

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| In re: Complaint of MONTGOMERY LAND) | DOCKET NO. 890734-WS |
| DEVELOPMENT COMPANY against ST. JOHNS) | ORDER NO. 22213 |
| NORTH UTILITIES, INC., for alleged) | ISSUED: 11-21-89 |
| violation of Commission rules and) | |
| statutes) | |
| _____) | |

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:

On May 15, 1989, this Commission received a Complaint against St. Johns North Utilities, Inc., ("SJN" or "utility"), filed by Montgomery Land Company. This docket was opened to process said complaint. On June 22, 1989, Montgomery Land Company withdrew the complaint. Since the complaint has been withdrawn, the docket should be closed. However, the letter withdrawing the complaint requests that Montgomery Land Company be authorized to continue its complaint if the pending transfer of SJN to Jacksonville Suburban Utilities is not implemented. Therefore, we find that the docket should be closed without prejudice to Montgomery Land Company's right to refile its complaint.

It is therefore

ORDERED by the Florida Public Service Commission that Docket No. 890734-WS is closed without prejudice to Montgomery Land Company's right to refile its complaint.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission
this 21st day of NOVEMBER, 1989.



STEVE TRIBBLE, DIRECTOR
Division of Records and Reporting

(S E A L)

DAS

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.