

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Revocation by Florida) DOCKET NO. 920782-WU
Public Service Commission of) ORDER NO. PSC-95-0044-FOF-WU
Certificate No. 302-W issued to) ISSUED: January 10, 1995
ST. GEORGE ISLAND UTILITY)
COMPANY, LTD. in Franklin County)
_____)

The following Commissioners participated in the disposition of this matter:

JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER CLOSING DOCKET

BY THE COMMISSION:

This proceeding was initiated on June 10, 1992, when this Commission issued notice of our intent to revoke Certificate No. 302-W, held by St. George Island Utility Company, Ltd. (St. George). On July 9, 1992, St. George filed an objection to the notice and the case was set for hearing.

During the pendency of this proceeding, this Commission and St. George engaged in settlement negotiations and, on January 20, 1993, St. George submitted a proposed stipulation. The purpose of the stipulation was to ensure that utility funds were being used for utility purposes and to protect against the dissipation of utility assets. We approved the proposed stipulation by Order No. PSC-93-0370-AS-WU, issued March 9, 1993.

On April 15, 1993, St. George submitted a proposed modification to the stipulation. The proposed modification established priorities for the disbursement of contributions in aid of construction (CIAC). We approved the proposed modification by Order No. PSC-93-0890-FOF-WU, issued June 14, 1993; however, we also found that St. George was not in full compliance with the original stipulation. Accordingly, we gave St. George five working days to establish a separate escrow account for CIAC funds and to include the Director of the Division of Records and Reporting as a signatory to the account.

On June 21, 1993, this Commission received a letter from St. George in which it stated that it would not be able to comply with

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our orders. Accordingly, we set this matter for an administrative hearing.

While this matter remained pending, St. George filed an application for interim and permanent rate relief. Although we dismissed its original application, St. George filed a subsequent application, which we processed under Docket No. 940109-WU. By Order No. PSC-93-1494-PCO-WU, issued October 13, 1993, this Commission postponed this revocation docket pending the outcome of its rate proceeding. The rate case was concluded by Order No. PSC-94-1383-FOF-WU, issued November 14, 1994, by which we, among other things, revised St. George's rates and charges.

The record for Docket No. 940109-WU indicates that St. George has made significant strides towards bringing itself into compliance with the Commission's and the Department of Environmental Protection's requirements. In addition, although there are still a number of encumbrances on utility property, St. George does not appear to be in immediate danger of forfeiting any of its assets.

Since it appears that many of the concerns that led to this docket have been resolved to one extent or another, we find that this docket should be closed. Should circumstances warrant such action, we may reinstate revocation proceedings at a later date.

It is, therefore,

ORDERED by the Florida Public Service Commission that Docket No. 920782-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 10th day of January, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. J. J.
Chief, Bureau of Records

(S E A L)
RJP

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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 and/or wastewater 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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.