

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Revised ) DOCKET NO. 940152-SU  
Service Availability Charges in ) ORDER NO. PSC-94-0568-FOF-SU  
Lee County by FOUNTAIN LAKES ) ISSUED: May 12, 1994  
SEWER CORPORATION. )  
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The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JULIA L. JOHNSON  
DIANE K. KIESLING  
LUIS J. LAUREDO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

On February 10, 1994, Fountain Lakes Sewer Corporation (Fountain Lakes or utility) filed an application for the Commission's approval of a requested \$1,400 Service Availability Charge to replace its currently approved \$940 connection fee. Pursuant to Section 367.091(5), Florida Statutes, the Commission may withhold consent to implementation of a 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. We have reviewed the application and the supporting documents; however, we believe that further investigation and analysis are needed. Therefore, we hereby suspend this tariff.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Fountain Lakes Sewer Corporation's tariff for increased service availability charge is hereby suspended. It is further

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

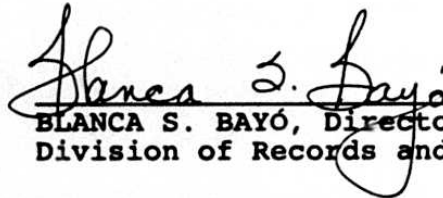
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 12th  
day of May, 1994.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

ELS

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 this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.