

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice of abandonment of
Springside at Manatee, Ltd. in
Levy County by Mr. Kenneth
Drummond.

DOCKET NO. 991206-WS
ORDER NO. PSC-99-2112-FOF-WS
ISSUED: October 25, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING ABANDONMENT OF UTILITY

BY THE COMMISSION:

Springside at Manatee, Ltd., (Springside or utility) is a Class C water and wastewater utility serving the Springside Mobile Home community in Levy County (County). According to its 1998 annual report, the utility had approximately 52 connections with combined gross revenues of \$22,649 and a combined net operating loss of \$2,866.

On August 18, 1999, the utility owner, Mr. Kenneth Drummond, gave us, the County, and the City of Chiefland 60 days notice of his intent to abandon the utility. By providing such notice, Springside has complied with the noticing requirements of Section 367.165, Florida Statutes, and Rule 25-30.090, Florida Administrative Code.

Subsequent to receiving the notice of the intent to abandon Springside, our staff has been in contact with the County Attorney; the local water and wastewater compliance sections of Florida's Department of Environmental Protection (FDEP); the current operator for the utility facilities; the new owner of the land upon which the water facilities are located; and the owner of FIMC Hideaway, Inc (FIMC). FIMC is an adjacent mobile home park with Commission regulated water and wastewater facilities.

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All parties are working as expeditiously as possible on a mutually beneficial solution to this abandonment. FIMC has indicated, both to our staff and to the County, an interest in being named receiver. The matter is being actively pursued by the County and FIMC, which have solicited and received our staff's input on issues relating to economic regulation while under receivership. However, should there be an interim between the actual abandonment of the utility and the appointment of a receiver, the County is prepared to continue utility operations without interruption of service to utility customers.

Until a receiver for the utility is appointed by the Circuit Court, our staff will continue to work with the County, the utility, and the FDEP to ensure continued service to the customers of Springside.

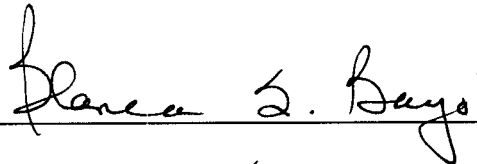
As of the time of this Order, Levy County had not yet decided the disposition of the utility. Therefore, the docket shall remain open until some appropriate disposition of the utility is made.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the abandonment of Springside at Manatee, Ltd.'s water and wastewater systems in Levy County is hereby acknowledged. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 25th day of October, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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.