

STATE OF FLORIDA

COMMISSIONERS:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



OFFICE OF GENERAL COUNSEL
HAROLD A. MCLEAN
(850) 413-6199

Public Service Commission

October 15, 2001

Mr. Leonard Jeter, General Manager
Bayside
6325 Big Daddy Drive
Panama City Beach, Florida 32407

Re: Your facsimile letter dated October 11, 2001 concerning Docket No. 010726-WS

Dear Mr. Jeter:

In the above-noted letter, you question what kind of "official" notice you will get on the Commission's decision on your complaint at the October 2, 2001 Agenda Conference. As the complainant, you will receive a copy of the Proposed Agency Action Order that commemorates the Commission decision.

That Order is scheduled to be issued on October 22, 2001, and will be sent to you when it is issued. Your legal options with the Commission and the appellate courts will be delineated at the end of that order. For the proposed agency action portions of the Order, you will have 21 days from the date of the Order to file a protest and state what issues of law and fact that you believe exist. Also, as stated on page nine of the staff recommendation, if you think that Bayside Utility Services, Inc., specifically contracted to pay for the expansion, other than the \$300 main extension charge, then your remedy may be to file an action in circuit court for enforcement of the contract and reimbursement for the costs of installing the distribution and collection mains.

In filing the revised recommendation, staff made every effort to address your concerns and give the Commission a clear presentation of the situation. Upon review of the revised recommendation, and after a question from one of the commissioners about the applicability of a refundable advance, the Commission unanimously voted to approve the staff recommendation.

DOCUMENT NUMBER - DATE


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FPSC-COMMISSION CLERK

Mr. Leonard Jeter
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If you have any questions, or if I can be of any further assistance, you may contact me at (850) 413-6234 (or 850-413-6235 for facsimiles).

Sincerely,



Ralph R. Jaeger
Senior Attorney

LDH:lw

cc: Division of Economic Regulation (Walker, Rendell) (with facsimile letter)
Ben Girtman, Esquire (with facsimile letter)
Division of the Commission Clerk and Administrative Services (with facsimile letter)

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BAYSIDE
6325 BIG DADDY DRIVE
PANAMA CITY BEACH, FLORIDA 32407
PHONE (850) 234-6668
FAX (850) 234-1813

October 11, 2001

Mr. Ralph Jaeger, Esq.
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, Florida 32399-0850

Re: Docket No. 010726-WS

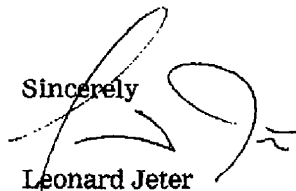
Mr. Jaeger;

The above referenced Docket was scheduled for October 2nd, 2001. As the protesting party, and having not been able to attend in person, it seems that some form of written notice would have been sent to us to inform us of the outcome of the conference agenda. To date we have heard nothing although my assumption is that the Commissioners accepted your recommendation in totality as they usually do.

My concern and interest in obtaining proper and official notification from you is that I believe, to go forward with our legal alternatives we have to abide by a time schedule and the clock is either ticking or begins ticking at some point and I would like to know from you what those times are, such as to file a protest, a motion for reconsideration, a motion to the District Court, a lawsuit, or any other alternative that we might have or might consider.

Please let me hear from you in writing.

Sincerely



Leonard Jeter
 General Manager

cc: Mr. E. Leon Jacobs, Chairman
 Ms. Blanca Bayo, Director Commission Clerk