



# Public Service Commission

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** August 8, 1995  
**TO:** Division of Records and Reporting  
**FROM:** Edith Xanders, Division of Water and Wastewater *EX*  
**RE:** Docket No. ~~21098~~ WS: Application for certificates to provide water and wastewater service under grandfather rights by Family Diner, Inc. and Turkey Creek, Inc. d/b/a Turkey Creek Utilities in Alachua County

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Please include the attached in the above referenced docket file. If you have any questions, please feel free to contact me.

DOCUMENT NUMBER-DATE  
07599 AUG-9 1995  
PSC-RECORDS/REGISTRATION

**MICHAEL W. JONES, P. A.**

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**RECEIVED**

MICHAEL W. JONES  
PERSONAL INJURY AND WRONGFUL DEATH  
TRIAL PRACTICE  
FAMILY LAW

August 4, 1995

AUG 07 1995

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Florida Public Service Commission  
Division of Water and Wastewater

Ms. Edith Xanders  
Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**Re: Turkey Creek, Inc., vs. Florida Public Service Commission  
Docket No.: 921098-WS**

Dear Ms. Xanders:

I apologize for the delay in responding to your last inquiry regarding our payment intentions. I have spent the time researching several legal issues and I wanted to share with you some concerns.

Given that Turkey Creek, Inc. sold the utility to the City of Alachua before the final opinion was entered, and given that TCI is no longer a "regulated company", we are unsure of the Commission's jurisdiction to collect a penalty or refund. I have found no case law on this subject, although I confess to being a stranger to this area of the law. Accordingly, if you can provide me with the appropriate citations showing continuing jurisdiction over Turkey Creek, Inc., I would be most grateful.

I look forward to hearing from you.

Cordially yours,

*Michael W. Jones/kam*  
Michael W. Jones

MWJ:kam  
cc: Mr. Norwood W. Hope