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April 20, 2009

**VIA HAND DELIVERY**

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

090120-WS

RECEIVED-FPSC  
09 APR 20 PM 4:43  
COMMISSION  
CLERK

Re: Aloha Utilities, Inc. - Joint Notice of Transfer of Water and Wastewater Assets and Request for Cancellation of Certificates  
Our File No. 26038.58

Dear Ms. Cole:

On March 11, 2009, Aloha Utilities, Inc. ("Aloha"), filed its Joint Notice of Transfer of Water and Wastewater Assets and Request for Cancellation of Certificates ("Joint Notice"). This correspondence is provided to clarify the status of customer deposits.

Paragraph 9 of the Joint Notice states that "Aloha has submitted a final bill to its customers and has credited its customers or refunded excess deposits to its customers as appropriate and required by this Commission or by law." A copy of the Agreement of Purchase and Sale of Water and Wastewater Assets ("Agreement") is attached as Composite Exhibit B to the Joint Notice. Section 2.3(b) of the Agreement is entitled "Purchase Price Adjustments." Section 2.3(b)(iii) of the Agreement provides that "at Closing, credit shall be given to the Buyer for the liabilities assumed for Customer Deposits, including any interest thereon, as projected through the Closing Date using the actual Customer Deposits recorded as of the day two (2) weeks prior to the Closing Date as the base level of Customer Deposits."

DOCUMENT NUMBER-DATE

03662 APR 20 09

FPSC-COMMISSION CLERK

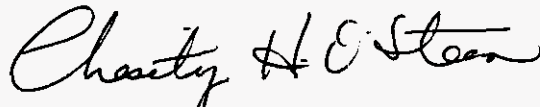
Ann Cole, Commission Clerk  
April 20, 2009  
Page 2

All deposits, including all accrued interest, was transferred to FGUA at closing on February 27, 2009. Therefore, any customer inquiry regarding the status or disposition of a customer deposit should be directed to the FGUA.

I trust that this clarifies how all customer deposits, with interest, were transferred to the FGUA. Should you or any members of the Commission staff have any questions regarding the attached, please do not hesitate to contact me.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP



Chasity H. O'Steen  
For The Firm

CHO/dr

Enclosures

cc: Mr. Steve Watford  
Brian P. Armstrong, Esq.

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