

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** October 11, 2007  
**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk  
**FROM:** Jared Deason, Regulatory Analyst IV, Division of Economic Regulation  
**RE:** Docket No. 070641-WS; Complaint by Warren Dunphy, on behalf of Realm Management, LLC regarding required installation of a reuse line by Aloha Utilities, Inc.

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COMMISSION CLERK

Please add to the docket file the attached letter dated October 10, 2007 from F. Marshall Deterding, attorney for Aloha Utilities, Inc. to Katherine Fleming. The letter is a response to staff's request to not call on the letter of credit.

Attachment

cc: Division of Economic Regulation (Rendell)  
Office of General Counsel (Fleming)

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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October 10, 2007

Katherine Fleming, Esquire  
General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Aloha Utilities, Inc. - Warren Dunphy Complaint; Docket No. 070641  
Our File No. 26038.53

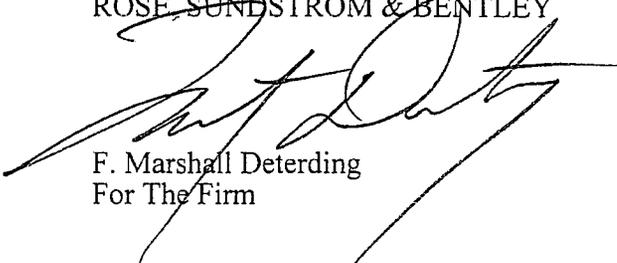
Dear Ms. Fleming:

In accordance with the request from members of the staff, I am writing this letter on behalf of Aloha Utilities, Inc. to state that Aloha Utilities is willing to delay any potential calling on the letter of credit provided by Alli-Gators/Warren Dunphy from the current date of November 1, 2007 through at least January 1, 2008, or until this complaint is resolved, whichever occurs first.

We are not willing to provide an open-ended extension such as: "until this case is resolved," simply because we are not sure what the future may hold in the coming months, and would rather wait to make a decision for the long term based upon the circumstances that exist in late December, after the staff recommendation is issued, and it is determined in what direction we are proceeding at that time.

If you have any further questions or need any further information, please let me know.

Sincerely,  
ROSE, SUNDSTROM & BENTLEY

  
F. Marshall Deterding  
For The Firm

FMD/tms  
cc: Mr. Troy Rendell  
Mr. Stephen G. Watford

DOCUMENT NUMBER-DATE

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