuant to Order No. PSC-07-0469-NOR-WS issued May 31, 2007, the Commission issued notice of its intent to adopt new Rule 25-30.4325, Florida Administrative Code, relating to water treatment plant used and useful calculations.

4. On June 29, 2007, the Office of Public Counsel ("OPC") filed a Petition for A Formal Administrative Hearing pursuant to subsection 120.54(3)(c)2., Florida Statutes, concerning the Commission's intent to adopt new Rule 25-30.4325. The Commission granted OPC's request for

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FPSC-COMMISSION CLERK

formal hearing pursuant to Order No. PSC-07-0741-PCO-WS issued September 17, 2007.

5. This proceeding will focus on the adoption of a Rule standardizing the methodology for establishing the used and useful calculations for water treatment plants. As the Petitioner, OPC bears the burden of demonstrating that the Commission should not adopt Staff's proposed Rule 25-30.4325. AUF's substantial interests are affected by the proposed Rule in that it owns and operates over 80 water and wastewater systems in Florida to which this proposed Rule will be applicable.

6. AUF received notice of the Commission decision to conduct a formal hearing verbally at the Commission's August 28, 2007, Agenda, and by receipt of Commission Order No. PSC-07-0741-PCO-WS, upon its issuance on September 17, 2007.

7. Proposed Rule 25-30.4325 is the result of the give and take of a Staff Workshop and the consideration of comments filed by interested parties. While AUF has concerns with specific provisions in proposed Rule 25-30.4325, AUF supports the proposed Rule as a whole if it is adopted in toto. At this time, AUF is not aware of any disputed issues of material fact, subject to disputed issues of material fact which may be raised through the initial prefiled direct testimony of Petitioner OPC.

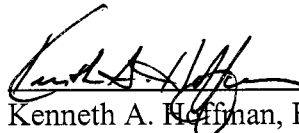
8. AUF supports the proposed Rule, thus does not allege any facts warranting reversal or modification of the proposed Rule.

9. AUF supports the proposed Rule and knows of no specific statutes or rules which would require reversal or modification of the proposed Rule.

10. AUF seeks this Commission's adoption of the proposed Rule in its current form.

WHEREFORE, AUF requests this Commission to grant it intervention in the docket with full party status equal to that of OPC.

Respectfully submitted,



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Kenneth A. Hoffman, Esq.  
Marsha E. Rule, Esq.  
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-- and --

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Attorneys for Aqua Utilities Florida, Inc.

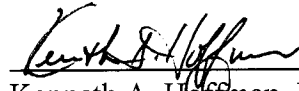
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Petition to Intervene was furnished by E-mail and U. S. Mail this 9<sup>th</sup> day of October, 2007 to:

Stephen C. Reilly, Deputy Public Counsel  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

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Longwood, Florida 32779

  
\_\_\_\_\_  
Kenneth A. Hoffman, Esq.