



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: JUNE 29, 1999
TO: CHAIRMAN JOE GARCIA
FROM: COMMISSIONER SUSAN F. CLARK *WJD for SFC*
RE: DOCKET NO. 981288-WU - APPLICATION FOR CERTIFICATE TO OPERATE A WATER UTILITY IN CHARLOTTE AND LEE COUNTIES, BY TOWN AND COUNTRY UTILITIES COMPANY.

On November 10, 1998, Town and Country (Town and Country or utility) filed an application, pursuant to Sections 367.031 and 367.045, Florida Statutes, for an original certificate to operate a water utility in Charlotte and Lee Counties. Timely protests to Town and Country's application were filed by both Charlotte and Lee Counties. No other objections were filed pertaining to Town and Country's application. Accordingly, a hearing was scheduled for August 24-25, 1999.

On April 19, 1999, Charlotte County filed a request to withdraw its protest, and on June 3, 1999, Lee County filed a request to withdraw its protest. Since both counties have filed formal requests to withdraw their protests to the utility's application and have entered into settlement agreements, staff will prepare a recommendation for the Commission's consideration at the July 27 agenda conference to approve the utility's settlement agreements with Charlotte and Lee Counties, respectively. In light of the foregoing, please:

- 1) Cancel the Prehearing Conference currently scheduled on August 5, 1999;
- 2) Cancel the Hearing scheduled on August 24-25, 1999.

In the event the Commission decides not to approve the settlement agreements, staff will reschedule the matter for hearing.

SAC/lw

- AEA _____
- APP _____
- CAF _____
- CMU _____
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- RRR _____
- SEC _____
- WAW _____
- OTH _____

cc: Division of Water and Wastewater (Rehwinkel, Redemann)
 ✓ Division of Records and Reporting
 Jackie Edwards

OK for Chairman
6-30-99

DOCUMENT NUMBER-DATE
 07911 JUN 30 99