

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of majority organizational control of Sandy Creek Utilities, Inc., holder of Certificates Nos. 514-W and 446-S in Bay County, from Sandy Creek Properties, Inc. To Mr. Gary L. Souders.

DOCKET NO. 981992-WS
ORDER NO. PSC-00-0342-PCO-WS
ISSUED: February 18, 2000

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING REQUEST FOR EXTENSION OF TIME
TO FILE WARRANTY DEED

BY THE COMMISSION:

Background

On December 29, 1998, Mr. Gary L. Souders filed an application for approval of the transfer of majority organizational control of Sandy Creek Utilities, Inc. (Sandy Creek or utility) from Sandy Creek Properties, Inc. (Seller) to Mr. Souders. By Order No. PSC-99-1232-FOF-WS, issued on June 22, 1999, we approved the transfer. In addition, we required Mr. Souders to file a recorded copy of the warranty deed, in the name of the utility, for the land upon which the utility facilities are located within six months of the issuance date of the Order. The deed was due to be filed by January 4, 2000. The docket was held open pending receipt of the deed.

DOCUMENT NUMBER-DATE

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On January 3, 2000, Mr. Souders submitted a request, by facsimile, for an extension of time in which to file a recorded copy of the warranty deed required by Order No. PSC-99-1232-FOF-WS. The original of the request was filed with the Division of Records and Reporting on January 7, 2000.

Request for Extension of Time

Mr. Souders has requested an additional six months to provide the proof of ownership required by Order No. PSC-99-1232-FOF-WS. According to information provided by Mr. Souders in his request, the extension is needed due to problems he is experiencing closing on the property where the facilities are located. The property is being resurveyed because the descriptions are inaccurate.

After reviewing the request and the information provided, we find that the request for an extension of time is reasonable. Therefore, Mr. Souders is hereby granted an additional six months, until June 5, 2000, to file a recorded copy of the deed for the land upon which the utility facilities are located.

This docket shall remain open pending receipt of a copy of the recorded warranty deed in the name of Sandy Creek Utilities, Inc. for the property upon which the utility facilities are located, as required by Order No. PSC-99-1232-FOF-WS. Once the deed is filed with this Commission, this docket shall be administratively closed.

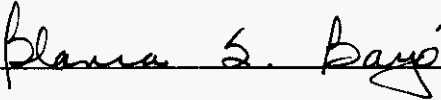
It is, therefore,

ORDERED by the Florida Public Service Commission that the request of Gary L. Souders, 7328 Littleton Road, Panama City, Florida 32404, for an additional six months in which to file a recorded copy of the deed for the land upon which the utility facilities are located is hereby granted. Mr. Souders shall file a copy of the recorded warranty deed, in the name of Sandy Creek Utilities, Inc., for the land upon which the utility facilities are located by June 5, 2000. It is further

ORDERED that this docket shall remain open pending receipt of the warranty deed required herein. Upon receipt of the deed, this docket shall be closed administratively.

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By ORDER of the Florida Public Service Commission this 18th
day of February, 2000.



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 120.569(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.