Case Assignment and Scheduling Record

Section I - Bureau of Records and Hearing . .ices Completes Date Docketed: 06/17/2003 Title: Application for acknowledgement of transfer of Nassau County land and facilities to Nassau County and for cancellation of Docket No. 030542-WS Company: Florida Water Services Corporation ~ Certificate Nos. 171-W and 122-S. by Florida Water Services Nassau County Corporation. Official Filing Date: Last Day to Suspend: Expiration: AUS CAF CCA CMP (ECR) EXT GCL MMS PIF Referred to: ("()" indicates OPR) Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Program/Module B1(e);B1(f) Staff Assignments Current CASR revision level Due Dates OPR Staff Current Previous Staff Counsel 6. OCRs (8 9. 10. 11. 12.) 13. 14. 15.) 16. 17. 18. 19. 20.) 21. 22 23. 24. 25. 26. 27. 28. 29. 30. 31. Recommended assignments for hearing 32. and/or deciding this case: 33 34. Full Commission Commission Panel Hearing Examiner 35. Staff 36 37. Date filed with CCA: 38 Initials: OPR 39 Staff Counsel 40. Section 3 - Chairman Completes Assignments are as follows: - Hearing Officer(s) - Prehearing Officer COUMENT NO. Hrg. Staff Commissioners ADM Commissioners Exam. ALL JB DS ΒZ BD D۷ JB DS ΒZ BD D٧ Where panels are assigned the senior Commissioner is Panel Chairman:

PSC/CCA015-C (Rev. 01/03)

the identical panel decides the case.

Where one Commissioner. a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

* COMPLETED EVENTS

Approved:

Date:

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hear ... Jervices Completes

Docket No. 030542-WS

Date Docketed: 06/17/2003 Title: Application for acknowledgement of transfer of Nassau County land and facilities to Nassau County and for cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services

Company: Florida Water Services Corporation Nassau County

Corporation.

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Approved:

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Date: 06/27/2003

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* COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearin 'vices Completes

Docket No. <u>030542-WS</u> Date Docketed: 06/17/2003 Title:

Company: Florida Water Services Corporation

Nassau County

Application for acknowledgement of transfer of Nassau County land and facilities to Nassau County and for cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services

Corporation.

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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
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PSC/CCA015-C (Rev. 01/03)

Approved:

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Date: 07/24/2003

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* COMPLETED EVENTS

Section 1 - Bureau of Records and Hea

Services Completes

Docket No.

030542-WS

Date Docketed:

06/17/2003

Title: Application for acknowledgement of transfer of Nassau

County land and facilities to Nassau County and for cancellation of Certificate Nos. 171-W and 122-S, by

Florida Water Services Corporation.

Company:

Official Filing Date:

Last Day to Suspend:

Florida Water Services Corporation

Nassau County

Expiration:

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Approved:

Section 1 - Bureau of Records and Hea

| Services Completes

Docket No.

Company:

030542-WS

Date Docketed:

06/17/2003

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Nassau County

Florida Water Services Corporation.

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STATE OF FLORIDA

COMMISSIONERS: LILA A. JABER, CHAIRMAN J. TERRY DEASON BRAULIO L. BAEZ RUDOLPH "RUDY" BRADLEY CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

June 20, 2003

Kenneth A. Hoffman, Esquire Rutledge, Ecenia, Purnell & Hoffman, PA Post Office Box 551 Tallahassee, Florida 32302-0551

Re: Docket No. 030542-WS

Dear Mr. Hoffman:

This will acknowledge receipt of an application for acknowledgment of transfer of Nassau County land and facilities to Nassau County and for cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services Corporation, which was filed in this office on June 17, 2003, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of the Commission Clerk and Administrative Services Florida Public Service Commission



CCA Official Filing 8/21/03**********

9:32 AM*********

Matilda Sanders******1

5

Matilda Sanders

Janice Banka

From: Sent:

Thursday, August 21, 2003 9:18 AM

To: Subject:

CCA - Orders / Notices Order to be issued today

Docket No. 030542-WS

File Name: ABPOAorder2.wpd

Order Denying Amended Petition for Leave to Intervene.

HAND DELIVER/SIGNED

Number of pages in order - 5.

