

ORIGINAL
STATE OF FLORIDA

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

Public Service Commission

August 22, 2003

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COMMISSION
CLERK

Mr. William Broeder, President
Mr. Gary Winrow, Vice President
Sanibel Bayous Utility Corporation
13591 McGregor Blvd., Suite 21
Ft. Myers, FL 33919-6050

Re: Imposition of \$300 Fine in Docket No. 020439-SU, Application for Staff-Assisted Rate Case in Lee County by Sanibel Bayous Utility Corporation.

Dear Mr. Broeder and Mr. Winrow:

By Order No. PSC-03-0699-PAA-SU, issued June 9, 2003, in Docket Nos. 020439-SU and 020331-SU, the Commission ordered the utility to "show cause, in writing, within 21 days, why it should not be fined \$300 for the apparent violations" of improper rate increases and billing quarterly when only monthly rates were authorized. That Order was finalized by Consummating Order No. PSC-03-0777-CO-SU, issued July 1, 2003.

Order No. PSC-03-0699-PAA-SU specifically ordered that:

A failure to file a timely written response to the show cause order shall constitute an admission of the facts herein alleged and a waiver of the right to a hearing on this issue. It is further

ORDERED that any response to this Order shall be filed with the Director, Division of the Commission Clerk and Administrative Services within 21 days of the date of issuance of this Order. It is further

ORDERED that in the event that Sanibel Bayous Utility Corporation fails to file a timely response to the show cause order, the fine is deemed assessed with no further action required by this Commission.

Any response to that Order was due on June 30, 2003, and no response was ever filed. Therefore, the fine of \$300 is deemed imposed and a check in the amount of \$300 should be remitted to: Fiscal Services, Florida Public Service Commission, 2540 Shumard Oak Blvd Tallahassee, Fl. 32399-0850. Please reference Order No. PSC-03-0699-PAA-SU, issued June 9

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Mr. William Broeder, President
Page 2
August 22, 2003

2003, in Docket No. 020439-SU, and make check payable to the Florida Public Service Commission. Please remit such check within 21 days of the date of this letter.

If you have any questions, or if I can be of any further assistance please call me at 850-413-6234.

Sincerely,



Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, T. Davis, Iwenjiora, Massoudi, Rendell, Willis)
Mr. John Guastella