

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)	DOCKET NO. 890986-TC
proceedings against Pueblo Supermarket))	ORDER NO. 22530
for failure to comply with 1988)	ISSUED: 2-12-90
annual report requirements.)	
)	

The following Commissioners participated in the disposition of this matter:

BETTY EASLEY
GERALD L. GUNTER

ORDER RESOLVING SHOW CAUSE

BY THE COMMISSION:

In Order No. 22010, this Commission ordered Pueblo Supermarket to show cause why it should not be fined for failing to file an annual report and for failing to respond to any of three notices requesting the filing of the report. The company replied to the order in a timely manner and the docket was set for a hearing. After the docketing of the hearing, Staff Counsel contacted the company in an effort to settle the matter without a hearing.

The company filed the requested report and has agreed not to contest the fine of \$100.00 if it is allowed to retain its certificate and pay the fine at the rate of \$25.00 per month. We believe that it would be in the public interest to accept this offer because this is a small company and because it would be most cost effective to do so.

According to Commission procedures, our staff is supposed to make reasonable efforts to collect imposed fines. Therefore, this docket should remain open to allow those efforts. However, if reasonable collection efforts fail and the company becomes more than 30 days delinquent in any payment, the matter shall be referred to the Comptroller's office for further collection efforts and the docket should be closed. Reasonable collection efforts should consist of the sending of two certified letters requesting payment after default in payment. Said letters shall be sent to the company's last known mailing address.

DOCUMENT NUMBER-DATE

01303 FEB 12 1990

FPSC-RECORDS/REPORTING

422

ORDER NO. 22530
DOCKET NO. 890986-TC
PAGE 2

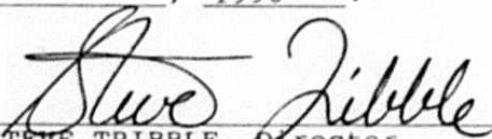
Based on the foregoing, it is hereby

ORDERED that Pueblo Supermarket is hereby fined the sum of \$100 which shall be paid at the rate of \$25 per month with the first such payment being due on March 1, 1990. It is further

ORDERED that if Pueblo Supermarket shall pay the above ordered fine as provided, it shall be allowed to retain its certificate. It is further

ORDERED that this Docket shall remain open until the above ordered fine is paid or until the account is referred to the Comptroller's office for collection in accordance with the procedures outlined above.

By ORDER of the Florida Public Service Commission,
this 12th day of FEBRUARY, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JR

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)

ORDER NO. 22530
DOCKET NO. 890986-TC
PAGE 3

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.