

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Objection to proposed applica-) DOCKET NO. 880658-WS
tion of GENERAL WATERWORKS CORPORATION)
for transfer of GREENLAND UTILITIES) ORDER NO. 22042
COMPANY'S Certificates Nos. 445-W and)
376-S to JACKSONVILLE SUBURBAN UTILITIES) ISSUED: 10-10-89
CORPORATION and for a limited proceeding)
to adjust rates in Duval County)
_____)

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
THOMAS M. BEARD
BETTY EASLEY
GERALD L. GUNTER
JOHN T. HERNDON

ORDER REFERRING PENALTY TO COMPTROLLER

BY THE COMMISSION:

On June 30, 1988, General Waterworks Corporation (GWC) and Greenland Development Corporation d/b/a Greenland Utilities Company (Greenland) filed a joint application to transfer Certificates Nos. 445-W and 376-S from Greenland to Jacksonville Suburban Utilities Corporation (JSUC), a wholly owned subsidiary of GWC. On May 5, 1988, the City of Jacksonville (City) objected to the proposed transfer. On July 8, 1988, JSUC and the City entered into an agreement, pursuant to which the City withdrew its objection.

By Order No. 20643, issued January 23, 1989, this Commission approved the transfer. The Commission did not establish rate base, however, due to a lack of sufficient information.

By Order No. 20945, issued March 27, 1989, this Commission established rate base for the Greenland system at the time of transfer. In addition, by Order No. 20945, we imposed a fine of \$2,500 upon Greenland for violating its approved service availability policy in an apparent attempt to inflate the amount of rate base at the time of transfer.

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

ORDER NO. 22042
DOCKET NO. 880658-WS
PAGE 2

Greenland filed neither a motion for reconsideration nor a notice of appeal of Order No. 20945 and the time for doing so has long since passed. The staff of this Commission has sent two collection letters to Greenland, neither of which have been heeded.

Based upon the discussion above, we find it appropriate to turn this matter over to the Comptroller's Office for further collection efforts.

It is, therefore,

ORDERED by the Florida Public Service Commission that the \$2,500 fine imposed upon Greenland Development Corporation d/b/a Greenland Utility Company pursuant to the provisions of Order No. 20945 is hereby referred to the Comptroller's Office for further collection efforts. It is further

ORDERED that Docket No. 880658-WS be and is hereby closed.

ORDERED by the Florida Public Service Commission
this 10th day of October, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

by: Kay Helton
Chief, Bureau of Records

ORDER NO. 22042
DOCKET NO. 880658-WS
PAGE 3

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