

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date: 3/4/2005 Docket No.: 050167-WU

1. Division Name/Staff Name: ECR/Stanley Rieger

2. OPR: Stanley Rieger

3. OCR: Rosanne Gervasi

4. Suggested Docket Title: Notification of Braden River Utilities, Inc., concerning exemption from regulation by the Public Service Commission pursuant to section 367.022(11), Florida Statutes, and cancellation of Certificate No. 569-W.

5. Suggested Docket Mailing List (attach separate sheet if necessary)
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)
1. Parties and their representatives (if any):

Braden River Utilities, Inc.	
Anthony J. Chiofalo	
6215 Lorraine Road	
Bradenton FL 34202-9667	

2. Interested persons and their representatives (if any):

6. Check one:
 Documentation is attached.
 Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

02265 MAR-4

Braden River Utilities Inc.
6215 Lorraine Road
Bradenton, Florida 34202

ORIGINAL

RECEIVED-FPSC

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February 22, 2005

Blanca S. Bayo, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

COMMISSION
CLERK

Sent: Certified Mail Return Receipt

Re: Braden River Utilities, Inc.: Certificate No. WU-742-03-AR
Our File No. 15825.01

Dear Ms. Bayo:

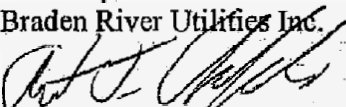
Braden River Utilities, Inc. was certificated by the Florida Public Service Commission several years ago as an irrigation only water company. Upon review of the provisions of Section 367.022(11), Florida Statutes which has been enacted since Braden River Utilities, Inc. received its certificate, we have determined that Braden River Utilities, Inc. appears to qualify for an exemption from regulation by the PSC. This exemption deals with utilities who provide irrigation only water service where potable water service is available from another source. We believe this provision clearly applies to Braden River Utilities, Inc. as it provides irrigation only water service within certain areas of Manatee and Sarasota Counties areas where each County is providing potable water service.

As a result of this exemption enacted some time ago, we do not believe Braden River Utilities, Inc. is any longer a regulated utility and therefore do not intend to file a year 2004 Annual Report or any future Annual Reports and do not attend to pay further regulatory assessment fees and is ready to surrender our certificate to the Commission.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

Please have someone with your staff contact me at your earliest convenience at the above address at let us know what further needs to be done in order to finalize this withdraw from regulation by the Commission.

If you have any questions in this regard, please contact me at (941) 755-1637, extension 245.

Sincerely,
Braden River Utilities Inc.

Anthony J. Chiofalo
Secretary, Vice President and Treasurer

05 FEB 25 AM 11:09

DISTRIBUTION CENTER

DOCUMENT NUMBER-DATE

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