

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application to implement a backflow maintenance program by Sunny Shores Water Co. | DOCKET NO. 100038-WU
| ORDER NO. PSC-10-0181-PCO-WU
| ISSUED: March 29, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Sunny Shores Water Co. (Sunny Shores or Utility) is a Class C utility providing water service to approximately 263 customers in Manatee County. Sunny Shores reported revenues of \$73,511 in its 2008 Annual Report. The system is located in the Southwest Florida Water Management District (SWFWMD). On February 19, 2010, Sunny Shores filed an application for approval of a tariff to implement a backflow maintenance program. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

Pursuant to Section 367.091(6), F.S., the tariff proposed by the Utility shall become effective within sixty (60) days after filing, unless we withhold consent to the operation of any or all portions of the proposed tariff, giving a reason or statement of good cause for withholding that consent. We require additional time to gather information and make an informed decision on Sunny Shores' proposed backflow maintenance program. This reason constitutes good cause to suspend the tariff, consistent with the requirement of Section 367.091(6), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Sunny Shores Water Co.'s proposed tariff to implement a backflow maintenance program shall be suspended. It is further

ORDERED that this docket shall remain open.

DOCUMENT NUMBER-DATE

02211 MAR 29 0

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 29th day of March, 2010.



ANN COLE
Commission Clerk

(S E A L)

MCB

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.