

ORDER NO. PSC-94-0853-FOF-WU
DOCKET NO. 940426-WU
PAGE 2

Furthermore, Mr. McDevitt acknowledged Section 837.06, Florida Statutes, regarding false statements.

As stated earlier, San Pedro will do its own billing based on its monthly reading of the individual customers' meters. Approximately two days after San Pedro reads its customers' meters, it will mail its customers their bills. San Pedro uses the same methodology that FCAA uses for assessing San Pedro's water service and, based on that methodology, San Pedro's rates and charges will not exceed the actual purchase price.

Based on the above facts and pursuant to Section 367.022(8), Florida Statutes, we find that San Pedro qualifies for exemption from the Commission's regulation. However, should there be any change in circumstances or methods of operation, the owner of San Pedro, or any successors in interest, shall inform this Commission within thirty days of any changes so that we can reevaluate its exempt status.

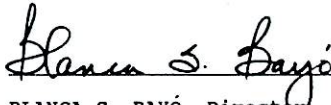
Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the foregoing facts and pursuant to Section 367.022(8), Florida Statutes, San Pedro, Inc., 87401 Old Highway, Islamorada, Florida 33036, is exempt from Commission's regulation. It is further

ORDERED that should there be any change in circumstances or methods of operation, the owner of San Pedro, Inc., or any successors in interest, shall inform this Commission within thirty days of any changes so that we can reevaluate San Pedro's exempt status. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 14th day of July, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

ELS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.