

North Naples provided adequate service territory and system maps and a territory description, in accordance with Rule 25-30.036(1)(e), (f), and (i), Florida Administrative Code. The territory to be deleted is described as follows:

The South 1/2 of Section 5, Township 48 South, Range 26 East, Lee County, Florida

The Utility provided proof of its compliance with the noticing provisions of Rule 25-30.030, Florida Administrative Code. No objections to the application have been received and the time for filing such has expired.

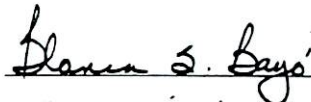
From a review of the information provided, it appears that the territory described above can be served by Bonita Springs Utilities, which has water facilities within 200 feet of the territory. In addition, Bonita Springs Utilities is currently installing wastewater service adjacent to the area. North Naples has no customers in the territory to be deleted; nor do they have facilities to serve future customers. Therefore, we find that it is in the public interest to cancel Certificates Nos. 462-W and 398-S, held by North Naples. North Naples has returned the Certificates to the Commission for cancellation.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 462-W and 398-S, held by North Naples Utilities, Inc., 4500 Executive Drive, Naples, Florida 33999, are hereby cancelled. It is further

ORDERED that Docket No. 940381-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 13th day of September, 1994.



BLANCA S. BAYÓ, 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.