

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause	)	DOCKET NO. 880672-SU
proceedings against COLONY PARK	)	
UTILITIES, INC. in Brevard County	)	ORDER NO. 21126
for failure to comply with 1986	)	
annual report requirements.	)	ISSUED: 4-25-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, CHAIRMAN  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER CLOSING DOCKET

Colony Park Utilities, Inc. (Colony Park or utility), is a privately-owned, Class "C" utility providing sewer service to the public in Brevard County, Florida.

In Order No. 19738, issued July 27, 1988, the Commission directed the utility to "show cause" why it should not be fined \$3 per day for each day the 1986 annual report was delinquent. Mrs. Lenore Warren filed a timely response to the Order, explaining that the death of her husband in November, 1987, had been a severe burden since he had been primarily responsible for the management of the utility. In Order No. 20105 issued October 3, 1988, the Commission granted Mrs. Warren's request for a 30-day extension of time to file the delinquent 1986 annual report. Mrs. Warren was given until November 2, 1988 to file the subject report. No report was filed, so in Order No. 20505, issued December 22, 1988, the Commission directed that the utility be fined \$3 per day for each day after November 2, 1988 that the report remained delinquent.

Subsequently, on February 6, 1989, the utility filed its 1986 annual report and the \$3 per day penalty was assessed from November 2, 1989 to February 6, 1989 (96 days X \$3.00 = \$288.00). On March 3, 1989, the Commission received the \$288.00 penalty payment from Mrs. Lenore Warren.

Since the matter has been resolved, this docket should be closed.

It is, therefore,

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission  
 this 25th day of APRIL, 1989.

STEVE TRIBBLE, Director  
 Division of Records and Reporting

( S E A L )

RJF

DOCUMENT NUMBER-DATE  
 04170 APR 25 1989  
 FPSC-RECORDS/REPORTING

by: Kay Flynn  
 Chief, Bureau of Records

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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.