

February 27, 2009

D. BRUCE MAY, JR.
850-425-5607
bruce.may@hklaw.com

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COMMISSION
CLERK

VIA HAND DELIVERY

Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: *In Re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc., Docket No. 080121-WS*

Dear Ms. Cole:

Pursuant to the Commission's vote at the February 24, 2009 Special Agenda in the above referenced docket, the return on equity ("ROE") for AUF's The Woods water system was reduced by 100 basis points to 8.75% due to an outstanding FDEP Consent Order dated April 26, 2007 [OGC File No. 07-0466-60-PW] that addressed TTHM and Haloacetic Acid exceedences (the "Consent Order"). The 100 basis point ROE reduction is to remain in effect until such time as the FDEP closes the Consent Order. Upon closure of the Consent Order, the ROE for The Woods system is to be increased to 9.75%, consistent with AUF's eighty remaining systems.

AUF has been advised that FDEP has now closed the Consent Order for The Woods water system. Attached is FDEP's letter affirming that the provisions of the Consent Order have been met and advising that the Consent Order and the case are now closed. Therefore, consistent with the Commission's decision on February 24, 2009, AUF respectfully requests that the ROE for The Woods water system be immediately increased to 9.75%. Furthermore, AUF respectfully requests that the revenue requirement for the system be increased accordingly and that this action be reflected in the monthly service rates that will be addressed in staff's recommendation to be filed March 5, 2009 for the March 17, 2009 Agenda. This action will result in administrative efficiencies, reduce noticing costs, and alleviate customer confusion.

DOCUMENT NUMBER-DATE

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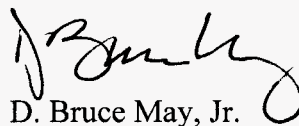
FPSC-COMMISSION CLERK

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Finally, please acknowledge receipt this filing by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your consideration.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.

DBM:kjg
Enclosure

cc: Tim Devlin, Director, Division of Economic Regulation
Marshall Willis, Assistant, Division of Economic Regulation
Mary Ann Helton, Assistant General Counsel
Ralph Jaeger, Senior Attorney
Charlie Beck, Office of Public Counsel
Cecilia Bradley, Office of Attorney General

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Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 14, 2009

Mr. John Lihvarcik, President
Aqua Utilities Florida, Inc.
P.O. Box 490310
Leesburg, FL 34749

Re: Consent Order Closure
The Woods
PWS-ID No. 660-0347
OGC File No. 07-0466-60-PW
Sumter County

Dear Mr. Lihvarcik:

This letter is to notify you that the provisions of the above-referenced Consent Order have been met. The Department, therefore, considers this case closed.

Your continued cooperation to comply with applicable Department regulations is appreciated. If you have any questions, please contact Kim Woodhouse at (813) 632-7600, extension 401. Kim is our new Environmental Specialist (in Drinking Water) for Sumter County.

Sincerely,

Gerald B. Foster
Environmental Manager
Drinking Water Section

GBF/kw/dm