

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

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COMMISSION
CLERK

Date of Request: 5/11/2009 Date of Agenda Conference: 5/19/2009 Item No. _____

Docket No.: 010503-WU Brief Title: Aloha Utilities - application for rate increase

Requested by: Staff Other _____ (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: _____
- 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):

Staff requests permission to add an item to the published agenda for the 5/19 Agenda Conference. Staff's recommendation is a continuation of the Commission's vote from the 4/21 Agenda (Item 13), in which Aloha was ordered to work with staff to select a new escrow agent to preserve escrowed interim funds. Aloha has not done so, and since that time, the bank currently holding the funds has provided its 30 day notice of intent to withdraw as escrow agent. It is urgent that this item be addressed at the next available conference so that the Commission will have a resulting order by which it may timely and specifically seek enforcement, should Aloha not cooperate with the selection of a new escrow agent.

COM
ECR
GOL
OPC
ROP
SOC
SGA
ADM
CLK Cole
Wang
Madelo
Peña
Purviz

Signature (Technical Staff): BS

Initials (Division Director or Designee): TS

Signature (Legal Staff): JSB

Initials (General Counsel or Designee): BF

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office
Initials: MAB
Comments: _____

Approve Request Deny Request
Date: 5/11/09

CHAIRMAN's OFFICE:

Initials: WCG

Approve Request Deny Request
Date: 5/11/09

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