



COUNTY OF CHARLOTTE

OFFICE OF THE COUNTY ATTORNEY

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November 7, 2003

RENÉE FRANCIS LEE
COUNTY ATTORNEY

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RE: Application of Island Environmental Utility, Inc.
Docket No. 020745-SU

Dear Ms. Bayo:

Enclosed are the original and fifteen (15) copies of Motion to Intervene and counsels' Notice of Appearance in the above-referenced proceeding.

Please acknowledge receipt of these documents by stamping the extra copy of this letter **FILED**, and returning the same to the undersigned in the self-addressed stamped envelope enclosed.

Thank you for your assistance with this filing.

Very truly yours,


Janette S. Knowlton
Assistant County Attorney

JSK/lh
Enclosures

cc: Renée Francis Lee, County Attorney

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LR00-294

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

**STATE OF FLORIDA
BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Application of ISLAND ENVIRONMENTAL)
UTILITY, INC., for an original Wastewater Certificate)
in Charlotte County, Florida)
_____) Docket No. 020745-SU

MOTION TO INTERVENE

CHARLOTTE COUNTY, FLORIDA, a political subdivision of the State of Florida, hereby requests the Florida Public Service Commission (hereinafter "Commission") to grant intervenor status to Charlotte County in the above-referenced proceeding pursuant to Rule 25-22.039, Florida Administrative Code, and in support thereof states that:

1. Charlotte County (hereinafter "County"), as a political subdivision of the State of Florida, is governed by the Charlotte County Board of County Commissioners.

2. Section 367.045, Florida Statutes, requires notice to the governing body of the affected County when a utility applies for authorization to serve an area, such as the application by Island Environmental, Inc., to serve an area within Charlotte County, Florida, generally described as "Bridgeless Barrier Island Overlay District."

3. County has actual notice of Island Environmental, Inc.'s application for initial certificate to provide wastewater services, and as a governmental authority and provider of water and wastewater utilities through its governmental unit known as Charlotte County Utilities (hereinafter "CCU"), it is substantially affected by the requested certification since CCU is the public utility system that would normally serve any specified service areas within Charlotte County, Florida.

4. In addition, County is substantially affected and has standing pursuant to Section 367.045(4), Florida Statutes, on the ground that the issuance of a certificate to Island Environmental, Inc., violates an established local comprehensive plan policy, Infrastructure Policy 9.1.4, developed pursuant to Sections 163.3161-163.3211, Florida Statutes. This policy prohibits the expansion of sanitary sewer service outside of County's Infill Area boundaries.

5. County has reviewed the local comprehensive plan, has received input from the Florida Department of Community Affairs, and has heard extensive testimonial and anecdotal input by citizens within the Bridgeless Barrier Island Overlay District. In response, County is currently considering several amendments to the Charlotte County Comprehensive Plan to allow for the expansion of wastewater facilities in a way that would be consistent with the comprehensive plan, while preventing an increase of

existing densities and safeguarding the environment and natural resources. It is anticipated that further work is necessary before the proposed policy language will satisfy the concerns raised by the Board of County Commissioners during the presentations of the initial drafts of the policies.

THEREFORE and for the reasons stated above, Charlotte County through its undersigned counsel, hereby requests that the Florida Public Service Commission grant this Motion to Intervene with all the rights and duties of a party with full intervenor status.

Respectfully submitted this 7 day of November, 2003.

Respectfully submitted,



Janette S. Knowlton
Assistant County Attorney
Florida Bar No: 0077232
Charlotte County
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Tel. No. (941) 743-1330
Fax No. (941) 743-1550

p:\wpdata\Janette\Pleading/
Island Environ\Motion to Intervene
LR02-615

CERTIFICATE OF SERVICE:

I hereby certify that a true and correct copy of the MOTION TO INTERVENE has been furnished by U.S. Mail to all parties on the attached service list on this 7th day of November, 2003.



Janette S. Knowlton
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Florida Bar No. 0077232
Charlotte County
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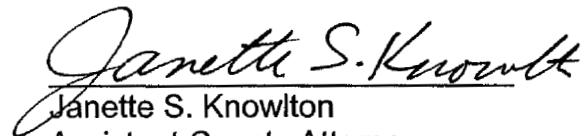
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NOTICE OF APPEARANCE

Please take notice that the undersigned enters an appearance as
counsel for Charlotte County.

Respectfully submitted,

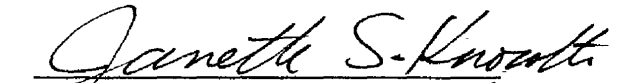
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Respectfully submitted,

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