

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a Staff-) DOCKET NO. 960132-WS
Assisted Rate Case in Broward) ORDER NO. PSC-96-1225B-FOF-WS
County by MHC-DeAnza Financing) ISSUED: October 17, 1996
Limited Partnership d/b/a)
COLONIES WATER COMPANY)
_____)

NOTICE OF PROPOSED AGENCY ACTION
SECOND AMENDATORY ORDER

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.036, Florida Administrative Code.

On September 26, 1996, this Commission issued proposed agency action (PAA) Order No. PSC-96-1225-FOF-WS which contained a scrivener's error on page 15 stating "1,000 gal. max" in the section entitled "Gallorage Charge" under Monthly Wastewater Rates, Residential Service. The correct amount is "10,000 gal. max". Accordingly, Order No. PSC-96-1225-FOF-WS was amended to reflect the correct amount. Order No. PSC-96-1225A-FOF-WS, was issued on October 14, 1996 with the correct amount. However, we neglected to include the PAA language in the amendatory order. Accordingly, Order No. PSC-96-1225A-FOF-WS is amended to reflect that substantially affected persons have 21 days to file a petition pursuant to Rule 25-22.036, Florida Administrative Code, as a result of the scrivener's error. The deadline for filing such a petition shall be 21 days from the issuance of this Order, as set forth below in the Notice of Further Proceedings or Judicial Review.

Orders Nos. PSC-96-1225-FOF-WS and PSC-96-1225A-FOF-WS are affirmed in all other respects.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-96-1225A-FOF-WS is hereby amended as set forth herein. It is further

ORDERED that Orders Nos. PSC-96-1225-FOF-WS and PSC-96-1225A-FOF-WS are hereby affirmed in all other respects. It is further

DOCUMENT NUMBER-DATE

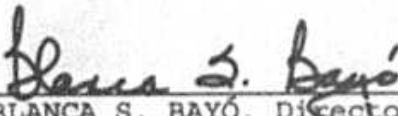
11140 OCT 17 96

FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-1225B-FOF-WS
DOCKET NO. 960132-WS
PAGE 2

ORDERED that all provisions of this Order are issued as proposed agency action and shall become final, unless an appropriate petition in the form provided by Rule 25-22.029, Florida Administrative Code, is received by the Director, Division of Records and Reporting at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the date set forth in the Notice of Further Proceedings below.

By ORDER of the Florida Public Service Commission, this 17th day of October, 1996.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

RA

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 7, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.