

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Cancellation) DOCKET NO. 921208-WS
of Certificates Nos. 455-S and) ORDER NO. PSC-93-0482-FOF-WS
521-W in Brevard County by) ISSUED: 04/01/93
Malabar Utilities, Inc.)
_____)

FINAL ORDER CANCELLING WATER CERTIFICATE NO. 521 AND
SEWER CERTIFICATE NO. 455-S AND CLOSING DOCKET

BY THE COMMISSION:

First, F.A., the owner of Malabar Utilities, Inc. (formerly Malabar Woods Utilities, Inc.) requested that Water Certificate No. 521 and Wastewater Certificate No. 455-S be cancelled. This utility was taken into receivership by the Resolution Trust Corporation (RTC) before any treatment plants were built. The RTC decided not to proceed with plant construction and we were notified in 1990. All annual reports have been filed and regulatory assessment fees paid for the years 1989, 1990, 1991, and 1992. Although the annual report for 1991 was filed late, we deem that show cause shall not be initiated. Since this utility has never been built and is now in receivership, we grant the voluntary cancellation of the certificates.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 521-W and 455-S are hereby cancelled. The utility is directed to return the Certificates to this Commission for cancellation whenever they may be located. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 1st day of April, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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DOCUMENT NUMBER-DATE

03588 APR-18

1993-03588-18

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.