

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of imposition of miscellaneous service charges, delinquent payment charge and meter tampering charge in Lake County, by Pine Harbour Water Utilities, LLC.	DOCKET NO. 090429-WU ORDER NO. PSC-09-0709-PCO-WU ISSUED: October 26, 2009
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The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER SUSPENDING PROPOSED TARIFF SHEET REVISIONS

BY THE COMMISSION:

BACKGROUND

Pine Harbour Water Utilities, LLC (Pine Harbour or Utility) is a Class C utility providing water service to approximately 60 customers in Lake County. Pine Harbour reported revenues of \$15,678 in its 2008 Annual Report. The system is located in the St. Johns River Water Management District (SJRWMD).

On August 7, 2009, the Utility filed an application for approval of tariff sheets to reflect the following: imposition of miscellaneous service charges, delinquent payment charge, and meter tampering charge. This order addresses the suspension of Pine Harbour's proposed tariff sheets. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

DECISION

Pursuant to Section 367.091(6), F.S., the tariff sheets proposed by the Utility shall become effective within sixty (60) days after filing, unless we vote to withhold consent of the request. Further, we may withhold consent to operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding that consent.

We have reviewed the filing and we have considered Pine Harbour's proposed charges and information filed in support of the application. We find that it is necessary to require amplification and explanation of this data. Our review of the application will require further examination. Therefore, we find that Pine Harbour's proposed tariff sheets to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge shall be

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suspended pending further investigation by our staff. This docket shall remain open pending the completion of our staff's investigation and final action by this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff sheets to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge shall be suspended. It is further

ORDERED that this docket shall remain open pending the completion of our staff's investigation and our final action.

By ORDER of the Florida Public Service Commission this 26th day of October, 2009.



ANN COLE
Commission Clerk

(S E A L)

CMK

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule

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25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.