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Public Service Commission

January 21, 2009

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COMMISSION  
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Mary Anne Connors  
Deputy County Manager, Volusia County  
123 W. Indiana Ave  
DeLand, Florida 32720

**Re: Docket No. 080538-WU**

Mrs. Connors:

As we discussed, due to the initial deficiencies in Volusia County's letter of objection filed with the Commission on August 29, 2008, if Volusia County wishes to pursue a formal objection in this matter it must file a motion for leave to late file Volusia County's objection in Docket No. 080538-WU. If this motion is granted by the Commission, Volusia County must then file an objection in accordance with the requirements of Rules 28-106.201 and 25-30.030 of the Florida Administrative Code as specified in the notice afforded to affected customers and property holders in this matter.

As we discussed, if Volusia County chooses to pursue this protest, it will have certain rights and responsibilities to put on its 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 the 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 to this proceeding.

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

DOCUMENT NUMBER-DATE  
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If you wish to initiate a protest proceeding in the above referenced docket, please submit a motion for leave to late file Volusia County's objection by **Monday, February 2, 2009**. Volusia County's motion 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 Monday, February 2, 2009, we will assume that Volusia County does not wish to pursue a formal hearing and the County's 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](mailto:cklancke@psc.state.fl.us).

Sincerely,



Caroline Klancke  
Senior Attorney

Office of the General Counsel

cc: Aqua Utilities Florida, Inc.