

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

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IN RE: APPLICATION OF SKYLAND
UTILITIES, LLC, TO OPERATE A WATER
AND WASTEWATER UTILITY IN
HERNANDO AND PASCO COUNTIES,
FLORIDA

Case No.: 090478-WS

**HERNANDO COUNTY WATER AND SEWER DISTRICT'S OBJECTION TO
APPLICATION OF SKYLAND UTILITIES, LLC AND
REQUEST FOR FORMAL ADMINISTRATIVE HEARING**

Hernando County Water and Sewer District, a body politic of the State of Florida, hereby files its Objection to the *Application for Original Certificates for Proposed Water and Wastewater System and Request for Initial Rates and Charges* ("Application") filed with the Public Service Commission ("PSC") by Applicant, Skyland Utilities, LLC ("Skyland").

Pursuant to § 367.045(4), Fla. Stat., Hernando County Water and Sewer District, governmental authority, further requests that a formal administrative hearing be held on this Application in accordance with §§ 120.569 and 120.57(1), Fla. Stat.

1. Hernando County Water and Sewer District ("HCWSD") is the current provider of public water and wastewater/sewer throughout unincorporated Hernando County, Florida. HCWSD is governed by, and operates under, Chapter 28 of the Hernando County Code of Ordinances, and applicable state law.

2. Skyland is the entity that has filed the subject Application.

3. HCWSD did not receive mail notice of the Application and is not on Skyland's certificate of mailing list. HCWSD learned of this matter from Hernando County, a separate entity.

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4. HCWSD hereby incorporates by reference, in its entirety, that certain pleading styled *Hernando County's Motion to Dismiss* dated November 13, 2009 as if same was fully set forth herein.

5. HCWSD hereby incorporates by reference all factual assertions, arguments and objections raised by Hernando County in that certain pleading styled *Hernando County's Objection to Application of Skyland Utilities, LLC and Request for Formal Administrative Hearing* dated November 13, 2009 as if same was fully set forth herein.

6. HCWSD further requests a formal administrative hearing be conducted in this matter pursuant to §§ 120.569 and 120.57(1), Fla. Stat.

WHEREFORE, Hernando County Water and Sewer District prays for the entry of an Order:

1. Dismissing Skyland's *Application for Original Certificates for Proposed Water and Wastewater System and Request for Initial Rates and Charges* for lack of jurisdiction pursuant to § 367.171, Fla. Stat.; or,
2. Alternatively, if jurisdiction is rendered, deny the Application; or,
3. If the PSC will not dismiss or summarily deny the Application, then PSC is requested to refer this matter to formal administrative hearing pursuant to §§ 120.569 and 120.57(1), Fla. Stat.;
4. Granting such other and further relief as the Public Service Commission deems just and proper consistent with the foregoing.

Dated: November 13, 2009.

Respectfully submitted,



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District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent, in the manner stated below, to all persons listed below, this 13th day of November, 2009.



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