

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Notice of abandonment of) DOCKET NO. 940627-WU
water system in Pasco County by) ORDER NO. PSC-94-0919-FOF-WU
BLANTON LAKE UTILITIES COMPANY.) ISSUED: July 26, 1994

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER ACKNOWLEDGING ABANDONMENT OF WATER SYSTEM

BY THE COMMISSION:

Blanton Lake Utilities Company (Blanton Lake) is a Class C utility located in Pasco County. The service area consists of approximately 24 acres with 53 homes. On June 8, 1994, Mr. Stephen J. Matala, owner and operator of Blanton Lake, notified the Florida Public Service Commission (Commission), the Florida Department of Environmental Protection, the United States Environmental Protection Agency, and the Pasco County Utility Department that he would be abandoning the utility effective July 30, 1994. By providing such notice, Blanton Lake has complied with the noticing requirements of Section 367.165, Florida Statutes, and Rule 25-30.090, Florida Administrative Code.

Blanton Lake states that it does not have the customer base to maintain its water system properly. Blanton Lake reported a gross revenue amount of \$7,917 and a net loss of \$45 for the 1993 operating year. On July 15, 1994, a hearing was held in Volusia County to appoint a receiver for Blanton Lake. However, the judge in that case decided that his court was not the appropriate forum for this proceeding and he transferred the proceeding to another court on the east side of the county where Blanton Lake is located. The county attorney has stated that once a receiver has been appointed the county will inform the Commission.

Based on the above, we hereby acknowledge the abandonment of Blanton Lake. However, pursuant to Rules 25-30.120(1), and 25-30.110(3), Florida Administrative Code, Blanton Lake shall be responsible for the payment of its 1993 and 1994 regulatory assessment fees and the filing of its 1994 Annual Report. Blanton Lake shall also provide the Commission with the physical location

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of the utility's books and records. This docket shall remain open to monitor receivership activities regarding Blanton Lake.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the abandonment of Blanton Lake's water system in Pasco County is hereby acknowledged. It is further

ORDERED that Blanton Lake Utilities Company shall be responsible for the payment of its 1993 and 1994 regulatory assessment fees pursuant to Rule 25-30.120(1), Florida Administrative Code, and the filing of its 1994 annual report pursuant to Rule 25-30.110(3), Florida Administrative Code. It is further

ORDERED that Blanton Lake Utilities Company shall provide the Commission with a physical address of its books and records. It is further

ORDERED that this docket shall remain open to monitor any receivership activities.

By ORDER of the Florida Public Service Commission, this 26th day of July, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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.