

**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

COMMISSION
CLERK

**LIST OF ISSUES
CITY OF BROOKSVILLE, FLORIDA**

The City of Brooksville, an incorporated municipality located in Hernando County, Florida, through its undersigned counsel and pursuant to Rule Chapters 25-22 and 28-106, Fla. Admin. Code, pre-files its "List of Issues" (i.e. List of disputed issues of material fact):

- (i) Whether Skyland's Application comports with all of the requirements set forth in § 367.045, Fla. Stat. and Rule 25.30,033, Fla. Admin. Code;
- (ii) Whether the Utility proposed by Skyland will improperly compete with and/or duplicate services which could be provided by the City of Brooksville under the provisions of the Interlocal Agreement between the City of Brooksville and Hernando County which was included as an exhibit to the City of Brooksville's Amended Objection in the above styled matter;
- (iii) Whether the Utility proposed by Skyland is in the Public Interest or, in the alternative, whether the proposed Utility violates Public Interest;
- (iv) Whether the Utility proposed by Skyland will be serving "the public" for purposes of Chapter 367, Fla. Stat., if the provider and intended use are related or affiliated entities or alter egos;
- (v) Whether the Utility proposed by Skyland will be serving operating "for compensation" for purposes of Chapter 367, Fla. Stat., if the provider and intended use are related or affiliated entities or alter egos;
- (vi) All disputed issues of material fact raised by Pasco County, Hernando County, and the issues raised in the City of Brooksville's Amended Objection filed in the above styled matter.

All of the foregoing issues were timely preserved by the City of Brookville's Objection and Subsequent Amended Objection.

Respectfully submitted,

/s **Derrill L. McAteer**



Derrill L. McAteer (FBN 0628972)
Hogan Law Firm
City Attorney
20 South Broad Street
Brooksville, FL 34601
Phone (352) 799-8423
Fax: (352) 799-8294

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent to the following this 12th day of February, 2010, by electronic filing (to the Clerk of the PSC) and U.S. Mail to all others listed below.

s/Derrill Lee McAteer



Director, Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(via electronic filing)

Caroline Klancke
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
(by U.S. Mail)

Michael Milton, Esq.
Dean, Mead, Minton & Zwemer
1903 South ^{25th} Street, Suite 200
Fort Pierce, Florida 34947
(by U.S. Mail)

John Wharton, Esq.
Marshall Deterding, Esq.
Rose, Sundstrom & Bentley LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301
(by U.S. Mail)

Ronald Edwards, Manager
Skyland Utilities, LLC
660 Beachland Blvd., Suite 30!
Vero Beach, FL 32963
(by U.S. Mail)

J.R. Kelly, Public Counsel
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(by U.S. Mail)

Joseph D. Richards
Senior Assistant County Attorney
Pasco County
7530 Little Road, Suite 340
New Port Richey, Florida 34654
(by U.S. Mail)

Geoffrey T. Kirk, Esq.
County Attorney
20 N. Main Street, Suite 462
Brooksville, FL 34601
(by U.S. Mail)