

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval) DOCKET NO. 920031-SU
of wastewater allowance for funds)
prudently invested (AFPI) charges) ORDER NO. PSC-92-0037-FOF-SU
in Lee County by GULF UTILITY)
COMPANY) ISSUED: 3/10/92
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

On January 7, 1992 Gulf Utility Company (Gulf or utility) filed a tariff containing proposed wastewater allowance for funds prudently invested (AFPI) charges. Section 367.091(5), Florida Statutes, provides that the Commission may withhold consent to the implementation of the new rate by a vote within 60 days, giving a reason or statement of good cause. If the Commission does not withhold consent, the rate will go into effect after 60 days, which is March 7, 1992.

Because we have not completed our analysis of Gulf's tariff filing, we find it appropriate to suspend Gulf's proposed AFPI charges.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gulf Utility Company's proposed tariff containing allowance for funds prudently invested charges is hereby suspended. It is further

ORDERED that this docket shall remain open until we finally address the appropriateness of the proposed charges.

DOCUMENT NUMBER-DATE

02335 MAR 10 1992

FPSC-RECORDS/REPORTING

ORDER NO. PSC-92-0037-FOF-SU
DOCKET NO. 920031-SU
PAGE 2

By ORDER of the Florida Public Service Commission, this 10th
day of March, 1992.



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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 3/31/92

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it

ORDER NO. PSC-92-0037-FOF-SU
DOCKET NO. 920031-SU
PAGE 3

satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by 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 of the date this Order becomes final, 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.