

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for Transfer of Certification No. 495-6 from Sandalhaven Utility, Inc. to CHP Utility, Inc. in Charlotte County, Cancellation of Certificate No. 495-S and Exemption from Florida Public Commission Regulation And Motion for Reconsideration and in the Alternative To Conduct an Administrative Hearing Pursuant to Chapter 120.57, Florida Statutes.

Docket No. 97-0381-SU  
Order # PSC97-1150-FOF-SU  
Issued: September 30, 1997

MOTION TO RESCIND ORDER

NOW COMES the Parties to the Order and Motion for Reconsideration and move the Commission to rescind order # PSC97-1150-FOF-SU premised on the following:

The Commission issued an Order on September 30, 1997 providing for the transfer of the wastewater utility owned by Sandalhaven Utility Inc. to CHP Utility, Inc. a Florida not-for-profit corporation.

The Customers filed a Motion for Reconsideration of said Order on October 14, 1997.

ACK \_\_\_\_\_  
AFA \_\_\_\_\_ Commission staff has allowed the Customers and CHP Utility to explore the use  
APP \_\_\_\_\_ of a member owned not- for -profit Corporation to own and operate the wastewater  
CAF \_\_\_\_\_ utility contemplated by the Order.  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_ The Parties have not been able to resolve the issues between the Customers  
EAG \_\_\_\_\_ and CHP Utility and the Parties wish to avoid further conflict and administrative  
LEG 1 proceedings.

LIN \_\_\_\_\_ WHEREFORE, Customers and CHP Utility jointly request that the Commission  
OPC \_\_\_\_\_ rescind their Order issued on September 30, 1997. Upon the commission rescinding

RCH \_\_\_\_\_  
SEC 1 RECEIVED & FILED  
WAS 1  
OTH \_\_\_\_\_ FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
04929 MAY-18  
FPSC-RECORDS/REPORTING

the order and subject to the reconveyance of the Utility system, the Customers hereby withdraw their Motion for Reconsideration.

Consenting Party:

Wellbaun & McLennon, P.A.



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