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REPLY TO CENTRAL FLORIDA OFFICE

March 12, 2009

MARTIN S. FRIEDMAN, P.A.
BRIAN J. STREET

CHRISTIAN W. MARCELLI, OF COUNSEL
(LICENSED IN NEW YORK ONLY)

ROBERT M. C. ROSE (1924-2006)

VIA HAND DELIVERY

RECEIVED-FPSC
09 MAR 12 AM 10:42
COMMISSION
CLERK

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

RE: Regulatory Assessment Fee Return
Sun River Utilities, Inc.
Our File No.: 41069.05

080272
070643

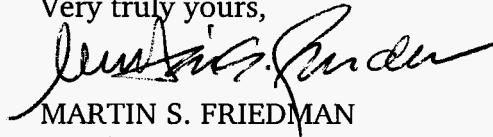
Dear Ms. Cole:

This law firm represents Sun River Utilities, Inc., and has received Regulatory Assessment Fee Return forms for the period 01/01/2008 to 05/21/2008 (copies of which are attached). As the Commission is aware, in September 2007, Charlotte County took back jurisdiction over water and wastewater utilities located within that County. Although there was a pending docketed item over which the Commission retained jurisdiction, all other purposes' jurisdiction was transferred to Charlotte County. In fact, Charlotte County is demanding that Sun River Utilities, Inc., pays regulatory assessment fees for 2008, including the period for which the Public Service Commission is seeking the payment of regulatory assessment fees by Sun River Utilities, Inc. While Sun River believes that the regulatory assessment fees are due to Charlotte County, it is not opposed to paying those fees to the Florida Public Service Commission so long as it does not have to pay them twice. Therefore, you can see the dilemma in which Sun River Utilities, Inc., finds itself.

Please address this matter with the Commission's General Counsel and advise me as to whether the Commission is insistent on payment of regulatory assessment fees for a portion of 2008, to the Commission.

I look forward to hearing from the Commission regarding this matter.

COM
ECR
GCL
OPC
RCP
SSC
SGA
ADM
CLK

Very truly yours,

MARTIN S. FRIEDMAN
For the Firm

MSF/tlc
Enclosures

cc: A. A. Reeves, Vice President (w/enclosures) (via e-mail)
Martha Young Burton, Esquire (w/enclosures) (via e-mail)

DOCUMENT NUMBER-DATE

02174 MAR 12 8

FPSC-COMMISSION CLERK

Small Wastewater System Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

Actual Return
 Estimated Return

PERIOD COVERED:
 01/01/2008 TO 05/21/2008

WS891-08-S-R
 Sun River Utilities, Inc.
 5660 Bayshore Road, Suite 36
 North Ft. Myers, FL 33917-3046

Please Complete Below If Official Mailing Address Has Changed

RECEIVED FPSC

FOR PSC USE ONLY

Check # **09 MAR 12 AM 10:42**

COMMISSION CLERK

Postmark Date _____
 Initials of Preparer _____

(SYSTEM'S NAME)	(ADDRESS)	(CITY/STATE)	(ZIP)
Florida Public Service Commission Certificate			
WASTEWATER OPERATING REVENUES			
FLAT-RATE REVENUES			
1. Residential Revenues (521.1)	\$ _____	\$ _____	\$ _____
2. Commercial Revenues (521.2)	_____	_____	_____
3. Industrial Revenues (521.3)	_____	_____	_____
4. Revenues from Public Authorities (521.4)	_____	_____	_____
5. Multiple Family Dwelling Revenues (521.5)	_____	_____	_____
6. Other Revenues (521.6)	_____	_____	_____
7. TOTAL FLAT-RATE REVENUES	\$ _____	\$ _____	\$ _____
MEASURED REVENUES			
8. Residential Revenues (522.1)	_____	_____	_____
9. Commercial Revenues (522.2)	_____	_____	_____
10. Industrial Revenues (522.3)	_____	_____	_____
11. Revenues from Public Authorities (522.4)	_____	_____	_____
12. Multiple Family Dwelling Revenues (522.5)	_____	_____	_____
13. TOTAL MEASURED REVENUES	\$ _____	\$ _____	\$ _____
14. Revenues from Public Authorities (523)	_____	_____	_____
15. Revenues from Other Systems (524)	_____	_____	_____
16. Interdepartmental Revenues (525)	_____	_____	_____
17. TOTAL (Lines 7+13+14+15+16)	\$ _____	\$ _____	\$ _____
OTHER WASTEWATER REVENUES			
18. Guaranteed Revenues (Include Revenues from A.F.P.I. Charges) (530)	_____	_____	_____
19. Sales of Sludge (531)	_____	_____	_____
20. Forfeited Discounts (532)	_____	_____	_____
21. Rents from Wastewater Property (534)	_____	_____	_____
22. Interdepartmental Rents (535)	_____	_____	_____
23. Other Wastewater Revenues (536) Describe:	_____	_____	_____
24. TOTAL OTHER WASTEWATER REVENUES (Lines 18+19+20+21+22+23)	\$ _____	\$ _____	\$ _____
25. TOTAL WASTEWATER OPERATING REVENUES*(Lines 17+24)	\$ _____	\$ _____	\$ _____
26. LESS: Expense for Purchased Wastewater Treatment from FPSC-Regulated Utility	(_____)	(_____)	(_____)
27. NET WASTEWATER OPERATING REVENUES (Line 25 Less Line 26)	_____	_____	_____
28. Regulatory Assessment Fee Due - (Multiply Line 27 by 0.045)	_____	_____	_____
29. LESS: Approved Prior-Period Credit	_____	_____	_____
30. NET REGULATORY ASSESSMENT FEE (Line 28 Less Line 29)	\$ _____	\$ _____	\$ _____
31. Penalty for Late Payment	_____	_____	_____
32. Interest for Late Payment	_____	_____	_____
33. TOTAL AMOUNT DUE	\$ _____	\$ _____	\$ _____