Thanks "J"

Janice R. Banka
Deputy Clerk
Florida Public Service Commission
Office of the General Counsel
Economic Regulation Section
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0863
850-413-6210
850-413-6211 FAX
jbanka@psc.state.fl.us

Per Ralph Jaeger: Co. name changed On Pg. 3, 4/2

DOCKET NO. PSC-03-0948-PCO-WS DOCKET NO. 030542-WS PAGE 3

In <u>Agrico</u>, at 482, the Second District Court of Appeal set forth the two-pronged test for standing in an administrative proceeding. First, the petitioner must show that it will suffer injury in fact which is of sufficient immediacy to entitle it to a Section 120.57, Florida Statutes, hearing; and, second, that its substantial injury is of a type or nature which the proceeding is designed to protect. The first aspect deals with the degree of injury suffered and the second deals with the nature of the injury or the so-called "zone of interest." In <u>Village Park Mobile Home Assoc. Inc. v. Dept. of Business Regulation</u>, 506 So. 2d 426, 433 (Fla. 1st DCA 1987), the First District Court of Appeal states:

In order to satisfy this first aspect of the <u>Agrico</u> standard, a petitioner must allege with specificity either: 1) an actual injury in fact at the time the petition is filed; or 2) that the petitioner is immediately in danger of sustaining some direct injury as a result of an agency's action. . . . The injury or threat of injury must be both real and immediate, not conjectural, hypothetical or abstract.

Florida Water argues that ABPOA has alleged "no damages or loss of any kind - immediate or speculative." Having considered the Amended Petition and Florida Water's Response in Opposition, I find that ABPOA has failed to demonstrate a possible injury that is real and immediate and not conjectural. Therefore, intervention must be denied because ABPOA has not met the first prong of Agrico. In consideration of all of the foregoing, ABPOA's Amended Petition to Intervene is denied for lack of standing.

Based upon the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that the Amended Petition for Leave to Intervene filed by the American Beach Homeowners' Association is denied.

Matilda Sanders****1

Matilda Sanders

PSC-03-1040-PCO-WS

From:

Janice Banka

Sent:

Thursday, September 18, 2003 4:05 PM

To:

CCA - Orders / Notices

Subject:

Order / Notice Submitted

Date and Time:

9/18/2003 4:03:00 PM

Docket Number:

030542-WS

Filename / Path:

030542nassauorder.rrj

Order Type:

Signed / Hand Deliver

Order Granting Nassau County's Petition to Intervene.

Number of pages in order - A

Thanks "J"

CLERK

3 SEP 19 AH 11: 07

MEMORANDUM

SEPTEMBER 18, 2003

TO:

DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE

SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (JAKOER)

RE:

DOCKET NO. 030542-WS - APPLICATION FOR ACKNOWLEDGEMENT OF TRANSFER OF NASSAU COUNTY LAND AND FACILITIES TO NASSAU COUNTY AND FOR CANCELLATION OF CERTIFICATE NOS. 171-W AND

122-S, BY FLORIDA WATER SERVICES CORPORATION.

Attached is an ORDER GRANTING NASSAU COUNTY'S PETITION TO INTERVENE to be issued in the above-referenced docket. (Number of pages in order - A)

DATE ORDER SENT ELECTRONICALLY TO CCA 9-18-03

RRJ/jb

I:030542nassauorder.rrj



COMMISSIONERS: LILA A. JABER, CHAIRMAN J. TERRY DEASON BRAULIO L. BAEZ RUDOLPH "RUDY" BRADLEY CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL HAROLD A. MCLEAN GENERAL COUNSEL (850) 413-6199

Hublic Service Commission

October 10, 2003

Michael Mullin, Esquire Nassau County Board of Commissioners P. O. Box 1010 Fernandina Beach, FL 32035-1010

Re:

1

Docket No. 030542-WS - Application for Acknowledgment of Transfer of Nassau County Land and Facilities to Nassau County and for Cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services Corporation.

Docket No. 990817-WS - Application by Florida Water Services Corporation for Amendment of Certificates Nos. 171-W and 122-S to Add Territory in Nassau County.

