

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 950670-SU  
revision to tariff to include ) ORDER NO. PSC-95-1162-FOF-SU  
charge for 2-1/2 inch meter in ) ISSUED: September 19, 1995  
Collier County by Eagle Creek )  
Utility II, Inc. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER ACKNOWLEDGING WITHDRAWAL OF REQUEST FOR APPROVAL OF  
REVISION TO TARIFF TO INCLUDE CHARGE FOR 2-1/2 INCH METER IN  
COLLIER COUNTY BY EAGLE CREEK UTILITY II, INC.

BY THE COMMISSION:

On June 6, 1995, Eagle Creek Utility II, Inc. (Eagle Creek or utility) requested a revision in its tariff to establish a base facility for a 2-1/2 inch meter. By Order No. PSC-92-1446-FOF-SU, issued December 14, 1992, we approved the existing tariff for the utility. The tariff did not include charges for a 2-1/2 inch meter size; however, we approved rates for a 2 inch meter.

Subsequent to its filing, the utility discovered it may have been misinformed as to the exact size of the meter. At the August 1, 1995, Agenda Conference, we suspended the utility's tariff pending further investigation by Staff. On August 7, 1995, the utility submitted a request to withdraw its tariff filing because it discovered the actual size of the meter is 2 inches, and the utility, pursuant to its existing tariff, has authority to establish a charge for a 2 inch meter. The utility informed staff that the plumber who installed the meter verified that it is a 2 inch meter.

Based on the foregoing, we hereby acknowledge the utility's request to withdraw its tariff filing. Because the utility has withdrawn its tariff filing, no further action is required, and this docket is hereby closed.

DOCUMENT NUMBER-DATE

09214 SEP 19 95

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Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Eagle Creek Utility II, Inc.'s withdrawal of its Request for Approval of Revision to Tariff to Include Charge for 2-1/2 Inch Meter in Collier County is hereby acknowledged. It is further

ORDERED that this docket is hereby 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

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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.