

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of ISLAND LANDING)	DOCKET NO. 871108-WS
UTILITIES COMPANY for water and sewer)	ORDER NO. 20967
certificates in St. Johns County.)	ISSUED: 3-30-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, CHAIRMAN
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER CLOSING DOCKET

BY THE COMMISSION:

Island Landing Utilities Company (Island Landing or the utility) applied for original water and sewer certificates on October 19, 1987, to provide service to 240 mobile homes and 85 single family homes in St. Johns County. The utility requested permission to bifurcate the application process by requesting the certificates be granted prior to the setting of rates and charges. By Order No. 18729, dated January 25, 1988, we granted Island Landing Certificates Nos. 497-W and 432-S. That Order further directed that this docket remain open to establish water and sewer rates and charges.

The applicant agreed to file the information necessary to determine rates and charges by January 31, 1988. To date the utility has not filed this required data. Although construction is complete on the water and sewer plants and the transmission and distribution/collection lines have been installed, there are no customers connected to the system. According to the utility's counsel, the project is dormant and the principals of the utility are involved in some legal difficulties. Therefore, the water and sewer systems are not operating and there is no immediate need for rates and charges. Because there is no immediate need for rates and charges, we find it appropriate to close this docket. The utility may file for rates and charges when it is prepared to do so.

The utility may not charge for water and sewer service until rates and charges have been approved by this Commission. Along with its application for certificates, Island Landing submitted a check in the amount of \$300.00, the filing fee required by Section 367.141, Florida Statutes, and Rule 25-30.020, Florida Administrative Code. Normally, this type of application results in the issuance of certificates and the establishment of initial rates and charges. Since, in this case, we are allowing the utility to file for rates and charges at a later date, in completion of the normal certification process, we do not find it appropriate to require that an additional filing fee be submitted at that point in time.

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Based on the foregoing, it is, therefore

ORDERED by the Florida Public Service Commission that this docket be closed and that ISLAND LANDING UTILITIES COMPANY be allowed to file for rates and charges at a later date as set forth in the body of this Order. It is further

ORDERED that ISLAND LANDING UTILITIES COMPANY shall not charge for water and sewer service until it obtains this Commission's approval of its rates and charges. It is further

ORDERED that ISLAND LANDING UTILITIES COMPANY will not be required to submit an additional filing fee when the utility requests Commission approval of its rates and charges at a later date. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission,
this 30th day of MARCH, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SFS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.