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10 APR 28 AM 11:00

Public Service Commission

COMMISSION  
CLERK

April 8, 2010

Edward LeMeur  
128 Coachlight  
N. Fort Myers, FL 33917

**Re: Docket No. 090170-WU, Application for staff-assisted rate case in Lee County by Mobile Manor Water Company, Inc.**

Dear Mr. LeMeur:

As you know, the Commission issued its Proposed Agency Action Order No. PSC-09-0790-PAA-WU (PAA Order) on November 30, 2009. In that PAA Order, the Commission proposed to approve a 4.61 percent increase in annual revenues for Mobile Manor Water Company, Inc. (Mobile Manor or Utility). However, before that PAA Order could become final, the Commission received a petition signed by over 160 customers protesting the PAA Order and stating that the increase was not sufficient. This petition raised four issues on the appropriate expenses of the Utility, and requested an evidentiary proceeding. In response to this protest, 55 other customers then signed a petition circulated by Mr. Roy Church which argues against the increases sought by the over 160 customers who protested the PAA Order. We have also received several telephone calls and a letter from you opposing the increased rates, and you signed the petition against acceptance of the settlement offer.

Before acting on your letter, the Commission must know your intent regarding your signing of the petition referenced above. If you wish to become a party, you should file a motion or letter requesting that you be granted intervenor (party) status. In any such request, you should state how your substantial interests will be affected, i.e., you are a customer, etc. If you wish to participate as a party, you will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a Prehearing Conference to be held in Tallahassee, Florida, putting on witnesses and cross-examining Utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates that will be required to be met by all parties to this proceeding. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, it may be preferable to hire counsel or a qualified representative to represent you or the other customers.

If you do not wish to pursue a formal hearing, or if you do not wish to participate as a party, your concerns will remain available for review and informational purposes. Also, as discussed earlier, you will be allowed to address the Commission when it considers this

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settlement offer. As a customer, you will be entitled to speak regarding your concerns if a hearing is held.

In any event, the Commission must know whether you wish to participate as a party in the current proceeding. That being said, please advise the Commission by letter whether you do or do not wish to participate in this proceeding as a party with the above-noted commiserate duties. If a letter requesting that you be made a formal party is not received by **Monday, April 26, 2010**, you will be noted as participating informally as described above. At this time I will add your name to the interested persons list to receive recommendations and orders in this docket.

If you have any questions regarding your participation, the formal proceeding for an evidentiary hearing, or the information contained herein, or if I can be of any further assistance, please do not hesitate to contact me at (850) 413-6234 or [rjaeger@PSC.State.FL.US](mailto:rjaeger@PSC.State.FL.US).

Sincerely,



Ralph R. Jaeger, Esq.  
Senior Attorney  
Office of the General Counsel

RRJ/th

cc: Tom Hawkins  
Division of Economic Regulation (Fletcher, A. Smith, S. Bruce, R. Simpson)  
Mobile Manor Water Company, Inc. (Ms. Bonita Vandal)  
Office of Commission Clerk