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DIVISION OF LEGAL SERVICES  
NOREEN S. DAVIS  
DIRECTOR  
(850) 413-6199

Public Service Commission

June 5, 1998

VIA CERTIFIED MAIL

Mr. Don Gugel  
Tropical Mobile Home Park  
118 Village Road  
Winter Haven, Florida 33880-6144

Re: Docket No. 980586-WS - In re: Initiation of show cause proceedings against Tropical Mobile Home Park in Polk County for violation of Section 367.171, F.S., and Rule 25-30.035, F.A.C., Application for Grandfather Certificate

Dear Mr. Gugel:

Enclosed please find a copy of Order No. PSC-98-0761-SC-WS, issued June 2, 1998, which memorializes the Commission's decision from the June 12, 1998 Agenda Conference. The Order requires that Tropical Mobile Home Park show cause, in writing, why it should not be fined in the amount of \$5,000 for failing to file an application for a grandfather certificate in accordance with Section 367.171, Florida Statutes and Rule 25-30.035, Florida Administrative Code. The response must be filed by the close of business on June 22, 1998, with the Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

- ACK \_\_\_\_\_ Pursuant to the Order, Tropical Mobile Home Park's written response must contain specific
- AFA \_\_\_\_\_ allegations of fact and law, and will constitute the utility's opportunity to be heard prior to a final
- APP \_\_\_\_\_ determination of noncompliance or assessment of penalty by the Commission. The failure to timely
- CAF \_\_\_\_\_ file a written response will constitute an admission of the facts alleged in the body of the Order and
- CMU \_\_\_\_\_ a waiver of the right to a hearing. If Tropical Mobile Home Park fails to respond to the Order by
- CTR \_\_\_\_\_ June 22, 1998, the \$5,000 fine will be imposed without further action of the Commission. In the
- EAG \_\_\_\_\_ event that Tropical Mobile Home Park timely files a response that raises material questions of fact
- LEG \_\_\_\_\_ and requests a hearing pursuant to Section 367.57(1), Florida Statutes, further proceedings will be
- LIN \_\_\_\_\_ scheduled before a final determination on this matter is made.
- OPC \_\_\_\_\_ Order No. PSC-98-0761-SC-WS also requires Tropical Mobile Home Park to file an
- RCH \_\_\_\_\_ application for a grandfather certificate in compliance with Section 367.171, Florida Statutes and
- SEC \_\_\_\_\_ Rule 25-30.035, Florida Administrative Code, by the close of business on June 12, 1998. If you
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

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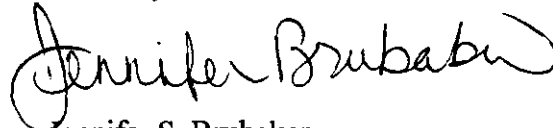
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have any questions or require any assistance with regard to the application, please contact Ms. Billie Messer at (850) 413-6990.

The enclosed Order also provides that annual reports and regulatory assessment fees for the period of May 14, 1996, through calendar years 1996 and 1997, were to have been filed by May 25, 1998. Our records reflect that as of the date of this letter, no such filings or payments have been made. If the utility fails to remit its annual reports and regulatory assessment fees, the Division of Legal Services will recommend that the Commission initiate show cause proceedings and assess fines in excess of the daily rate pursuant to Rule 25-30.120, Florida Administrative Code. If you have any questions or require any assistance with regard to the remittance of annual reports or regulatory assessment fees, please contact Ms. JoAnn Chase at (850) 413-7003.

I have been unsuccessful in reaching you by telephone in order to discuss these matters. The Commission staff is willing to provide any assistance which may be needed for Tropical Mobile Home Park to comply with the requirements of Order No. PSC-98-0761-SC-WS and the applicable Florida Statutes and administrative rules. Since time is of the essence, I recommend that you contact me immediately upon receipt of this letter at (850) 413-6228, so that we can discuss what actions may be necessary for the utility to attain regulatory compliance.

Sincerely,



Jennifer S. Brubaker  
Staff Counsel

JSB:lw  
Enclosure

cc: Division of Water and Wastewater (Chase, Messer)  
Division of Records and Reporting