

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Show Cause Proceedings)	DOCKET NO. 881425-WS
against St. Johns North Utility)	ORDER NO. 21559
Corp. for violation of Chapter 367,)	ISSUED: 7-17-89
Florida Statutes)	
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, CHAIRMAN
 THOMAS M. BEARD
 JOHN T. HERNDON

ORDER IMPOSING FINE

BY THE COMMISSION:

By Order No. 20409, issued December 5, 1988, we directed St. Johns North Utility Corp., ("SJN" or "utility"), to file an application for extension of service territory, pursuant to Section 367.061, Florida Statutes, on or before March 6, 1989. SJN did not file an application as directed.

On May 8, 1989, Order No. 21197, this Commission ordered SJN to show cause why it should not be fined up to \$5,000 per day for each day of its failure to comply with the aforesaid provision of Order No. 20409. The show cause order states that failure to file a timely written response would constitute an admission of the facts alleged and a waiver of any right to a hearing. SJN has failed to file an application or any response to the show cause order.

We find that SJN, by its failure to file any response to the show cause order, has admitted the facts alleged therein. In Order No. 20762, we fined SJN \$5,000 for each violation discussed in that Order. We find it appropriate to impose the same level of fine, \$5,000, for the utility's failure to file the application for extension of territory as directed by Order No. 20409.

In consideration of the foregoing, it is

ORDERED that St. Johns North Utility Corp., is hereby assessed a fine of \$5,000 for failure to file the application

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for extension of territory as directed by Order No. 20409.

By ORDER of the Florida Public Service Commission
this 17th day of July, 1989.

STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

by: Kay Flynn
Chief, Bureau of Records

DAS

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.