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

Public Service Commission

August 11, 2009

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COMMISSION
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Mr. Terry Blackmon
Four Points Utility Corporation
101 Golden Malay Palm Way
Davenport, FL 33897

Re: Staff Assisted Rate Case for Four Points Utility Corporation in Polk County, Docket No. 090213-WS.

Dear Mr. Blackmon:

On May 14, 2009, staff sent an official acceptance letter (Letter) to Four Points Utility Corporation (Four Points or Utility) indicating that the Utility was eligible for a staff assisted rate case (SARC). The Letter advised Four Points of the filing fee to remit for its SARC application. The fee was based on the capacity of the Utility's systems as provided in Section 367.145(2), Florida Statutes. The filing fee was to be paid by June 17, 2009. If the fee had been paid, the date paid would have been established as the official filing date for this rate case. On June 15, 2009, staff e-mailed Four Points the Letter as a reminder of the due date because the Utility had suffered a loss of documents due to an office fire on June 9, 2009.

To date, the filing fee has not been paid. Rule 25-30.455(9), Florida Administrative Code (F.A.C.), states that "[t]he Commission will deny the application if a utility does not remit the fee as provided by Section 367.145, F.S., and paragraph 25-30.020(2)(f), F.A.C., within 30 days after official acceptance." Therefore, the Commission hereby denies the Utility's application for a SARC. If you have any questions regarding this decision, please contact Shannon Hudson at (850) 413-7021.

Sincerely,

Handwritten signature of Timothy Devlin in black ink.

Timothy Devlin
Director

TD/lr

cc: Division of Economic Regulation (Roberts, Bulecza-Banks, Daniel, Fletcher, Hudson, Willis)
Office of General Counsel (Bennett, Brubaker)
Office of Commission Clerk (Docket No.090213-WS)

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