

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for waiver of)	DOCKET NO. 900961-WU
penalty and interest added to)	
regulatory assessment fees for)	
1989, by ST. GEORGE ISLAND)	ORDER NO. 24884
UTILITY COMPANY, LTD. in)	
Franklin County)	ISSUED: 8/6/91
_____)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER ESTABLISHING PAYMENT SCHEDULE FOR 1988 AND
 1989 REGULATORY ASSESSMENT FEES, PENALTIES AND INTEREST

BY THE COMMISSION:

St. George Island Utility Company, Ltd, is a Class B water and wastewater utility operating in Franklin County. According to the 1989 Annual Report on file with the Commission, operating revenue of \$270,617 and an operating loss of \$28,122 were reported for the water system. A sewer certificate has been issued, but there is no system.

On November 14, 1990, the utility was notified that additional regulatory assessment fees, including penalties and interest, were due for 1989. On December 6, 1990, the utility submitted an objection to penalty and interest charges, and requested a waiver of penalty and interest charges as well as establishment of a payment schedule. Order No. 24290, issued March 26, 1991, denied the utility's request for waiver of penalty and interest charges. In addition, the utility was ordered to pay all outstanding regulatory assessment fees, penalties and interest as set out in the Order (\$13,035.76 as of February 28, 1991), and to submit a proposed payment schedule within thirty (30) days of the entry of the Order.

On May 7, 1991, the utility submitted a proposed payment schedule of \$250 per month. At this rate it would take 52 months to pay off the \$13,035.76 balance of regulatory assessment fees as of February 28, 1991. To date the utility has not made a single payment toward the unpaid balance. Based on the foregoing discussion, we find that the \$250 a month payment schedule proposed by the utility is not a reasonable payment schedule as it would

DOCUMENT NUMBER-DATE

07906 AUG -6 1991

ESC-RECORDS/REPORTING

ORDER NO. 24884
DOCKET NO. 900961-WU
PAGE 2

result in the balance due being paid off in approximately 52 months. We find that a payment schedule of \$2,500 per month is appropriate. We also note that, while not the subject of this docket, the utility has also failed to pay regulatory assessment fees for 1990.

Therefore, based on the above discussion, we find it appropriate to require the utility to pay the 1988 and 1989 regulatory assessment fees, penalties and accrued interest at the rate of \$2,500 per month until the unpaid balance is paid in full. However, because we are authorizing the utility to pay its delinquent regulatory assessment fees on a payment schedule basis, rather than requiring immediate payment of the total amount due and owing, we also find it appropriate to require the utility to begin paying on the approved payment schedule immediately.

It is, therefore,

ORDERED by the Florida Public Service Commission that St. George Island Utility Company, Ltd. shall pay the 1988 and 1989 regulatory assessment fees, penalties and accrued interest at the rate of \$2,500 per month until such time as the balance due is paid in full. It is further

ORDERED that St. George Island Utility Company, Ltd. shall begin payment on the approved payment schedule immediately. It is further

ORDERED that this docket shall remain open pending payment of the fees as set forth in the body of this Order and Order No. 24290, issued March 26, 1991.

By ORDER of the Florida Public Service Commission, this 6th
day of AUGUST, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

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ORDER NO. 24884
DOCKET NO. 900961-WU
PAGE 3

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.