

State of Florida



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Public Service Commission

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COMMISSION
CLERK

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

DATE: May 19, 2008
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Caroline Klancke, Attorney, Office of General Counsel *CMK*
RE: Docket No. 080183-WU - Joint application for approval of transfer of Tamiami Village Water Company, Inc.'s water system and Certificate No. 388-W in Lee County to Ni Florida, LLC.

Please place the attached document in the above-referenced docket file. Thank you.

CMK/tfw

DOCUMENT NUMBER - DATE

04160 MAY 20 08

FPSC - COMMISSION CLERK

COMMISSIONERS:
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STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

May 19, 2008

Barbara Olivera
PCAM Manager
Tamiami Master Association, Inc.
1655-A North Cleveland Avenue
North Fort Meyers, FL 33903

Re: Docket No. 080183-WU, Joint application for approval of transfer of Tamiami Village Water Company, Inc.'s water system and Certificate No. 388-W in Lee County to Ni Florida, LLC.

Dear Mrs. Olivera:

Thank you for your letter dated April 28, 2008, in which you asserted that Tamiami Master Association ("TMA") intends to file a formal protest to the transfer of Tamiami Village Water Company, Inc.'s water system and Certificate No. 388-W in the above referenced docket. As we discussed in our conversation on May 6, 2008, you have several options with regard to TMA's level of participation in this matter.

Before acting on your letter, the Commission must know your intent regarding your objection to the above referenced transfer in this docket. If you choose to pursue this protest, you will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a prehearing to be held in Tallahassee, Florida, putting on witnesses and cross-examining utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates that will be required to be met by all parties. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, it may be preferable to hire counsel or a qualified representative to represent you.

That being said, if you do not wish to pursue a formal hearing, your letter will be placed in the correspondence side of the docket file in this case, where your concerns will remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and you may address the Commissioners at the Agenda Conference.

If you wish to initiate a protest proceeding in the above referenced docket, please submit

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Mrs. Barbara Olivera
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to the undersigned a petition initiating formal proceedings in accordance with the requirements of Rule 28-106.201, Florida Administrative Code, by **Friday, May 30, 2008**. Your petition should be made in writing and should be addressed to the Florida Public Service Commission, Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If we do not hear from you by Friday, May 30, 2008, we will assume that you do not wish to pursue a formal hearing and your letter will be placed in the correspondence side of the docket file in the above referenced matter.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact the undersigned at (850) 413-6220 or cklancke@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Klancke', written over a horizontal line.

Caroline Klancke, Esq.
Attorney
Office of the General Counsel

cc: Barbara J. Oliveira, CAM, PCAM
Kenneth A. Hoffman, Esq.
Marsha E. Rule, Esq.
Ni Florida, LLC
Patricia Brady, ECR
Office of Commission Clerk