

State of Florida



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# Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

090253-WS

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**DATE:** September 30, 2009  
**TO:** Ann Cole, Commission Clerk – PSC, Office of Commission Clerk  
**FROM:** Lois Carolyn Graham, Executive Assistant to Chairman Carter *lcg*  
**RE:** Docket Correspondence

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Chairman Carter's Office received the attached correspondence from D. Bruce May, Jr., Attorney, Holland & Knight regarding Application for increase in water/wastewater rates in Pasco County by Lindrick Service Corporation, Docket No. 090253-WS.

The correspondence has not been viewed or considered in any way by Commissioner Carter. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as CEO 91-31-July 19, 1991), the attached letter does not constitute an *ex parte* communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an *ex parte* communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However, it is Commissioner Carter's policy to include such correspondence in the docket file where it is available to all parties of record and is open to public view. Therefore, please include the attached correspondence in the record of the above referenced docket.

Cc: Advisors to Commissioners

Attachment

DOCUMENT NUMBER-DATE

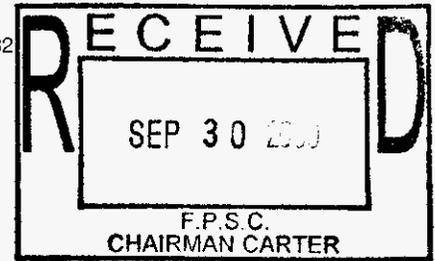
10172 OCT-28

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# Holland & Knight

315 South Calhoun Street, Suite 600 | Tallahassee, FL 32301 | T 850.224.7000 | F 850.224.8832  
Holland & Knight LLP | www.nklaw.com

D. Bruce May, Jr.  
850 425 5607  
bruce.may@hklaw.com



September 30, 2009

**VIA HAND-DELIVERY**

Matthew M. Carter, II  
Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0810

Re: *In re: Application for increase in water/wastewater rates in Pasco County by Lindrick Service Corporation, Docket No. 090253-WS*

Dear Chairman Carter:

In your letter dated April 29, 2009, you acknowledged that our client, Lindrick Service Corporation (the "Company"), would apply for general rate relief for its water and wastewater systems located in Pasco County, Florida, and approved the Company's request for a projected test year ending December 31, 2010. You also instructed the Company to submit its Minimum Filing Requirements ("MFRs") on or before August 31, 2009. The MFR filing deadline was later extended to September 30, 2009. Despite the Company's diligent efforts, it has not been able to complete compilation of its MFRs within the allotted time. The Company still intends to pursue its rate case before the Commission; however, it also wants to provide the Commission with the most current information available. Therefore, the Company is withdrawing its request for test year approval at this time, and will submit a new request for a test year approval in the near future.

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If you have any questions regarding this letter, please do not hesitate to contact me.  
Thank you for your consideration concerning this matter.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.

DBM:kjg

Enclosures

cc: Dr. Mary Bane, Executive Director  
Ms. Ann Cole, Director, Commission Clerk  
Mr. Tim Devlin, Division of Economic Regulation  
Mr. Marshall Willis, Division of Economic Regulation  
Ms. Cheryl Bulecza-Banks, Division of Economic Regulation  
Ms. Patricia Daniel, Division of Economic Regulation  
Mr. Stephen Fletcher, Division of Economic Regulation  
Ms. Jennifer Brubaker, Office of General Counsel  
Mr. J.R. Kelly, Office of Public Counsel

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