

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 6, 2017
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Kelley F. Corbari, Senior Attorney, Office of the General Counsel *KFC*
RE: **Docket No. 140219-WU** – Application for staff-assisted rate case in Polk County by Alturas Utilities, LLC.
Docket No. 140220-WU – Application for staff-assisted rate case in Polk County by Sunrise Utilities, LLC.

Attached please find a copy of the “Order Closing File and Relinquishing Jurisdiction” issued on March 30, 2017, by the Division of Administrative Hearings in Case No. 16-7254, *State of Florida, Department of Health in Polk County v. Sunrise Utilities, LLC and Alturas Utilities, LLC*, and the “Order Closing File” issued on April 3, 2017, by the Florida Department of Environmental Protection in DEP OGC Case No. 16-1398, *Department of Health in Polk County vs. Sunrise Utilities, LLC*. Please file the attached documents in the documents tab of the above-referenced dockets file.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

KFC

Attachments:

- DOAH Order Closing File and Relinquishing Jurisdiction
- DEP Order Closing File

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF HEALTH IN POLK
COUNTY,

Petitioner,

vs.

Case No. 16-7254

SUNRISE UTILITIES, LLC, AND
ALTURAS UTILITIES, LLC,

Respondents,

and

OFFICE OF PUBLIC COUNSEL,

Intervenor.

_____ /

ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause having come before the Administrative Law Judge on the Notice of Settlement and Joint Motion for Remand to Agency Clerk, filed March 29, 2017, and the undersigned being fully advised, it is, therefore,

ORDERED that:

1. The motion is granted.
2. The final hearing scheduled for April 6, 2017, is canceled.
3. The file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the Agency.

DONE AND ORDERED this 30th day of March, 2017, in Tallahassee, Leon County, Florida.



BRAM D. E. CANTER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 30th day of March, 2017.

COPIES FURNISHED:

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**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**DEPARTMENT OF HEALTH IN
POLK COUNTY,**

Petitioner,

vs.

**DEP OGC CASE NO. 16-1398
DOAH CASE NO. 16-7254**

SUNRISE UTILITIES, LLC,

Respondent.

_____ /

ORDER CLOSING FILE

On November 10, 2016, the Florida Department of Environmental Protection (DEP) received a request for administrative hearing from the Respondent, Sunrise Utilities. The request challenged the Department of Health in Polk County's (DOH) decision to issue a Notice of Violation and Orders for Corrective Action against Sunrise Utilities, LLC, and Alturas Utilities, LLC (OGC Case No. 15-653PW1739).¹

On March 30, 2017, after receiving a Notice of Settlement and Joint Motion for Remand with an attached executed Consent Order, the assigned administrative law judge issued an order closing the file of the Division of Administrative Hearings and relinquishing jurisdiction. In the executed Consent Order, DOH voluntarily dismissed Alturas Utilities, LLC. There being no

¹ The DOH, under an Interagency Agreement with the DEP, is the administrative agency of the State of Florida charged with the duty to administer and enforce the provisions of Florida's Safe Drinking Act, Sections 403.850, et seq., Florida Statutes, and the rules promulgated thereunder.

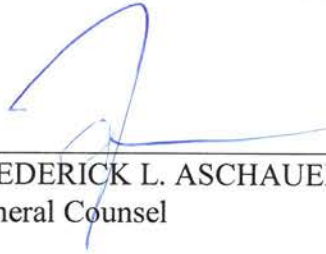
further matters to consider,

IT IS ORDERED:

The petition having been withdrawn, Consent Order No. 15-653PW1739 is approved.

DONE AND ORDERED this 3rd day of April, 2017, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



FREDERICK L. ASCHAUER, JR.
General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32399-3000

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was sent by electronic mail only to the following persons on this 3rd April day of ~~March~~, 2017.

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STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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