

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Tahitian Gardens Condominium Association Inc. against Aloha Utilities, Inc. ) ) )

Docket 971092-WS Filed:

NOTICE OF VOLUNTARY WITHDRAWAL

Tahitian Gardens Condominium Association, Inc., hereby voluntarily withdraws without prejudice, it's complaint against Aloha Utilities, Inc., and states:

- 1. On August 7, 1997, Tahitian Gardens Condominium Association filed a complaint against Aloha Utilities, Inc. The complaint alleges that Aloha is violating it's tariff by charging 464 non-metered residential customers a base facility charge which, by it's own terms, applies to individually metered customers. The complaint seeks a prohibition of this charge and a refund of past charges.
2. On September 12, 1997 Aloha filed a motion to dismiss, motion to strike, answer and affirmative response to Tahitian Gardens complaint.
3. On September 24, 1997 Tahitian Gardens filed a motion for extension of time to respond to Aloha's multiple pleadings. The Public Counsel's office agreed to review this motion for us. After sending it to the Public Counsel, John Roger Howe signed our motion before filing it on behalf of Chris Llossis and Jim Richardson.
4. Subsequently, Tahitian Gardens has determined that it's concerns might be more effectively resolved outside the adversarial process, and has asked the Public Service Commission's consumer affairs division to investigate the matters we have raised.
5. Accordingly, Tahitian Gardens now withdraws this complaint, but reserves the right to re-file on the same issues if such action seems appropriate after the investigation by consumer affairs.

WHEREFORE, Tahitian Gardens Condominium Association, Inc., voluntarily withdraws, without prejudice to re-file on the same grounds, it's complaint against Aloha Utilities.

ACK \_\_\_\_\_
AFA \_\_\_\_\_
APP \_\_\_\_\_
CAF \_\_\_\_\_
CMU \_\_\_\_\_
CTR \_\_\_\_\_
EAG \_\_\_\_\_
LES 1
LIN 5
OPC \_\_\_\_\_
RCH \_\_\_\_\_
SEC 1
WAS
OTH \_\_\_\_\_

Respectfully submitted this 20 day of October, 1997, by:

Chris Llossis
Chris Llossis
Tahitian Gardens Condominium Association, Inc.

Jim Richardson (agm)
Jim Richardson, Treasurer
Tahitian Gardens Condominium Association, Inc.

DOCUMENT NUMBER - DATE

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy and correct copy of the forgoing was furnished by U. S. Mail to the following parties this 20 day of October, 1997.

Robert M. C. Rose  
Rose, Sundstrom & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee Florida 32301



Chris Liossis



Jim Richardson