

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of new class of service for reuse water service in Martin County by Indiantown Company, Inc. | DOCKET NO. 080712-SU
ORDER NO. PSC-09-0118-PCO-SU
ISSUED: March 2, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER SUSPENDING INDIANTOWN COMPANY INC.'S PROPOSED TARIFF SHEETS
FOR APPROVAL OF A NEW CLASS OF SERVICE

BY THE COMMISSION:

Indiantown Company, Inc. (Indiantown or Utility) is a Class A utility which provides service for approximately 1,876 water customers and 1,776 wastewater customers in Martin County. Indiantown's 2007 annual report shows annual operating revenue of \$1,817,765 and a net operating loss of \$30,491. The Utility's service area lies in the South Florida Water Management District and is in a critical water supply problem area.

On December 17, 2008, Indiantown filed an application for approval of a new class of service for reuse water service. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

Section 367.091(6), F.S., states that we may withhold consent to the operation of any or all portions of new rate schedules or service availability charges, by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding our consent. If we do not withhold consent, the proposed rates may be assumed in effect after 60 days.

We have reviewed the filing and considered Indiantown's proposed charges, as well as the information filed in support of the application. We believe it is reasonable and necessary to require further amplification and explanation to this data and to require production of corroborative information, if necessary. Our review of the application will include further examination by staff analysts. Therefore, we hereby suspend the proposed tariff sheets for approval of a new class of service for reuse water service pending further investigation.

DOCUMENT NUMBER-DATE

01627 MAR-28

FPSC-COMMISSION CLERK

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Indiantown's proposed tariff sheets for approval of a new class of service for reuse water service shall be suspended. It is further

ORDERED that this docket shall remain open pending our final action on the Utility's requested new class of service for reuse water service.

By ORDER of the Florida Public Service Commission this 2nd day of March, 2009.



ANN COLE
Commission Clerk

(SEAL)

ARW

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.