Dear Mr. Mullin:

Enclosed is a copy of the Staff Recommendation filed in this matter on October 9, 2003. The Commission is expected to consider this Recommendation at its October 21, 2003, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

Ralph R. Jaeger Senior Attorney

Kalph R. Sarge

RRJ/jb

Division of Economic Regulation (Clapp, Redemann, Kaproth, Willis) cc:

Office of the General Counsel (Christensen, Gervasi)

Division of Commission Clerk and Administrative Services

PSC Website: http://www.floridapsc.com

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL HAROLD A. MCLEAN GENERAL COUNSEL (850) 413-6199

Hublic Service Commission

November 21, 2003

Michael Mullin, Esquire Nassau County Board of Commissioners P. O. Box 1010 Fernandina Beach, FL 320335-1010 COMMISSION

MEO II-SO

Re:

Docket No. 030542-WS - Application for Acknowledgment of Transfer of Nassau County Land and Facilities to Nassau County and for Cancellation of Certificate Nos. 171-W and 122-S, by Florida Water Services Corporation.

Docket No. 990817-WS - Application by Florida Water Services Corporation for Amendment of Certificates Nos. 171-W and 122-S to Add Territory in Nassau County.

Dear Mr. Mullin:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 20, 2003. The Commission is expected to consider this Recommendation at its December 2, 2003, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. However, please note that participation on Issue 2 is dependent on Commission vote on Issue 1. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

Ralph R. Jaeger Senior Attorney

RRJ/jb

cc: Division of Economic Regulation (Clapp, Redemann, Kaproth, Willis)

Office of the General Counsel (Christensen, Gervasi)

HOLLAND & NIGHT LLP

315 South Calhoun Street Suite 600 P.O. Drawer 810 (ZIP 32302-0810) Tallahassee, Florida 32301

850-224-7000 850-224-8832 Fax www.hklaw.com

NO. 546 Anr San Francisco Alli Seattle Beihesda

Tallahassee Tampa Washington, D.C. West Palm Beach

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P. 1

Basion Bradenton Chicago* Fort Lauderdale Jacksonville Lakeland Los Angeles Miami New York Northern Virginia Orlando Portland Providence St. Petersburg

San Antonio

International Offices: Caracas** Helsinie Mexico City Rio de Janeiro São Paulo Tel Aviv Tokyo

"Holland & Knight LLC

"Representative Office

FACSIMILE

<u>TO</u> :								
	Florida Public Service							
Hong Wang	Commission	413-7118						
NAME	COMPANY/FIRM	FAX NUMBER						
Tallahassee	Florida	413-6770						
CITY	STATE	(TELEPHONE NUMBER)						
FROM:								
Jennifer Gillis	425-5605	1						
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)						
FOR THE RECORD:								
DATE: December 11, 2003	urgency: 🗌 super rush	☐ RUSH ☐ REGULAR						
FAXED BY:	FILE #: 91383.1	CLIENT NAME:						
CONFIRMED: YES NO	NAME:	TIME:						
If you did not receive all of the pages or find that they are illegible, please call (850) 425-5645	CONFIDENTIALITY NOTICE: This facaimile, along with any documents, files, or attachments, may contain information that is confidential, privileged, or otherwise exempt from disclosure. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution or use of any information contained in or attached to this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or by telephone collect at the numbers stated above, and destroy the original facsimile and its attachments without reading, printing, or saving in any manner. Your cooperation is appreciated. Thank you.							

MESSAGE:

Hong,

Per your request, listed below is another address for American Beach Property Owners Association:

> American Beach Property Owners Association Post Office Box 6123 Fernandina Beach, Florida 32305-6123

Please let me know if you have any questions.

1418790_v1

CTEBK COMMISSION

03 DEC 11 bW 3:11

OSAL - CENEROELE



CCA Official Filing 12/16/2003**********

11:51 AM********

Matilda Sanders****1

Matilda Sanders

1417- FOF

From:

Janice Banka

Sent:

Tuesday, December 16, 2003 11:50 AM

To: Subject: CCA - Orders / Notices
Order / Notice Submitted

Date and Time:

12/16/2003 11:48:00 AM

Docket Number: Filename / Path:

030542-WS 030542or.rrj

Order Denying Reconsideration and Acknowledging Withdrawal of Amendment Application and Transfer of Nassau County Facilities of Florida Water Services Corp.

Number of pages in order - 15.

Thanks "J"

10 mailed +1 Nassan Clrk