

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of ATLANTIC UTILITIES)	DOCKET NO. 870249-WS
OF JACKSONVILLE, INC. for rate increase)	ORDER NO. 23049
in Duval County)	ISSUED: 6-8-90
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
THOMAS M. BEARD

ORDER CLOSING DOCKET

BY THE COMMISSION:

By Order No. 20063, issued September 26, 1988, we ordered Atlantic Utilities of Jacksonville, Inc. (utility) to submit plans to the Commission for replacing the undersized mains in the Ortega Hills Subdivision which were discovered during this rate proceeding. We also ordered that the utility collect the new rates and charges for this Subdivision subject to refund with interest, for one year, subject to the replacement of the undersized lines. At the end of the one year period, we would decide the disposition of these funds, based on the actions of the utility.

The utility submitted the plans and began construction. By Order No. 22174, issued November 14, 1989, we required the utility to complete the project by the end of February, 1990. Subsequently, the utility requested a 60-day extension of time, claiming that unusual weather conditions and certain personnel changes within the contractor's organization prevented the contractor from completing the work as scheduled. Since these delays were beyond the utility's control, we granted an extension to April 30, 1990 in Order No. 22752.

A Commission staff engineer inspected the utility's service area on April 27, 1990 and found that all improvements had been completed. Since the requirements of the Commission's Orders have been complied with, we will cancel the requirement for the funds collected from the Ortega Hills Subdivision ratepayers to be held subject to refund.

DOCUMENT NUMBER-DATE

05054 JUN-8 1990

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There being no further action required to be taken in this docket, it may be closed.

It is, therefore,

ORDERED by the Florida Public Service Commission that the requirement placed on Atlantic Utilities of Jacksonville, Inc., to hold the rates and charges collected from the ratepayers of the Ortega Hills Subdivision subject to refund, is hereby cancelled. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission
this 8th day of JUNE, 1990.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

NSD

by: Kay Flynn
Chief, Bureau of Records

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.

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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.