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Public Service Commission

January 3, 2011

090072-WU

Ms. Christi McCormick
Keen Sales, Rentals and Utilities, Inc.
685 Dyson Road
Haines City, FL 33844

Re: Completion and documentation of pro forma plant as required by Order No. PSC-09-0716-PAA-WU, Application for staff-assisted rate case in Polk County by Keen Sales, Rentals and Utilities, Inc.

Dear Ms. McCormick:

Pursuant to Order No. PSC-09-0716-PAA-WU (Order), issued October 28, 2009, and consummated by Order No. PSC-09-0686-CO-SU (Consummating Order), issued on November 23, 2009, the utility was required to provide, within 12 months of the Consummating Order, information verifying that all pro forma plant items had been completed. The above-referenced information regarding pro forma plant items should have been provided to the Commission by November 23, 2010. To date the Commission has not received the documentation regarding the pro forma plant items required by the Order.

Please provide the Commission with a detailed statement regarding 1) the circumstances underlying the above-referenced non-compliance with the requirements of the Order and 2) the status of the pro forma plant items addressed in the Order including but not limited to the expected dates of completion. Please ensure that this information is provided as soon as possible but no later than **January 17, 2011**. Failure to provide the required information by that date may result in staff proceeding with a show cause recommendation pursuant to Section 367.161, Florida Statutes (F.S.). Pursuant to Section 367.161(2), F.S., if a utility "is found to have refused to comply with, or to have willfully violated, any lawful rule or order of the Commission . . . a penalty for each offense of not more than \$5,000" may be imposed by the Commission." That same paragraph further states: "Each day that such refusal or violation continues constitutes a separate offense." Therefore, the utility faces fines of up to \$5,000 per day for each day it fails to comply with Order No. PSC-09-0716-PAA-WU.

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I appreciate your prompt attention with respect to this matter. If you have any questions, please call me at (850) 413-6220 or e-mail me at cklancke@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Caroline Klancke', written in a cursive style.

Caroline Klancke
Senior Attorney

CK:th

cc: Office of Commission Clerk (Docket No. 090072-WU)
Division of Economic Regulation (Hudson, Fletcher, Maurey, Daniel, Rieger)