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TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

May 8, 2002

Mr. Gary Winrow
Sanibel Bayous Utility Corporation
15560 McGregor Blvd., Suite 8
Fort Myers, FL 33908-2547

Re: Docket No. 020331-SU, Investigation into Alleged Improper Billing by Sanibel Bayous Utility Corporation in Violation of Section 367.091(4), Florida Statutes

Dear Mr. Winrow:

I received the April 5, 2002 Memorandum from John F. Guastella proposing a settlement of discrepancies between the rates and charges billed to customers and the tariffed rates of Sanibel Bayous Utility Corporation. As agreed in the March 6, 2002 meeting, staff believes that the utility's staff assisted rate case (SARC) should be filed prior to the recommendation addressing the settlement proposal. Please advise me when the utility intends to file its SARC application.

Pursuant to Rule 25-30.455(8)(c)(d), Florida Administrative Code, a utility that has not filed its annual reports and paid the applicable regulatory assessment fees will not qualify for a SARC. Therefore, the utility must also file its 2001 Annual Report and pay the appropriate regulatory assessment fees before staff can accept a SARC.

If you have any questions, please call me at (850) 413-6934.

Sincerely,

Troy Rendell
Public Utilities Supervisor

AIUS _____
CAF _____
CMP _____
COM _____
CTR _____
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cc: Office of General Counsel (Jaeger)
Division of Commission Clerk and Administrative Services (020331-SU)

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