

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application For Transfer) DOCKET NO. 910760-WU
of Assets From Lake Saunders) ORDER NO. PSC-93-1092-FOF-WU
Acres Subdivision to Lake) ISSUED: July 27, 1993
Utility Services, Inc.,)
Amendment of Certificate No.)
496-W and a Limited Proceeding)
to Establish Rates and Charges.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION

ORDER ESTABLISHING PERMANENT RATES AND CHARGES,
AND RELEASING CORPORATE UNDERTAKING

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On July 8, 1991, Lake Utility Service, Inc. (Lake Utility) filed an application for amendment of Certificate No. 496-W to include the Lake Saunders Acres Subdivision (Lake Saunders) in Lake County. The application also involved the transfer of assets of Lake Saunders from the developer to Lake Utility. On November 1, 1991, this Commission issued Order No. 25286, approving the transfer of assets and amending Certificate No. 496-W to include Lake Saunders. That Order also approved, on a temporary basis,

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Lake Utility's request to charge the Lake Saunders customers the rates and charges approved for its Crescent Bay subdivision.

Order No. 25286 directed Lake Utility to file annual report operating information schedules for Lake Saunders within 60 days after it accumulated 12 months of actual operating data so that permanent rates and charges could be established. After reviewing all of the information provided, we find it appropriate to make the rates and charges approved in Order No. 25286 permanent. Lake Utility shall charge the customers in the Lake Saunders Subdivision these rates and charges until authorized to change by the Commission in a subsequent proceeding.

The temporary rates and charges established by Order No. 25286 were secured by corporate undertaking in the amount of \$8,000. Since the rates and charges are being made permanent and there is no requirement for refund, the corporate undertaking is hereby released.

It is, therefore,

ORDERED by the Florida Public Service Commission that the temporary rates and charges approved for the Lake Saunders Subdivision of Lake Utility Services, Inc., 200 Weathersfield Avenue, Altamonte Springs, Florida 32714, are hereby made permanent. Lake Utility Services, Inc. shall charge the customers in the Lake Saunders Subdivision the permanent rates and charges approved herein until authorized to change by the Commission in a subsequent proceeding. It is further

ORDERED that the corporate undertaking in the amount of \$8,000 is hereby released. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

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By ORDER of the Florida Public Service Commission this 27th
day of July, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Feign
Chief, Bureau of Records

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form

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provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 17, 1993.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.