

**REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER**

Date of Request: 4/17/2009 Date of Agenda Conference: 4/21/2009 Item No. 14

Docket No.: 080248-SU Brief Title: Tierra Verde's application for a rate increase

Requested by: Staff Other Tierra Verde Utilities, Inc.
(Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: 5/5/2009
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

On April 14, 2009, the Utility contacted staff to discuss several issues in staff's recommendation. On April 16, 2009, the Utility requested a deferral and waiver of the statutory deadline through May 5, 2009, to provide staff with additional information regarding its rate case. The additional information will change staff's recommended revenue requirement and affect several issues and schedules in staff's recommendation. Therefore, staff believes the best practice is deferral of item 14 until the next agenda. If the deferral request is approved, staff requests permission to file a revised recommendation on April 23, 2009.

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Signature (Technical Staff): Derek Buys

Initials (Division Director or Designee): _____

Signature (Legal Staff): Jennifer Bubala

Initials (General Counsel or Designee): _____

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Initials: YMB

Comments:

Approve Request Deny Request
Date: 4/17/09

CHAIRMAN'S OFFICE:

Initials: WCG

Approve Request Deny Request
Date: 4/20/09

Executive Suite will send the original to the Office of Commission Clerk and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

03613 APR 20 09

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REPLY TO CENTRAL FLORIDA OFFICE

April 16, 2009

E-FILE

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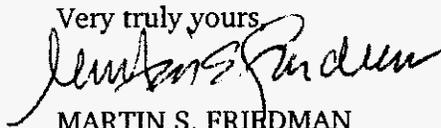
Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: Docket No. 080248-SU; Tierra Verde Utilities, Inc.'s Application for an Increase in Wastewater Rates Increase in Pinellas County, Florida
Our File No.: 30057.156

Dear Ms. Cole:

This letter is Tierra Verde Utilities, Inc.'s request for a deferral of item 14 on the Commissions April 21, 2009, agenda and waiver, through May 5, 2009, of the Commission's requirement pursuant to Section 367.081(8), Florida Statutes, to process the above-referenced case within five (5) months of the official filing date.

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

Very truly yours,

MARTIN S. FRIEDMAN
For the Firm

MSF/tlc

cc: Mr. Bart Fletcher, Division of Economic Regulation (via e-mail)
Ms. Cheryl Bulecza-Banks, Division of Economic Regulation (via e-mail)
Dale Buys, Division of Economic Regulation (via e-mail)
Keino Young, Esq., Office of General Counsel (via e-mail)
Ms. Kirsten Weeks (via e-mail)
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Patrick C. Flynn, Regional Director (via e-mail)
Mr. Frank Seidman (via e-mail)
Ms. Deborah Swain (via e-mail)
Mr. John Williams (via e-mail)

Bart Fletcher

From: Kirsten Weeks [KEWeeks@uiwater.com]

Sent: Thursday, April 16, 2009 2:36 PM

To: Bart Fletcher

Subject: Tierra Verde and Mid-County

Bart,

I spoke with John Hoy, and we will not push any further on the rate case expense and cash working capital issues, and will agree to what is in the Staff recommendation. However, we are okay with delaying by one agenda in order to get the contractual services issue rectified.

Please let me know if you have any questions.

Thanks,
Kirsten

4/17/2009
