

STATE OF FLORIDA

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



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

Public Service Commission

February 17, 1999

Ms. Jacqueline Cahill  
P.O. Box 1325  
Zephyrhills, Florida 33539-1325

RE: Docket No. 980678-WU - Initiation of show cause proceedings against Gem Estates Utilities, Inc., in Pasco County for violation of Rule 25-30.110(3), F.A.C., Annual Report, and Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Dear Ms. Cahill:

Enclosed please find a copy of Order No. PSC-98-0905-SC-WU issued on July 7, 1998. By that order, the Florida Public Service Commission provided that in the event Gem Estates Utilities or its directors failed to respond to the order, Staff would prepare another recommendation for the Commissioner's consideration. The time for a response expired in July 28, 1999. As a result, the Commission modified its previous order and a lien in the amount of \$1,713.96 (for regulatory assessment fees for 1995 to 1997), will be filed with the Clerk of the Circuit and County Courts in Pasco County, Florida.

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 and County Courts in Pasco 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-99-0265-FOF-WU also stated that the utility and its directors are responsible for remitting \$4,571.62 in penalties for failing to comply with Commission statutes and rules. Failing to respond by July 7, 1998 resulted in that amount being 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.

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

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

DOCUMENT NUMBER - DATE

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PSC RECORDS/REPORTING

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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, flowing style with a long horizontal stroke at the end.

Cleveland Ferguson, III  
Staff Attorney

CF/dr

Enclosure

cc: Division of Water and Wastewater  
(Chase, T.L. Davis, Hines, Rieger, Walden)  
Division of Administration (Sewell)  
Division of Legal Services (Brubaker)  
Department of Environmental Protection  
Office of the General Counsel (Jacques)

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