

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate) DOCKET NO. 930826-WS
increase in Marion and Pinellas) ORDER NO. PSC-94-0739A-FOF-WS
Counties by UTILITIES, INC. OF) ISSUED: June 22, 1994
FLORIDA.)
_____)

NOTICE OF PROPOSED AGENCY ACTION
AMENDATORY ORDER

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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By Proposed Agency Action (PAA) Order No. PSC-94-0739-FOF-WS, issued June 16, 1994, the Commission granted final rates and charges to Utilities Inc. of Florida (the utility) for its systems in Marion and Pinellas Counties. On pages 16 and 17 of that Order, the Commission addressed the refund of interim revenues. Order No. PSC-94-0739-FOF-WS required the utility to refund 18.22 percent of its water revenues for Pinellas County. The percentage of 18.22 is incorrect. The appropriate amount of refund should be 24.62 percent of the water revenues for Pinellas County. Therefore, the first paragraph of page 17 is hereby amended to read as follows:

The approved revenue requirement for Pinellas County water system is \$87,002. This represents a \$26,027 (24.62 percent) reduction from the interim revenue requirement of \$106,261. Therefore, the utility shall refund 24.62 percent of the water service revenues collected under interim rates for the Pinellas County water system.

As noted above, Order No. PSC-94-0739-FOF-WS was issued as a PAA. In the Notice of Further Proceedings or Judicial Review on page 21 and 22 of that Order, the deadline for filing a protest of that Order was incorrectly stated as June 7, 1994, when in fact it should have been July 7, 1994. However, as this Amendatory Order is being issued as PAA, the deadline for filing a protest shall be 21 days from the issuance of this Order, as set forth below in the Notice of Further Proceedings or Judicial Review.

Order No. PSC-94-0739-FOF-WS is affirmed in all other respects.

DOCUMENT NUMBER-DATE

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Based on the foregoing, it is, therefore,

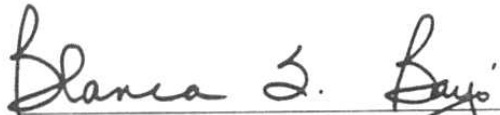
ORDERED by the Florida Public Service Commission that Order No. PSC-94-0739-FOF-WS is hereby amended as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-94-0739-FOF-WS is affirmed in all other respects.

ORDERED that all provisions of this Order are issued as proposed agency action and shall become final, unless an appropriate petition in the form provided by Rule 25-22.029, Florida Administrative Code, is received by the Director of the Division of Records and Reporting at her office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the date set forth in the Notice of Further Proceedings Below. It is further

ORDERED that this docket shall be closed if no timely protest is received from a substantially affected person, and upon the utility's filing and staff's approval of revised tariff sheets and a customer notice, as required by Order No. PSC-94-0739-FOF-WS.

By ORDER of the Florida Public Service Commission, this 22nd day of June, 1994.



BLANCA S. BAYO, 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

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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 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 July 13, 1994.

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.