

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for staff-) DOCKET NO. 960132-WS
assisted rate case in Broward) ORDER NO. PSC-97-0012-FOF-WS
County by MHC-DeAnza Financing) ISSUED: January 2, 1997
Limited Partnership d/b/a)
Colonies Water Company)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
JOE GARCIA
DIANE K. KIESLING

ORDER ACKNOWLEDGING WITHDRAWAL OF PROTEST, DECLARING
ORDER NO. PSC-96-1225-FOF-WS TO BE FINAL AND EFFECTIVE,
AND CLOSING DOCKET

BY THE COMMISSION:

On February 6, 1996, MHC-DeAnza Financing Limited Partnership d/b/a Colonies Water Company (Colonies or utility) applied for a staff assisted rate case. We issued Proposed Agency Action (PAA) Order No. PSC-96-1225-FOF-WS, on September 26, 1996, granting new rates and charges for the utility. Order No. PSC-96-1225B-FOF-WS, issued on October 17, 1996, extended the protest period until November 7, 1996.

On November 7, 1996, three customers of the utility filed a petition to protest PAA Order No. PSC-96-1225-FOF-WS, pursuant to Rules 25-22.029(4) and 25-22.036(7)(a) and (f), Florida Administrative Code, and this docket was set for hearing. The customers basically alleged that the utility's revenues were understated, expenses were overstated, return on investment was excessive, and that the quality of service was unsatisfactory.

On December 3, 1996, the three customers filed a "Withdrawal of Protest to Proposed Agency Action and Request for Hearing." We acknowledge the customers' Withdrawal of Protest and make PAA Order No. PSC-96-1225-FOF-WU final and effective as of December 17, 1996.

No further action is necessary in this docket and the docket shall be closed.

Based on the foregoing, it is

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING


ORDER NO. PSC-97-0012-FOF-WS
DOCKET NO. 960132-WS
PAGE 2

ORDERED by the Florida Public Service Commission that the withdrawal of protest to Order No. PSC-96-1225-FOF-WU is hereby acknowledged. It is further

ORDERED that Order No. PSC-96-1225-FOF-WU shall be made final and effective December 17, 1996. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 2nd day of January, 1997.



BLANCA S. BAYO, Director
Division of Records and Reporting

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ORDER NO. PSC-97-0012-FOF-WS
DOCKET NO. 960132-WS
PAGE 3

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.