

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of DEBARY ASSOCIATES,)	DOCKET NO. 870823-WS
INC. for a staff-assisted rate case in)	ORDER NO. 20561
Volusia County.)	ISSUED: 1-6-89

The following Commissioners participated in the disposition of this matter:

KATIE NICHOLS, Chairman
 THOMAS M. BEARD
 GERALD L. GUNTER
 JOHN T. HERNDON
 MICHAEL MCK. WILSON

ORDER ACKNOWLEDGING COMPLIANCE WITH
 COMMISSION REQUIREMENTS AND CLOSING DOCKET

BY THE COMMISSION:

On July 29, 1987, DeBary Associates, Inc. (utility) filed an application for a staff-assisted rate case. Its application was approved and by Order No. 19094, issued April 4, 1988, this Commission established increased rates and charges, but found the quality of service to be only marginally satisfactory for water and unsatisfactory for sewer. At the time, the utility's sewer operation was under a notice of violation from the Department of Environmental Regulation (DER). Since the utility had problems with quality of service, by Order No. 19094, we also required the utility to file monthly reports regarding its water operations and a report detailing its intended compliance with the DER-required improvements to the sewer system.

In addition, by Order No. 19094, we found that the utility did not keep its books and records according to the NARUC Uniform System of Accounts. We, therefore, ordered the utility to bring its books and records into compliance with the NARUC system within ninety days and to submit an affidavit attesting to this effect.

Pending our verification of its compliance with the requirements of Order No. 19094, we ordered the utility to escrow the increased amount of revenues.

The utility has submitted monthly reports concerning its water operations and currently appears to comply with all pertinent water parameters. In addition, we understand that the DER-required corrections to the sewer plant are under construction and are expected to be completed during the first quarter of 1989. Finally, the utility timely filed an affidavit attesting that it has brought its books and records into compliance with the NARUC Uniform System of Accounts.

Based upon the above discussion, we find that the utility has complied with the requirements of Order No. 19094. We, therefore, find that no further monitoring of this utility is required. Accordingly, by this Order, we hereby release all funds held in escrow pursuant to the provisions of Order No. 19094.

It is, therefore,

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ORDERED by the Florida Public Service Commission that Debary Associates, Inc. has complied with and satisfied all of the requirements of Order No. 19094. It is further

ORDERED that all revenues held in escrow pursuant to the provisions of Order No. 19094 are hereby released to Debary Associates, Inc. It is further

ORDERED that Docket No. 870823-WS be and is hereby closed.

By ORDER of the Florida Public Service Commission, this 6th day of JANUARY, 1989.

STEVE TRIBBLE, Director
Director of Records and Reporting

(S E A L)

RJP

by: Key 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.

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.