



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: January 9, 2002
TO: Division of Commission Clerk and Administrative Services
FROM: Ryan Fitch (Regulatory Analyst II)
RE: Docket No.010396-WS, Burkim Enterprises, Inc.

Attached is a copy of a letter dated January 9, 2002, for Burkim Enterprises, Inc. Please add this letter to the above docket file.

Thanks,

Cc: Division of Economic Regulation (Rendell, Merta)

APP _____
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DOCUMENT NUMBER-DATE

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STATE OF FLORIDA

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CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Public Service Commission

January 9, 2002

Mr. Steve Reilly
Office of Public Counsel
111 W. Madison St., #812
Tallahassee, FL 32399-1400

To Whom It May Concern:

Commission Order No. PSC-01-2511-PAA-WS orders Burkim Enterprises, Inc., ("Utility") to complete all pro forma additions, as set forth in the body of the Order within nine (9) months of the effective date of the Order. At the conclusion of the nine month period staff shall inspect the Utility's plant to verify that all of the plant upgrades have been accomplished. If for any reason all of the improvements have not been made, staff shall initiate a show cause proceeding that will require the Utility to show cause why it has not completed all of the plant upgrades. Sanctions available to the Commission in any such show cause proceeding shall include but not be limited to imposing fines upon the Utility and or reducing rates until such time as the upgrades have been accomplished.

In order to avoid a protest of this Order, the Utility and the Office of Public Counsel have entered into a stipulation and agreement acknowledging the above procedure that the staff will pursue if the Utility fails to make the required upgrades within the nine (9) month period of time. The Order to be issued consummating Order No. PSC-01-2511-PAA-WS, shall make reference to the parties agreement acknowledging the procedure to enforce any potential violation of Order No. PSC-01-2511-PAA-WS, with regard to the Utility's obligation to complete the plant upgrades.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Rendell".

Troy Rendell
Public Utilities Supervisor

TR(burkim.ltr)