

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause pro-)	DOCKET NO. 880721-WU
ceedings against CONSOLIDATED WATER-)	ORDER NO. 20795
WORKS, INC. in Columbia County for)	ISSUED: 2-22-89
late filing 1986 annual report.)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 JOHN T. HERNDON

ORDER DISMISSING FINE AND CLOSING DOCKET

BY THE COMMISSION:

By Order No. 19891, issued August 29, 1988, this Commission fined Consolidated Waterworks, Inc., one dollar per day, for a total of \$176.00, for its failure to timely file its 1986 Annual Report. The utility had earlier stated, in its timely response to show cause Order No. 19572, that it believed it had filed its 1986 Annual Report within the required deadline. When it was informed by Staff that the report had not been received, the Company had provided another copy to Staff. At our August 16, 1988, Agenda Conference, we voted to fine the utility \$176.00 instead of the \$528.00 proposed by our show cause order. We requested, however, that the utility mail us a copy of a certified mail receipt showing that the utility had, in fact, timely mailed its 1987 Annual Report. The utility has mailed a copy of this receipt and has stated again that it timely mailed its 1986 Annual Report. Whatever problem occurred with the 1987 Annual Report, the utility states, evidently, occurred when it mailed its 1986 Annual Report.

Our Staff has attempted, unsuccessfully, to verify our failure to timely receive either of these Annual Reports. Accordingly, it appears that the utility may very well be correct in its statement that it timely mailed both of these reports. For this reason, we dismiss the \$176.00 fine we levied by Order No. 19891, and close this docket.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that the \$176.00 fine levied against Consolidated Waterworks, Inc., is hereby dismissed. It is further

ORDERED that this docket be closed.

DOCUMENT NUMBER-DATE

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By ORDER of the Florida Public Service Commission
this 22nd day of FEBRUARY, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SFS

by: Kay J. Lynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 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 or sewer 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.