*These amounts must agree with Annual Report Schedule F-3
 If service was purchased from a regulated utility, please insert its name: _____

AS PROVIDED IN SECTION 350.113, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$25

I, the undersigned owner/officer of the above-named vendor, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

 (Signature of System Official) (Title) (Date)

 (Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

Small Water System Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

Actual Return
 Estimated Return

PERIOD COVERED:
 01/01/2008 TO 05/21/2008

WS891-08-W-R
 Sun River Utilities, Inc.
 5660 Bayshore Road, Suite 36
 North Ft. Myers, FL 33917-3046

Please Complete Below If Official Mailing Address Has Changed

RECEIVED FPSC
 FOR FILING ONLY
 09 MAR 12 AM 10:42
 COMMISSION CLERK
 Postmark Date _____
 Initials of Preparer _____

(SYSTEM'S NAME)	(ADDRESS)	(CITY/STATE)	(ZIP)
Florida Public Service Commission Certificate			
WATER OPERATING REVENUES			
1. Unmetered Water Revenues (460)			
MEASURED WATER REVENUES			
2. Residential Revenues (461.1)			
3. Commercial Revenues (461.2)			
4. Industrial Revenues (461.3)			
5. Revenues from Public Authorities (461.4)			
6. Multiple Family Dwelling Revenues (461.5)			
7. TOTAL METERED SALES			
FIRE PROTECTION REVENUES			
8. Public Fire Protection (462.1)			
9. Private Fire Protection (462.2)			
10. TOTAL FIRE PROTECTION REVENUE			
11. Other Sales to Public Authorities (464)			
12. Sales to Irrigation Customers (465)			
13. SALES FOR RESALE (466)			
14. Interdepartmental Sales (467)			
15. TOTAL WATER SALES (Lines 1+7+10+11+12+13+14)			
OTHER WATER REVENUES			
16. Guaranteed Revenues (Include Revenues from A.F.P.I. Charges) (469)			
17. Forfeited Discounts (470)			
18. Miscellaneous Service Revenues (471)			
19. Rents From Water Property (472)			
20. Interdepartmental Rents (473)			
21. Other Water Revenues (474) Describe:			
22. TOTAL OTHER WATER REVENUES (Lines 16+17+18+19+20+21)			
23. TOTAL WATER OPERATING REVENUES*(Lines 15+22)			
24. LESS: Expense for Purchased Water From FPSC-Regulated Utility	()	()	()
25. NET WATER OPERATING REVENUES (Line 23 Less Line 24)			
26. Regulatory Assessment Fee Due - (Multiply Line 25 by 0.045)			
27. LESS: Approved Prior-Period Credit			
28. NET REGULATORY ASSESSMENT FEE (Line 26 Less Line 27)			
29. Penalty for Late Payment			
30. Interest for Late Payment			
31. TOTAL AMOUNT DUE			

*These amounts must agree with Annual Report Schedule F-3
 If service was purchased from a regulated utility, please insert its name: _____

AS PROVIDED IN SECTION 350.113, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$25

I, the undersigned owner/officer of the above-named vendor, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

 (Signature of System Official) (Title) (Date)

 (Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____