

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for approval of implementation  
of security deposits for water and wastewater  
systems in Pasco County by Paradise Lakes  
Utility, L.L.C.

DOCKET NO. 060431-WS  
ORDER NO. PSC-06-0655-PCO-WS  
ISSUED: August 4, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

On June 2, 2006, Paradise Lakes Utility, L.L.C. filed an application requesting approval to implement security deposits for water and wastewater systems in its service area within Pasco County.

Paradise Lakes Utility, L.L.C. ("Paradise Lakes or "utility") is a Class C water and wastewater utility serving approximately 432 water and wastewater customers in Pasco County. The Commission granted Paradise Lakes its original Certificate Nos. 458-W and 392-S in Order No. 15668, issued February 13, 1986, in Docket No. 850211-WS, In Re: Objection by Mad Hatter Utility Inc., to application of Paradise Lakes Utility, Ltd. The Commission approved the transfer of majority organizational control to Larry and Janice DeLucenay, owners of Mad Hatter Utility, Inc, and also established rate base for transfer purposes, in Order No. PSC-05-0166-PAA-WS issued, February 11, 2005, in Docket No. 030948-WS, In Re: Application for transfer of majority organizational control of Paradise Lakes Utility, L.L.C., holder of Certificate Nos. 458-W and 392-S in Pasco County, from Paradise Lakes, Inc. to Larry and Janice DeLucenay. Petitioner asserts that at the present time Paradise Lakes' tariff does not include a provision for security deposits. Mad Hatter Utility, also owned by Larry and Janice DeLucenay has common management staff with Paradise Lakes Utility. Mad Hatter Utility, Inc. does collect customer deposits, as approved by this Commission. It is Paradise Lakes desire to minimize administrative burden by charging customer deposits identical to those approved for Mad Hatter Utility.

We have jurisdiction over this matter pursuant to Section 367.091, Florida Statutes. At this time we will suspend operation of Paradise Lakes' proposed implementation of security deposits in order to further investigate the information provided by the utility. Section

DOCUMENT NUMBER-DATE

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367.091(6), Florida Statutes, provides that the Commission "may withhold consent to the operation of any or all portions of the new rate schedules, by vote to that effect within 60 days giving a reason or statement of good cause for withholding its consent." We believe that the reason stated above is good cause consistent with the requirement of Section 367.091(6), Florida Statutes.

Based on the foregoing, it is


ORDERED by the Florida Public Service Commission that Paradise Lakes Utility, L.L.C.'s implementation of security deposits for water and wastewater systems, is suspended pending further review. It is further

ORDERED that this docket shall remain open pending a substantive decision on the proposed implementation of security deposits.

By ORDER of the Florida Public Service Commission this 4th day of August, 2006.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By:

  
\_\_\_\_\_  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

LCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and

time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.