

Diamond Williams

100439-WS

From: Tonya Simpson [TSimpson@RSBattorneys.com]
Sent: Monday, February 21, 2011 11:05 AM
To: Filings@psc.state.fl.us
Cc: Marty Deterding; Jay Williams; Ralph Jaeger; Patti Daniel; EChotas@deanmead.com
Attachments: _0221110106_001.pdf

- a. F. Marshall Deterding, Esquire
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
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PHONE: 877-6555
- b. Application for approval of revised service availability policy and changes; Docket No. 100439-WS
 - a. Rainbow Springs Utilities, L.C.
 - d. 2 Page Letter

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February 21, 2011

Ann Cole, Commission Clerk
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Rainbow Springs Utilities, L.C.; PSC Docket No. 100439-WS; Application for approval of revised service availability policy and charges
Our File No. 29030.01

Dear Ms. Cole:

At the request of staff, we are providing this letter to update staff on the discussions that have occurred between the Utility and the Intervenor in this proceeding. Those discussions took place as a result of staff's request that we explore common ground. We have agreed to provide a status report after those discussions.

As you can see from Mr. Chotas' letter of February 16, 2011, we have a fundamental disagreement about many factors that affect timing of development and need for service within the Rainbow Springs Utilities' service area. We believe that sound utility planning requires us to undertake a change in service availability charges at this time, in order to adequately plan for future needs whenever they may arise. We also disagree with many of the comments made by Mr. Chotas in his recent submittals to the PSC, including the shortsighted solution to the long term need for effluent disposal capability, which we believe will ultimately be more expensive for the Utility and its customers.

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The Utility intends to submit some additional information and responses to Mr. Chotas' submittals. We anticipate providing that information to the PSC within approximately one week from today's date.

If you have any further questions in this regard, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP

A handwritten signature in black ink, appearing to read "F. Marshall Deterding for". The signature is fluid and cursive.

F. Marshall Deterding
For The Firm

FMD/tms

cc: Jay Williams, Engineering Specialist
Ralph Jaeger, Esquire
Patti Daniel
Elias N. Chotas, Esquire
Jon Mellitz, Esquire