

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
amendment of Certificate No.
347-W to add territory in Marion
County by Marion Utilities, Inc.

DOCKET NO. 010649-WU
ORDER NO. PSC-01-1545-FOF-WU
ISSUED: July 25, 2001

ORDER ACKNOWLEDGING WITHDRAWAL OF APPLICATION
AND CLOSING DOCKET

BY THE COMMISSION:

Marion Utilities, Inc. (Marion or utility) is a Class A utility providing water and wastewater service to 4706 water and 118 wastewater equivalent residential connections in Marion County. Marion holds Certificates Nos. 347-W and 336-S. According to its 2000 Annual Report, for the twelve months ending December 31, 2000, the utility recorded operating revenues of \$1,137,638 and \$29,224 for water and wastewater, respectively. The utility has multiple service areas, located in the St. Johns River Water Management District Water Conservation Area.

On May 1, 2001, an application was filed on behalf of Marion to amend its Water Certificate No. 347-W and to add territory located in Marion County. The application was filed pursuant to Section 367.045, Florida Statutes, and Rule 25-30.032, Florida Administrative Code.

On May 18, 2001, pursuant to Rule 25-30.031, Marion County timely filed its written Objection to and Petition to Initiate Formal Proceedings of Marion County to Application of Marion Utilities, Inc. for Amendment of Water Certificate 347-W.

Upon receipt of the written objection, our staff contacted the president of the utility, Mr. Tim Thompson, in order to discuss the objection and verify the utility's intention with respect to its application. Mr. Thompson advised staff that he needed additional time to confer with the developers of the land which was the subject of the utility's application, in order to determine whether the developers wished to pursue the application.

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On June 11, 2001, a letter was received from the utility requesting that its application to amend its Water Certificate No. 347-W be withdrawn.

Based on the foregoing, we find it appropriate to acknowledge the withdrawal of the utility's application for amendment of its Water Certificate to add territory located in Marion County.

ORDERED by the Florida Public Service Commission that the withdrawal of the application by Marion Utilities, Inc., 710 N.E. 30th Avenue, Ocala, Florida 34470, to amend its Water Certificate No. 347-W and to add territory located in Marion County is acknowledged. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 25th day of July, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

LAE

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.