

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
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JOE GARCIA
E. LEON JACOBS, JR.



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

Public Service Commission

August 28, 1998

Mr. Philip Woods
A.P. Utilities, Inc.
3925 South East 45th Court
Ocala, Florida 34480

RE: Docket No. 980729-WU - Initiation of show cause proceedings against A.P. Utilities, Inc. for violation of Rule 25-30.110, F.A.C., Annual Reports, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Docket No. 971504-WU - Investigation of water rates of A.P. Utilities, Inc. in Marion County for possible overearnings.

Dear Mr. Woods:

Enclosed please find a copy of Final Order No. PSC-98-1005-SC-WU issued on July 24, 1998. By that order, the Florida Public Service Commission provided that in the event A.P. Utilities or its directors failed to respond to the order, a lien in the amount of \$10,992.47 (for 1997 regulatory assessment fees), would be filed with the Clerk of the County Court in Marion County, Florida. The time for a response expired on August 13, 1998. This lien will be recorded on August 28, 1998, with the Clerk of the Circuit Court for Marion County, Florida, pursuant to section 55.10, Florida Statutes.

You have certain rights pursuant to Chapter 55, Florida Statutes, such as to offer substitute security or surety bond to the Clerk of the Circuit Court in Marion County, Florida in lieu of the real and personal property attached by the Commission. Of course, the liens will be removed upon satisfaction of the Commission's order.

Final Order No. PSC-98-1005-SC-WU also stated that the utility and its directors are responsible for remitting \$5,675.69 in penalties for failing to comply with Commission statutes and rules. Failing to respond by August 13, 1998 resulted in that amount being


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deemed a statutory lien on the real and personal property of the utility and its directors pursuant to Chapter 85, Florida Statutes. Chapter 85, Florida Statutes does not provide for substitute security or surety bonds.

If you have any questions, please contact me at (850) 413-6185.

Sincerely,

A handwritten signature in black ink, appearing to read "Cleveland Ferguson III". The signature is written in a cursive style with a horizontal line through the middle.

Cleveland Ferguson, III
Staff Attorney

CF/dr

Enclosure

cc: Division of Water and Wastewater
(T.L. Davis, Kaproth, Merchant, Edwards)
Division of Administration (Sewell)
Division of Legal Services (Vaccaro)