

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate) DOCKET NO. 941108-WS
increase in Collier County by) ORDER NO. PSC-95-1156-FOF-WS
FLORIDA CITIES WATER COMPANY -) ISSUED: September 19, 1995
Golden Gate Division)
_____)

The following Commissioners participated in the disposition of this matter:

JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER MAKING ORDER NO. PSC 95-0720-FOF-WS FINAL,
WITH AN EFFECTIVE DATE OF AUGUST 29, 1995

BY THE COMMISSION:

Florida Cities Water Company, Golden Gate Division, (FCWC or utility) is a Class A utility that provides water and wastewater service in Collier County. As of September 30, 1994, the utility was serving 2,571 water customers and 1,873 wastewater customers. The Golden Gate system serves an area that has been designated by the South Florida Water Management District as a critical use area.

On December 29, 1994, FCWC filed an application for increased rates pursuant to Section 367.081, Florida Statutes. On June 15, 1995, the Commission by Proposed Agency Action (PAA) Order No. PSC-95-0720-FOF-WS granted final rates and charges to FCWC.

On July 5, 1995, Kaydee Tuff (Ms. Tuff), on behalf of Golden Gates Civic Association, timely filed a Petition on Proposed Agency Action, wherein she requested a Section 120.57, Florida Statutes hearing. On July 17, 1995, FCWC filed a motion to dismiss Ms. Tuff's protest. On July 31, 1995, Ms. Tuff filed a response to the motion to dismiss. On July 24, 1995, FCWC filed a Notice of Intent to Implement Rates, along with revised tariff sheets, a proposed customer notice, and a corporate undertaking of Florida Cities Water Company. The Commission acknowledged Florida Cities Water Company's implementation of rates at the August 15, 1995 Agenda Conference.

On August 3, 1995, Ms. Tuff filed a notice of withdrawal of her protest of Order No. PSC-95-0720-FOF-WS. The prehearing and hearing dates were cancelled. Since the protest was withdrawn, we find it appropriate to make Order No. PSC-95-0720-FOF-WS final,

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ORDER NO. PSC-95-1156-FOF-WS
DOCKET NO. 941108-WS
PAGE 2

with an effective date of August 29, 1995. Since the protest was withdrawn, we find that the utility's Motion to Dismiss the protest is rendered moot. FCWC has provided staff with revised tariff sheets and a customer notice which staff approved. There are no remaining issues to this rate case. Therefore, we find it appropriate to close this docket and release the utility's corporate undertaking.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-95-0720-FOF-WS shall be made final, with an effective date of August 29, 1995. It is further

ORDERED that Florida Cities Water Company, Golden Gate Division's corporate undertaking shall be released. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of September, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.