

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a staff-)	DOCKET NO. 900501-WS
assisted rate case in Volusia)	ORDER NO. 23612
County by Tymber Creek Utilities)	ISSUED: 10-15-90
_____)		

The following Commisioners participated in the disposition of this matter:

GERALD L. GUNTER
 THOMAS M. BEARD
 BETTY EASLEY
 FRANK S. MESSERSMITH

ORDER REQUIRING UTILITY
TO PROVIDE INFORMATION

BY THE COMMISSION:

Tymber Creek Utilities (Tymber Creek or Utility) is a class "C" water and wastewater utility located in eastern Volusia County, in Ormond Beach, Florida. The Utility serves approximately 334 water customers and 334 wastewater customers, all of whom are residents of the Tymber Creek residential development. On May 18, 1990, the utility filed the instant application for a staff-assisted rate case.

The utility's pattern of uncooperative behavior has given us cause to contemplate dismissing this case. Upon due consideration, we find that this sanction is not warranted. However, the Utility will have fourteen days from the date of our vote at the October 2, 1990, Agenda Conference to provide our Staff with any information it requires. In addition, we admonish that if our Staff encounters any further difficulties with the Utility in the processing of this case, Staff will immediately bring these difficulties to our attention so that we may consider appropriate action.

It is, therefore,

ORDERED by the Florida Public Service Commission that Tymber Creek Utilities shall have until October 16, 1990, to provide our Staff with any information it presently requires.

By ORDER of the Florida Public Service Commission, this 15th day of OCTOBER, 1990.

 STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)
MF

DOCUMENT NUMBER-DATE
 by: Kay Lynn 87 OCT 15 1990
 Chief, Bureau of Records
 PSC-RECORDS/REPORTING

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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.