

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
new class of service for bulk
wastewater service in Martin
County by Hydratech Utilities,
Inc.

DOCKET NO. 970029-WS
ORDER NO. PSC-98-1244-FOF-WS
ISSUED: September 21, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING WITHDRAWAL OF APPLICATION
AND CLOSING DOCKET

BY THE COMMISSION:

Hydratech Utilities, Inc. (Hydratech or utility) is a Class A water and wastewater utility providing service to approximately 5,301 water and 4,499 wastewater customers in Martin County. According to its 1996 annual report, the utility reported gross operating revenues of \$1,330,262 and \$1,058,728 for water and wastewater, respectively. A net operating income of \$182,542 was reported for water along with a net operating income of \$793 for wastewater.

On January 7, 1997, the utility filed an application pursuant to Section 367.091, Florida Statutes, for approval of a new class of service to provide bulk wastewater service within its wastewater-only service territory. The utility and Martin County were negotiating a bulk service wastewater agreement whereby the utility would provide bulk wastewater service to the County. The County would in turn provide individual wastewater service to approximately 166 existing equivalent residential connections (ERCs) in two phases behind the bulk meter and ultimately to 301 such connections at build out.

By Order No. PSC-97-0314-FOF-WS, issued March 24, 1997, the utility's proposed tariff to add a new class of service to provide

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bulk wastewater service was suspended pending further investigation by staff.

The utility thereafter indicated to staff that the county was contemplating individual service to the Banner Lake Subdivision from Hydratech. Because the negotiations on whether to provide bulk or individual service were extensive, the utility sent several letters extending the statutory eight-month period for processing the application. By letter dated July 15, 1998, the utility filed a withdrawal of its request for approval of a bulk wastewater service rate. The utility entered into an agreement with Martin County to provide individual service within the Banner Lake Subdivision. The individual service will be in accordance with the utility's current tariff.

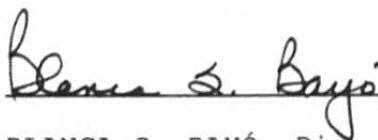
Based on the above, we hereby acknowledge Hydratech's notice of withdrawal of its application. Since this docket does not require any further action, it shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Hydratech Utilities, Inc.'s notice of withdrawal of its application for a new class of service for bulk wastewater service in Martin County is hereby acknowledged. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 21st day of September, 1998.



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 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 after the issuance 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.