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GENERAL COUNSEL
(850) 413-6199

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Public Service Commission

September 18, 2008

Mr. Wayne Miles
6301 Doe Circle East
Lakeland, FL 33809

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>07399-08</u>		
DISTRIBUTION: _____		

Re: DOCKET NO. 080537-WU - Application for quick-take amendment of Water Certificate No. 587-W and application for amendment of Water Certificate No. 587-W to extend water service to certain territory (Lake Gibson Estates) in Polk County, by Aqua Utilities Florida, Inc.

Dear Mr. Miles:

Thank you for taking time on September 9, 2008, to discuss your letter dated August 13, 2008. In your letter, you raised a general objection to the Application for quick-take amendment in Docket No. 080537-WU. From our conversation, I believe the substance of your objection centered on the use of the legal description in the public notice to describe precisely which parcel of land will be subject to the quick-take amendment, but not on the quick-take amendment application itself. You also mentioned you were concerned that the legal description provided by the utility does not adequately provide public notice and suggested that the utility should have enclosed a small map or used another method to describe the parcel of land.

I have passed your suggestion along about including a map and it will be taken under consideration. In addition, enclosed with this letter is a photocopy of portions of a map submitted by the utility, showing the relevant portion of Lake Gibson Estates subdivision which will be added to the utility's water certificate (see area shaded with dots). I have also enclosed a copy of Rule 25-30.030(2), Florida Administrative Code, with which the utility complied in providing its notice. Please note that the utility is currently serving the customers in the shaded area. The Application for quick-take amendment is for the purposes of updating the utility's water certificate currently on file with the Commission. I believe the map and explanation for why this docket was filed satisfies the questions raised in your letter. As such, your letter will be placed in the correspondence side of the docket file, where the concerns you raised will remain available for review by Commissioners, staff, and members of the public.

However, if you wish to formally object and pursue this matter through a formal hearing, you will become a party to this proceeding and will assume certain rights and responsibilities. You will be expected 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

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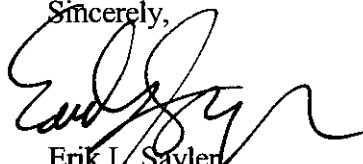
a post-hearing brief. All of these activities will have deadlines to which all formal parties to this proceeding will be required to abide. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, some customers find it preferable to hire an attorney or a qualified representative to represent them.

In addition, I would like to inform you that there is a separate state agency, the Office of Public Counsel, which represents the interests of customers in certain proceedings before the Commission. For more information, you may wish to contact the Office of Public Counsel with regard to your concerns at (800) 342-0222 or at <http://www.floridaopc.gov/contact.cfm>.

In closing, your letter August 13, 2008, arrived within the statutory time period in which to pursue your objection to a formal administrative hearing. If you wish to continue and initiate a formal protest and hearing in the above referenced docket, please submit a petition initiating formal proceedings in accordance with the requirements of Rule 28-106.201, Florida Administrative Code, by October 3, 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, and reference this docket, and a copy sent to the utility. However, if you do not wish to pursue this formally, or if we do not hear from you by October 3, 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 record file in the above referenced docket.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact me at (850) 413-6199 or via email at erik.sayler@psc.state.fl.us.

Sincerely,



Erik L. Sayler
Senior Attorney

ELS:th

Enclosures

cc: Michael B. Twomey, Esquire (w/o attachments)
Mr. Carl Smith (w/o attachments)
Office of Commission Clerk (w/o attachments)
Division of Economic Regulation (Redemann - w/o attachments)

Director, Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

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CONSUMER

Wayne Miles
6301 Doe Circle East
Lakeland, Florida 33809

Subject: Objection to Application for Extension of Service Area for Township 27 south,
Range 23 East, Polk County Florida.

Gentlemen,

I strongly OBJECT to this application being approved for the following reason.

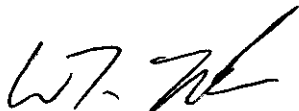
The notice of application that has been forwarded to me, as required by Florida law and the Florida Administrative Code is unclear because it does not describe the area of land in a way that a normal person can understand.

You must consider that sending such a notice out to hundreds of people who do not have easy access to surveyors maps and/or property records is a total waste of time and serves no purpose whatsoever. I understand that if I wanted to, I could take this notice and drive to Bartow, Florida and probably find a County office that would be able to interpret it for me. Obviously if all concerned citizens did this it would waste a lot of time for both the residents and the County employees.

With the technology we have today, I would expect to see some sort of map of the proposed area included with the notice.

Therefore, I find this notice to be of no use at all and an insult to my intelligence and must strongly OBJECT to this application being approved.

Sincerely,

 AUG 13, 2008

Wayne Miles

Cc: Michael B. Twomey

DOCUMENT NUMBER-DATE

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