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STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

March 18, 2009

RECEIVED-FPSC
09 MAR 20 AM 9:30
COMMISSION
CLERK

John R. Jenkins
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Re: Docket No. 060601-WS, Application for certificates to provide water and wastewater service in Okeechobee County by Grove Utilities, Inc.

Dear Mr. Jenkins:

Thank you for your letter dated February 4, 2009, in which you indicate your client's wish to terminate its Certificates of Authority and to withdraw from any further action in this docket. Staff has determined that the termination of certificates should be processed as a deletion of territory pursuant to Section 367.045(2), Florida Statutes (F.S.), and Rule 25-30.036(4), Florida Administrative Code (F.A.C.). Since the above-referenced certificate docket is still open, a supplemental territory deletion application can be processed in that docket without the need for another filing fee. The supplemental territory deletion application must include the following additional actions and statements.

1. **Noticing.** Pursuant to Section 367.045(2)(a) and (f), F.S., Grove Utilities, Inc. (Grove or Utility) must provide notice of the application to the attached list of governments and utilities, to any property owners of record, and must publish the notice at least once in a newspaper of general circulation in the area of the utility. The proposed notice must comport with the requirements of Rule 25-30.030, F.A.C., including affidavits of the noticing.

2. **Public Interest.** Pursuant to Section 367.045(2)(b), F.S., and Rule 25-30.036(4)(b), (d), (f), (g), and (h), F.A.C., the application must include:

- (b) a description of the territory proposed to be defaeted,
- (d) the number of current, active connections within territory to be deleted,
- (f) a statement specifying the reasons for the proposed deletion of territory,
- (g) a statement indicating why the proposed deletion of territory is in the public interest,
- (h) and a statement as to the effect of the proposed deletion on the ability of any customer or potential customer, to receive water and wastewater service, including alternative source(s) of service.

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Note: Assuming the territory to be deleted is Grove's entire service territory, then the requirements for revised maps pursuant to Rule 25-30.036(4)(c) and (e), F.A.C., are not needed.

3. **Rates, Tariffs, and Annual Reports.** Pursuant to Section 367.045(2)(c) and (d), F.S., and Rule 25-30.036(4)(i), (j), (k), and (l), F.A.C., the application must include: a statement that Grove has not yet requested rates, charges, or tariffs from the Commission; a return of Grove's original certificates; and an affidavit with regard to the status of the Utility's annual reports and RAFs.

Note: Since the Utility's application for deletion of territory will be processed in 2009, Grove will need to submit a 2008 Annual Report and remit 2008 RAFs in the amount of \$50.00 on or before March 31, 2009, unless it requests a one-month extension to file on or before March 31, 2009.

The territory deletion application containing the above-referenced requirements should be filed with the Commission Clerk in the existing docket on or before **April 17, 2009**. If you have any questions on these requirements, please feel free to contact a member of my staff, Patricia Brady at (850) 413-6686 or pbrady@psc.state.fl.us or staff's legal counsel, Ralph Jaeger at (850) 413-6234 or rjaeger@psc.state.fl.us.

Sincerely,



Patti Daniel
Public Utilities Supervisor

PD:kb

Enclosure

cc: Division of Economic Regulation (Brady, Kaproth, Jaeger)
Office of Commission Clerk

**LIST OF WATER AND WASTEWATER UTILITIES IN MANATEE COUNTY
(VALID FOR 60 DAYS)
03/18/2009 - 05/16/2009**

UTILITY NAME

MANAGER

MANATEE COUNTY

KEITH & CLARA STARKEY D/B/A HEATHER HILLS ESTATES (WS753)
4925 3RD STREET, WEST
BRADENTON, FL 34207-2608

KEITH STARKEY
(941) 755-0123

SUNNY SHORES WATER CO., INC. (WS754)
3827 116TH STREET, W.
BRADENTON, FL 34210-1139

JACK E. MASON, JR.
(941) 794-2283

**LIST OF WATER AND WASTEWATER UTILITIES IN MANATEE COUNTY
(VALID FOR 60 DAYS)
03/18/2009 - 05/16/2009**

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CLERK, BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY
COUNTY COURTHOUSE
P. O. BOX 1000
BRADENTON, FL 34206-1000

DEP SOUTHWEST DISTRICT
13051 N. TELECOM PARKWAY
TEMPLE TERRACE, FL 33637-0926

MAYOR, CITY OF ANNA MARIA
P. O. BOX 608
ANNA MARIA, FL 34216-0608

MAYOR, CITY OF BRADENTON
CALLER SERVICE 25015
BRADENTON, FL 34205

MAYOR, CITY OF BRADENTON BEACH
107 GULF DRIVE N.
BRADENTON BEACH, FL 34217-2448

MAYOR, CITY OF HOLMES BEACH
5801 MARINA DRIVE
HOLMES BEACH, FL 34217-1561

MAYOR, CITY OF PALMETTO
516 - 8TH AVENUE W.
PALMETTO, FL 34221-5122

S.W. FLORIDA WATER MANAGEMENT DISTRICT
2379 BROAD STREET
BROOKSVILLE, FL 34609-6899

TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTRE BLVD., SUITE 100
PINELLAS PARK, FL 33782

TOWN MANAGER, TOWN OF LONGBOAT KEY (MANATEE COUNTY)
501 BAY ISLES ROAD
LONGBOAT KEY, FL 34228-3102

**LIST OF WATER AND WASTEWATER UTILITIES IN MANATEE COUNTY
(VALID FOR 60 DAYS)
03/18/2009 - 05/16/2009**

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL
C/O THE HOUSE OF REPRESENTATIVES
THE CAPITOL
TALLAHASSEE, FL 32399-1300

OFFICE OF COMMISSION CLERK
FLORIDA PUBLIC SERVICE COMMISSION
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TALLAHASSEE, FL 32399-0850