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Public Service Commission

COMMISSION
CLERK

June 4, 2010

Mr. S. Norman Duncan, President
Pinecrest Ranches, Inc.
6115 Highway 60 East
Bartow, FL 33830-8923

CERTIFIED MAIL

Re: Docket No. 090414-WU, Application for Staff-Assisted Rate Case in Polk County by Pinecrest Ranches, Inc., and Delinquent Regulatory Assessment Fees for the Years 2006, 2007, 2008, and 2009.

Dear Mr. Duncan:

In early May, you advised Ms. Roberts that both the Annual Report for 2009 and the check for the 2009 Regulatory Assessment Fees (RAFs) would be filed in two weeks. However, when I called you on June 2, 2010, neither had been filed, and you again promised that they would be filed within a week or two. If both the Annual Report and the RAFs for 2009 are not filed by June 18, 2010, staff will be forced to file, in July, a recommendation that this staff-assisted rate case be closed.

Further, pursuant to the staff-assisted rate case statute, Section 367.0814, Florida Statutes (F.S.), if staff-assistance is approved, the Commission must issue its final order by January 14, 2011 (15 months from the date of filing of the staff-assisted rate case). This staff-assisted rate case is being processed using the proposed agency action (PAA) procedures. Pursuant to the PAA procedures, a PAA Order would have to have been issued by July 2010, to allow time for conduction of a hearing (if there is a valid and timely protest to the PAA Order). Because of your delays in filing the above-noted Annual Report and RAFs, the processing of your case has been delayed. Therefore, in order for the Commission to comply with Section 367.0814, F.S., staff requests that you extend the time for the Commission to issue a final order from January 14, 2011, through April 29, 2011. With this extension, staff plans to schedule and file a PAA recommendation for final and temporary rates on August 5, 2010.

Again, without this extension, staff will be forced to file its recommendation in July 2010 that this staff-assisted rate case be closed. I have attached a letter for your signature to be returned to the Commission if you agree to the extension requested by the staff.

DOCUMENT NUMBER - CASE
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FPSC - COMMUNICATIONS SECTION

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In conclusion, it is imperative that you file the Annual Report and a check for the RAFs for 2009 by June 18, 2009, or staff will proceed with filing its recommendation to close the docket, i.e., end the staff-assisted rate case. Also, the letter granting an extension of time for the Commission to issue a final order should be returned by no later than June 18, 2010.

If you have any questions regarding the matters discussed herein, you may contact me at (850) 413-6234, or e-mail me at rjaeger@psc.state.fl.us.

Sincerely,



Ralph R. Jaeger
Senior Attorney

RRJ:th

Attachment

cc: Division of Economic Regulation (A. Maurey, Fletcher, L. Roberts, Hudson, Kaproth)
(without attachment)
Office of Commission Clerk (without attachment)