

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of water rates of A. P. Utilities, Inc. in Marion County for possible overearnings.

DOCKET NO. 971504-WU
ORDER NO. PSC-02-1635-FOF-WU
ISSUED: November 25, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

ORDER APPROVING CLOSURE OF REGULATORY ASSESSMENT
FEE ESCROW ACCOUNT AND CLOSING DOCKET

BY THE COMMISSION:

Originally, A.P. Utilities, Inc. (APU or utility) was a Class B water utility which had seven water systems that served approximately 1,017 residential water customers in Marion County. We approved the transfer of two of APU's seven water systems to Ocala Oaks Utilities, Inc. in Docket No. 981030-WU, and the transfer of four of the remaining five systems to Marion County in Docket No. 010506-WU. We approved the transfer of the remaining system, Quail Run, to Sunshine Utilities of Central Florida, Inc. in Docket No. 020256-WU and APU's certificate was cancelled.

Order No. PSC-98-0044-PCO-WS, issued January 6, 1998, in Docket No. 971504-WS, ordered APU to establish an interest bearing escrow account as security for potential overearnings. Order No. PSC-99-1459-PAA-WU, issued July 27, 1999, closed the overearnings escrow account and required another escrow account to insure timely payment of RAFs. This escrow account was needed because the utility had not paid the majority of its RAFs from 1991 through 1998 in a timely manner or at all. As of October 24, 2002, the utility has paid the RAFs, penalties, and interest required by Order No. PSC-99-1459-PAA-WU; the last payment of RAFs for the

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Quail Run system was made on March 5, 2002. As there were no outstanding penalties, or interest owed, Mr. Woods closed the account on July 19, 2002.

Since outstanding RAFs, penalties, and interest have been paid, we approve closure of the RAFs escrow account required by Order No. PSC-99-1459-PAA-WU. As all outstanding RAFs, penalties and interest have been paid and the Quail Run system has been transferred to Sunshine Utilities of Central Florida, Inc., no further actions are required in this docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that closure of the Regulatory Assessment Fees escrow account opened pursuant to Order No. PSC-99-1459-PAA-WU is approved. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 25th day of November, 2002.

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)

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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 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.