

Ruth Nettles

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Monday, October 06, 2008 4:20 PM
To: Filings@psc.state.fl.us
Cc: Patti Daniel; Martin Friedman; Christian W. Marcelli; Trina Collins
Subject: Filing in Docket No. 080272-WS; Application for certificates to provide water and wastewater service in Charlotte County and DeSoto Counties by Sun River Utilities, Inc.
Importance: High
Attachments: PSC Clerk 01 (file Motion for Abatement).ltr.10-06-2008(3).pdf

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- b. Docket No.: 080272-WS; Application for certificates to provide water and wastewater service in Charlotte County and DeSoto Counties by Sun River Utilities, Inc. - Filing Motion for Abatement.
- c. Sun River Utilities, Inc.
- d. 4 Pages.
- e. Letter to Commission Clerk 1 page; Motion for Abatement - 3 pages.

DOCUMENT NUMBER-DATE

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REPLY TO CENTRAL FLORIDA OFFICE

October 6, 2008

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E-FILING

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
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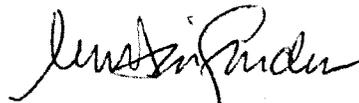
RE: Docket No.: 080272-WS, Application for certificates to provide water and wastewater service in Charlotte County and DeSoto Counties by Sun River Utilities, Inc.
Our File No.: 41069.06

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Sun River Utilities, Inc.'s Motion for Abatement.

Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/tlc
Enclosure

cc: A. A. Reeves, Vice President (w/enclosure)
Martha Young Burton, Esquire (w/enclosure)
Howard E. Adams, Esquire (w/enclosure)
Caroline Klancke, Esquire (w/enclosure)

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FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for certificates to provide)
water and wastewater service in Charlotte)
and DeSoto Counties by Sun River)
Utilities, Inc.)
_____)

Docket No. 080272-WS

MOTION FOR ABATEMENT

Applicant, SUN RIVER UTILITIES, INC. ("Sun River"), by and through its undersigned attorneys and pursuant to Rule 29-106-204, F.A.C., moves this Commission for an Order abating the proceedings in the instant matter, including all filing requirements, and, in support thereof, states:

1. Sun River and Charlotte County met on October 2, 2008, to discuss the settlement of Charlotte County's objection to Sun River's original certificate application filed in this Docket. To facilitate a settlement, representatives of DeSoto County and the Peace River Manasota Regional Water Supply Authority also participated in the settlement discussions.
2. At the aforementioned meeting, the parties reached substantial agreement which include Charlotte County withdrawing its objection to Sun River's Application filed in this Docket, subject to approval by the respective boards of Charlotte and DeSoto Counties and the Peace River/Manasota Regional Water Supply Authority.
3. The parties expect a draft of the settlement to be circulated during the week of October 6, 2008.
4. It is in the public interest to abate these proceedings so that the parties may

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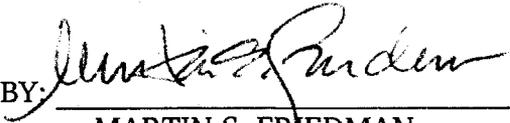
direct their resources to finalizing the Settlement instead of perpetuating the litigation.

5. Pursuant to Rule 28-106.204 (3), F.A.C., the undersigned has consulted with the attorney for Charlotte County who concurs with this Motion.

WHEREFORE, Applicant, SUN RIVER UTILITIES, INC., respectfully requests that the Commission issue an Order abating these proceedings for a period of sixty (60) days.

Respectfully submitted this 6th day of
October, 2008, by:

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BY: 

MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

Docket No. 080272-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail this 6th day of October, 2008, to:

Martha Young Burton, Esquire
c/o Office of the Charlotte County Attorney
18500 Murdock Circle
Port Charlotte, FL 33948-1094

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