

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by PARMER)	DOCKET NO. 881108-SU
UTILITIES, INC. for a staff-assisted)	ORDER NO. 21825
rate case in Highlands County.)	ISSUED: 9-5-89
)	

The following Commissioners participated in the disposition of this matter:

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

ORDER ACKNOWLEDGING WITHDRAWAL OF PROTEST AND
 DECLARING PAA ORDER TO BE A FINAL ORDER

BY THE COMMISSION:

On August 23, 1988, Parmer Utilities, Inc. (Parmer or utility) applied for a staff-assisted rate case. The utility's application was approved on September 23, 1988. Our Staff subsequently conducted an audit of the utility's books and records, evaluated the utility's operation and facilities, and conducted a customer meeting in the service territory to determine whether the customers were satisfied with the quality of service they were receiving from the utility.

We considered Staff's reports and recommendations at the March 21, 1989 agenda conference, and on April 14, 1989 our proposed agency action Order no. 21049 was issued. In our Order, we ordered the utility to correct certain deficiencies in its facilities to improve its quality of service to its customers. We also granted the utility an increase in its flat monthly sewer rate from \$8.20 to \$12.22.

Our follow-up inspection disclosed that the utility had made the necessary corrections to its facilities and the quality of service being provided by the utility had been improved to a satisfactory level.

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On April 24, 1989, the Commission received a timely protest to the aforementioned Order from Mr. Phillip Peterson, a customer of the utility, alleging that the rate increase was too high. The matter was scheduled for a Chapter 120 hearing to be conducted on August 14, 1989, pursuant to Rule 25-22.029(4), Florida Administrative Code. Subsequently, on June 12, 1989, Mr. Peterson advised the Commission by letter that he wished to withdraw his protest.

In consideration of the above, we hereby acknowledge the withdrawal of the above-discussed protest, and find that our proposed agency action Order No. 21049, issued April 14, 1989, is hereby revived and declared to be a Final Order of this Commission.

It is, therefore,

ORDERED that our proposed agency action Order No. 21049, issued April 14, 1989, is hereby revived and declared to be a Final Order of this Commission. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission
this 5th day of September, 1989.


STEVE TRIBBLE, Director
Division of Records and Reportin

(S E A L)

JRF

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

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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.