

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Transfer) DOCKET NO. 910672-WS
of Certificates Nos. 426-W and) ORDER NO. PSC-92-1109-FOF-WS
362-S From Hideaway Service,) ISSUED: 10/05/92
Inc. to FIMC Hideaway, Inc. in)
Levy County, Florida.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER ACKNOWLEDGING WITHDRAWAL OF PETITION, REVIVING
ORDER NO. 25584 AND MAKING IT FINAL AND EFFECTIVE
AND CLOSING DOCKET

BY THE COMMISSION:

Hideaway Service, Inc. (Hideaway or utility) is a wastewater utility, which serves approximately 143 homesites in the Hideaway Mobile Home Subdivision. Hideaway has been in operation since 1984, and holds Certificates Nos. 426-W and 362-S.

On December 13, 1990, this Commission received notice that Florida Investors Mortgage Corporation (FIMC) had foreclosed on Hideaway. In order to keep the utility activities separate from the banking activities, FIMC formed FIMC Hideaway, Inc. (FIMC Hideaway) to operate the utility until a buyer is found.

On June 11, 1991, an application was filed with this Commission for approval of the transfer of Certificates Nos. 426-W and 362-S from Hideaway to FIMC Hideaway. On January 8, 1992, Order No. 25584 was issued approving the transfer. The portion of the Order establishing rate base for purposes of the transfer was issued as Proposed Agency Action.

On January 29, 1992, the Office of Public Counsel (OPC) filed a Petition on Proposed Agency Action Order No. 25584 Establishing Rate Base for Purposes of Transfer. In its Petition, OPC protested the establishment of rate base without recognition of a negative acquisition adjustment in the amount of \$89,663 (the difference between the purchase price/outstanding mortgage, \$60,794, and rate base, \$150,457, as established by the Commission). OPC also

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requested the Commission to convene formal proceedings, pursuant to Section 120.57(1), Florida Statutes. On August 4, 1992, the Office of Public Counsel filed a Notice of Withdrawal of its Petition.

We acknowledge Public Counsel's withdrawal of its Petition. Order No. 25584 is, therefore, revived and made effective and final as of September 15, 1992.

It is, therefore,

ORDERED by the Florida Public Service Commission that Public Counsel's withdrawal of its Petition on Proposed Agency Action Order No. 25584 Establishing Rate Base for Purposes of Transfer is hereby acknowledged. It is further

ORDERED that Order No. 25584 is hereby revived and made effective and final as of September 15, 1992. It is further

ORDERED that Docket No. 910672-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 5th day of OCTOBER __, 1992.



STEVE TRIBBLE, Director
Division of Records and 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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.