

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of ) DOCKET NO. 930467-SU  
Proceedings to Require HUDSON ) ORDER NO. PSC-93-1244-FOF-SU  
UTILITIES, INC. d/b/a HUDSON BAY ) ISSUED: August 26, 1993  
COMPANY in Pasco County to )  
Escrow Funds for Payment of )  
Regulatory Assessment Fees. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
THOMAS M. BEARD  
SUSAN F. CLARK  
JULIA L. JOHNSON

ORDER ACKNOWLEDGING RECEIPT OF PAYMENT  
AND CLOSING DOCKET

BY THE COMMISSION:

Pursuant to Section 367.145(1), Florida Statutes, the Commission has set by rule a regulatory assessment fee which each utility must pay once a year in conjunction with filing its annual financial report. Rule 25-30.120(1), Florida Administrative Code, requires each utility, beginning January 1, 1991, to pay a regulatory assessment fee comprised of 4.5 percent of its annual gross operating revenue amount.

Pursuant to Section 350.113(4), Florida Statutes, a penalty shall be assessed against any utility that fails to pay its regulatory assessment fee by March 31st. In addition, pursuant to Rule 25-30.120(5)(b), Florida Administrative Code, the Commission may impose an additional penalty upon a utility for failure to pay regulatory assessment fees in a timely manner, in accordance with Section 367.161, Florida Statutes.

On three separate occasions, by letters dated April 27, 1992, April 29, 1992, and August 26, 1992, the Hudson Bay Company (Hudson or utility) was notified that its 1991 regulatory assessment fees were due. On April 28, 1993, the utility was also sent a delinquency notice for non-payment of its 1992 regulatory assessment fees. This docket was opened to address the non-payment of the 1991 and 1992 regulatory assessment fees.

DOCUMENT HAS BEEN FILED

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On June 26, 1993, our Division of Administration received Check No. 1120 in the amount of \$39,166.73. This amount represents payment of the total 1991 regulatory assessment fees comprised of \$14,807.61 in fees and \$5,774.96 in penalty and interest. The check also includes payment of the 1992 regulatory assessment fee comprised of \$16,593.00 in fees and \$1,991.16 in penalty and interest. As a result, the utility has now paid all of its outstanding regulatory assessment fees and this docket may be closed.

Based on the foregoing, it is therefore,

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

By ORDER of the Florida Public Service Commission this 26th day of August, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

LAJ

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.