

STATE OF FLORIDA ORIGINAL

CK# 0408 \$ 912.00

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEACON  
SUSAN F. CLARK  
DIANE K. KIESLING  
JOE GARCIA



CAPITAL CIRCUIT OFFICE CENTER  
2540 CHAMBERLAIN OAK  
BOULEVARD  
TALLAHASSEE, FL 32399-0850

UM  
2-2-98

# Public Service Commission

January 26, 1998 DEPOSIT DATE  
D7 06 FEB 06 1998

WU 148

Mr. Rick Walton, Manager  
Linadale Water Company  
24901 Southeast Highway 42  
Umatilla, Florida 32784

VIA CERTIFIED MAIL  
NO P 263 572 619

Re: Docket No. 971585-WU - Initiation of show cause proceedings against  
Linadale Water Company for violation of Rule 25-30.110(3), F.A.C., Annual  
Report

Dear Mr. Walton:

On January 5, 1998, the Florida Public Service Commission issued Order No. PSC-98-0019-PCO-WU requiring Linadale Water Company, (Linadale or utility) to show cause, in writing, why it should not remit an estimated penalty of \$912 (304 day x \$3.00 day) for failing to file its 1996 annual report.

Linadale's response to the Order to Show Cause should have been submitted by January 25, 1998. Because the utility did not file a timely response to the Order to Show Cause, a total penalty of \$912 is deemed levied in accordance with Order No. PSC-98-0019-PCO-WU. The amount is calculated through January 30, 1998. The Order also directed Linadale to immediately file the 1996 annual report.

Please submit payment of these amounts by check made payable to the Florida Public

LINADALE WATER, INC.  
PH. 352-689-3680  
24901 S.E. CO. HWY. 42  
UMATILLA, FL 32784

0408

Jan 30 1998

\$ 912.00

Pay to the Order of The Public Service Commission

nine hundred & twelve 00

Dollars



For Penalty Docket # 971585-W-U

Shirley J. Lewis

RECEIVED  
FLORIDA PUBLIC SERVICE COMMISSION  
MAIL ROOM  
98 FEB 4 PM 12:15

99-FEB-66610

STATE OF FLORIDA

CK# 0408  
\$ 912.00  
vm  
2-2-98

Commissioners:  
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CAPITAL CIRCLE OFFICE CENTER  
2540 CHAMBERED OAK  
BOULEVARD  
TALLAHASSEE, FL 32399-0850

Public Service Commission

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WV 148

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Linadale Water Company for violation of Rule 25-30.110(3), F.A.C., Annual  
Report

Dear Mr. Walton:

On January 5, 1998, the Florida Public Service Commission issued Order No. PSC-98-0019-PCO-WU requiring Linadale Water Company, (Linadale or utility) to show cause, in writing, why it should not remit an estimated penalty of \$912 (304 days x \$3.00 per day) for failing to file its 1996 annual report.

98 FEB 4 PM 12:15  
MAILED  
COMM

Linadale's response to the Order to Show Cause should have been submitted by January 25, 1998. Because the utility did not file a timely response to the Order to Show Cause, a total penalty of \$912 is deemed levied in accordance with Order No. PSC-98-0019-PCO-WU. The amount is calculated through January 30, 1998. The Order also directed Linadale to immediately file the 1996 annual report.

Please submit payment of these amounts by check made payable to the Florida Public Service Commission. The check should be mailed with a copy of this letter to the Division of Administration, Bureau of Fiscal Services, Florida Public Service Commission, 2540 Chambered Oak Boulevard, Tallahassee, Florida, 32399-0850, Attention: Evelyn Sewell.

Payment is due by February 6, 1998. If you do not remit payment on or before this date, the Commission will refer this matter to the Comptroller's Office for further collection efforts.

Jan. 30, 1998

Dear Mr. Ferguson,  
My name is Fannie Lewis  
I'm the owner of Finsdale  
Water, Mr. Rick Walton is  
no longer working for  
my co. He was not  
a keeper. If you have  
any questions please feel  
free to call me, my office  
# is 352-669-3589, Home  
phone 352-669-8405 I  
will be running my Water  
Co. from ~~now~~ on.

Sincerely Fannie Lewis

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DOCKET NO. 971585-WU  
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A failure to file a timely written response to the show cause order will constitute an admission of the facts herein alleged and a waiver of the right to a hearing. In the event Linadale fails to file a timely response to the show cause order, the penalty is deemed assessed pursuant to Rule 25-30.110, Florida Administrative Code, with no further action required by the Commission.

We direct the collection of penalties to the Comptroller's office for further collection efforts if Linadale fails to respond to reasonable collection efforts by our staff. Reasonable collection efforts shall consist of two certified letters requesting payment. The referral to the Comptroller's office would be based on the conclusion that further collection efforts by our staff would not be cost effective. After referral to the Comptroller's office, the docket shall be closed.

Based on the foregoing, it is therefore,

ORDERED by the Florida Public Service Commission that Linadale Water Company is ordered to show cause within 20 days why it should not remit a penalty in the amount of \$780 for violation of Rule 25-30.110, Florida Administrative Code, by failing to timely file its 1996 annual report. It is further

ORDERED that Linadale Water Company shall immediately file its 1996 annual report and is hereby put on notice that further violations of Rule 25-30.110, Florida Administrative Code, will result in further action by the Commission. It is further

ORDERED that any response to the order to show cause filed by Linadale Water Company shall contain specific allegations of fact and law. It is further

ORDERED that any response to the order to show cause shall be filed with the Director of the Division of Records and Reporting within 20 days of this Order. It is further

ORDERED that upon receipt of Linadale Water Company's response to the Order to show cause, and upon its request for a hearing, further proceedings will be scheduled by the Commission, at which time Linadale Water Company will have the opportunity to contest the allegations in the body of this Order. It is further

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DOCKET NO. 971585-WU  
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ORDERED that if Linadale Water Company fails to file a timely response to the order to show cause, such failure shall constitute an admission of the facts alleged in the body of this Order and a waiver of any right to a hearing. It is further

ORDERED that if reasonable collection efforts are unsuccessful, the collection of penalties and interest shall be forwarded to the Comptroller's office and the docket shall be closed. It is further

ORDERED that if Linadale Water Company responds to the show cause order by remitting the penalty, this docket shall be closed administratively. It is further

ORDERED that any payment of penalties shall be forwarded to the Comptroller's office for deposit in the State General Revenue Fund.

By ORDER of the Florida Public Service Commission this  
5th day of January, 1998.

/s/ Blanca S. Bayó  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

( S E A L )  
CF

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 25, 1998.

Failure to respond within the time set forth above shall constitute an admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on the day subsequent to the above date.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure.

Z 453 300 356



ESTABLISHED  
FEB 26 1979  
MILWAUKEE

\$2.77  
OCT 1981

MAIL

*Department of Administration  
Bureau of Fiscal Services  
Florida Public Service Comm.  
2540 Chamber Oak Bld.  
Tallahassee, FL 32399-0850  
ATT: Evelyn Sevell.*

