

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Water)	DOCKET NO. 871170-WS
and Sewer Certificates of Clyatt)	
R. Powell, et. al., D/B/A Ravens-)	ORDER NO. 21104
wood Forest Utilities)	
)	ISSUED 4-24-89
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER CLOSING DOCKET

BY THE COMMISSION:

Clyatt R. Powell, et. al., d/b/a Ravenswood Forest Utilities, hereinafter "utility", applied for original water and sewer certificates on March 1, 1988, to serve approximately 100 mobile home lots in St. Johns County. The utility requested permission to bifurcate the application process by requesting issuance of certificates prior to the setting of rates and charges. By Order No. 19436, issued June 6, 1988, this Commission granted Certificates Nos. 503-W and 437-S. That order further directed that this docket remain open to establish water and sewer rates and charges.

The utility was advised of the data required to determine rates and charges by letter from Commission staff dated July 11, 1988. That letter requested submittal of the data by February 2, 1989. To date, the information requested has not been provided and the utility has advised the Commission that it is not prepared to do so at this time.

We have been advised by the utility that construction permits from the Department of Environmental Regulation to build water and sewer facilities have been secured. However, construction has not commenced on the water system and the utility is reconsidering its decision to install a central sewer system in that a developer may install septic tanks on each lot.

In consideration of the above, we find that additional time is required by the utility to determine the cost of the water system and to decide whether to install a central sewer system. Under these circumstances, we find it appropriate to close this docket and proceed with establishment of rates and charges when the utility is better prepared. Since the utility has provided a filing fee in accordance with Rule 25-30.020, Florida Administrative Code, no additional filing fee should be required when the utility files for establishment of rates and charges. However, the utility is advised that it cannot charge or collect payment for utility service without first having established rates and charges authorized by this Commission.

WHEREFORE, in consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that Clyatt R. Powell, et. al., d/b/a Ravenswood Forest Utilities, is hereby authorized to file, at a later date, for the establishment of rates and charges by this Commission. It is further

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ORDERED that Clyatt R. Powell, dt. al., d/b/a Ravenswood Forest Utilities, shall not be required to pay an additional filing fee with said request for rates and charges. It is further

ORDERED that Clyatt R. Powell, et. al., d/b/a Ravenswood Forest Utilities, shall not charge for water and sewer service prior to Commission approval of rates and charges. It is further

ORDERED that Docket No. 871170-WS is hereby closed.

By ORDER of the Florida Public Service Commission,
this 24th day of APRIL, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DAS

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.