

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**  
2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

FREDERICK L. ASCHAUER, JR.  
CHRIS H. BENTLEY, P.A.  
ROBERT C. BRANNAN  
F. MARSHALL DETERDING  
JOHN R. JENKINS, P.A.  
KYLE L. KEMPER  
STEVEN T. MINDLIN, P.A.  
CHASITY H. O' STEEN  
WILLIAM E. SUNDBSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON

(850) 877-6555  
FAX (850) 656-4029  
www.rsbattorneys.com

CENTRAL FLORIDA OFFICE  
SANLANDO CENTER  
2180 W. STATE ROAD 434, SUITE 2118  
LONGWOOD, FLORIDA 32779  
(407) 830-6331  
FAX (407) 830-8522

REPLY TO CENTRAL FLORIDA OFFICE

ROBERT M. C. ROSE (1924-2006)

January 11, 2010

MARTIN S. FRIEDMAN, P.A.  
BRIDGET M. GRIMSLEY  
CHRISTIAN W. MARCELLI  
BRIAN J. STREET

RECEIVED-PPSC  
JAN 11 AM 10:35  
COMMISSION  
CLERK

VIA HAND DELIVERY

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

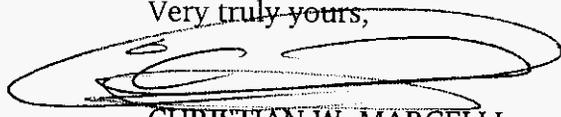
RE: Docket No.: 090392-WS; Application of Utilities, Inc. of Pennbrooke for an Increase in Water and Wastewater Rates in Lake County, Florida  
Our File No. 30057.177

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is Bond No. CMS219483 in the amount of \$209,818.00. This bond was obtained pursuant to Order No.: PSC-09-0844-PCO-WS; issued December 22, 2009, for the purpose of securing a potential refund of the Commission approved interim rates.

Should you or the Staff have any questions regarding this matter, please do not hesitate to give me a call.

Very truly yours,



CHRISTIAN W. MARCELLI  
For the Firm

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
RAD \_\_\_\_\_  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
CLK \_\_\_\_\_

*Signal to Ann Cole*

CWM/tlc  
Enclosures

- cc: John Hoy, Chief Regulatory Officer (w/enclosures) (via e-mail)
- Ms. Kirsten E. Weeks (w/enclosures) (via e-mail)
- Patrick C. Flynn, Regional Director (w/enclosures) (via e-mail)
- John Williams, Director of Governmental Affairs (w/enclosures) (via e-mail)
- Mr. Frank Seidman (w/enclosures) (via e-mail)
- Ms. Deborah Swain (w/enclosures) (via e-mail)
- Jared Deason, Division of Economic Regulation (w/enclosures) (via e-mail)
- Jennifer Brubaker, Esquire, Office of General Counsel (w/enclosures) (via e-mail)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of  
UTILITIES, INC. OF PENNBROOKE  
for an increase in water and wastewater  
rates in Lake County, Florida

---

DOCKET NO.: 090392-WS

KNOW ALL PEOPLE BY THESE PRESENTS, that Utilities, Inc. of Pennbrooke, as principal, and RLI Insurance Company, a corporation under the laws of the State of Illinois duly authorized to transact business in the State of Florida, as surety, are held and firmly bound unto the customers of Utilities, Inc. of Pennbrooke affected by Order No. PSC-09-0844-PCO-WS of the Florida Public Service Commission (the "Commission"), issued December 22, 2009, and any Order issued in the above-captioned proceeding, for the sum of Two Hundred-Nine Thousand Eight Hundred Eighteen and No/100 Dollars (\$209,818.00) in lawful money of the United States of America, for payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that Utilities, Inc. of Pennbrooke hereby promises to refund amounts it has collected in excess of the amounts determined to be correct under the Final Order in the above-captioned docket. Any such refunds shall include interest as provided by law. Further, this surety bond will be released or terminated only upon subsequent Order of the Commission.

SIGNED, sealed and dated this 6th day of January, 2010.

**As to Principal**

Utilities, Inc. of Pennbrooke

Kristen E. Weeks  
Witness

John P. Hoy

ATTEST:

NA  
Witness

[Signature]

**As to Surety**

RLI Insurance Company  
Surety

[Signature]  
Witness

[Signature]  
Candace D. Bosheers, Attorney-in-Fact

[Signature]  
Witness

WITNESS AS TO PRINCIPAL

STATE OF Illinois

COUNTY OF Cook

Before me, the subscribing Notary Public, personally appeared John Hoy and made oath that he/she saw the within named Utilities, Inc. of Pennbrooke represented by sign, seal, and deliver the within Bond, and that he/she with Kirsten Weeks + John Stover subscribed their names as witness thereto.

Sworn to and subscribed before me this 7 day of January, 2010.

Leslie A. Stone (L.S.)  
Notary Public

WITNESS AS TO SURETY



STATE OF TEXAS

Harris County.

Before me, the subscribing Notary Public, personally appeared Candace D. Bosheers and made oath that he/she saw the within named RLI Insurance Company represented by sign, seal, and deliver the within Bond, and that he/she with Dan W. Burton and Andrea Hilbert subscribed their names as witness thereto.

Sworn to and subscribed before me this 6th day of January, 2010.

Candace D. Kelly (L.S.)  
Notary Public



RLI Surety  
 P.O. Box 3967 | Peoria, IL 61612-3967  
 Phone: (800)645-2402 | Fax: (309)689-2036  
 www.rlicorp.com

# POWER OF ATTORNEY

## RLI Insurance Company

**Know All Men by These Presents:**

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company**, an Illinois corporation, does hereby make, constitute and appoint:

Dan W. Burton, Teresa D. Kelly, Benjamin D. Wilcox, Candace D. Bosheers, jointly or severally.

in the City of Houston, State of Texas its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

**Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).**

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **RLI Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **RLI Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 15th day of April, 2008.



**RLI Insurance Company**

By: [Signature]  
 Roy C. Die Vice President

State of Illinois }  
 County of Peoria } SS

**CERTIFICATE**

On this 15th day of April, 2008, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company**, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** this 16th day of January 2010

By: [Signature]  
 Jacqueline M. Bockler Notary Public

**RLI Insurance Company**

By: [Signature]  
 Roy C. Die Vice President

