

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Kincaid Hills Water Company, in Alachua County, for noncompliance with Sections 350.113, 350.117, 367.121, and 367.145, Florida Statutes, and Rules 25-30.110, 25-30.120, 25-30.355, and 25-22.032, Florida Administrative Code.

DOCKET NO. 20170200-WU
ORDER NO. PSC-2018-0166-PCO-WU
ISSUED: March 27, 2018

ORDER HOLDING DOCKET IN ABEYANCE

By Order No. PSC-2017-0470-PCO-WU, issued December 15, 2017, the Public Service Commission (Commission) directed Commission staff to initiate certificate revocation proceedings against Kincaid Hills Water Company (Kincaid), consistent with Chapter 120 and Section 367.161, Florida Statutes (F.S.). Accordingly, on February 8, 2018, Commission staff issued a Notice of Intent to Initiate Certificate Revocation Proceeding (Notice), notifying Kincaid that Commission staff intended to establish a docket to revoke Water Certificate No. 555-W no sooner than 30 days from the date of the Notice. Additionally, the Notice informed Kincaid that it had the right to request a hearing to be conducted in accordance with Sections 120.569 and 120.57, F.S.

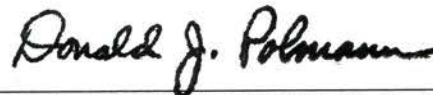
To date, Kincaid has not responded to the Notice. However, on February 27, 2018, Commission staff received notice, by email, from Gator Waterworks, Inc. (Gator Waterworks) that it acquired Kincaid on February 23, 2018. On March 12, 2018, Gator Waterworks filed an application for transfer of facilities and Water Certificate No. 555-W from Kincaid to Gator Waterworks. On March 20, 2018, Gator Waterworks filed a request to hold the certificate revocation proceedings in abeyance until such time as the Commission makes its ruling on the transfer application. In its request, Gator Waterworks averred that the interests of economy and efficiency will be served by holding the certificate revocation proceedings in abeyance while the Commission processes the transfer application.

In light of the facts presented, I find that it is reasonable to hold the certificate revocation proceeding in abeyance while the Commission processes the transfer application. Therefore, this docket shall be held in abeyance pending the Commission's review and ruling on the application for transfer of facilities and Water Certificate No. 555-W in Docket No. 20180066-WU.

Based on the foregoing, it is

ORDERED by Commissioner Donald J. Polmann, as Prehearing Officer, that Docket No. 20170200-WU shall be held in abeyance pending the Commission's review and ruling on the application for transfer of facilities and Water Certificate No. 555-W in Docket No. 20180066-WU.

By ORDER of Commissioner Donald J. Polmann, as Prehearing Officer, this 27th day of March, 2018.



DONALD J. POLMANN, Ph.D., P.E.
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.