



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 26, 1998

TO: Blanca Bayo, Director - Division of Records and Reporting

FROM: Tim Vaccaro - Division of Legal Services *JH*
 Cissy Galloway - Division of Water and Wastewater *CG*

RE: Release of Escrow Funds to Gulf Utility Company Pursuant to Order No. PSC-97-0847-FOF-WS *960329-KIS*

Pursuant to Order No. PSC-97-0847-FOF-WS, issued July 15, 1997, the escrow account can be closed upon Commission staff's verification that the ordered refund has been completed. On February 17, 1998, the utility filed its affidavit stating that the appropriate refunds were made. Staff has verified that this information is correct and that refunds were made in accordance with Rule 25-30.360, Florida Administrative Code. With the utility's final refund report and its letter dated February 17, 1998, the utility has requested that funds in the escrow account be released.

Therefore, we have prepared and attached a letter to Ms. Dianne Simmons, Branch Manager for SunTrust Bank (Island Branch) where the escrow account was opened, requesting release of the funds in the escrow account for your signature. Mr. Jim Moore, President of Gulf Utility Company, has requested that your office fax a copy of the final draft of the attached letter to Ms. Simmons. Her fax number is (941) 482-4841. No further action is required at this time. If our office can be of any assistance, please call.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LET _____
- OPR _____
- RCR _____

SEC 1 Attachment

cc: Division of Water and Wastewater (Hill, Willis, Rendell)
 Division of Legal Services (Jaber)

Obj to Key

DOCUMENT NUMBER-DATE

02709 FEB 27 88

FPSC-RECORDS/REPORTING

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYO
DIRECTOR
(850) 413-6770

Public Service Commission

March 3, 1998

Ms. Dianne Simmons
SunTrust Bank, Southwest Florida
Post Office Box 3454
Fort Myers, Florida 33918-3454

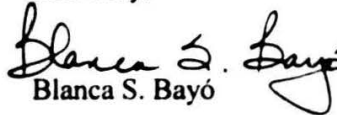
Re: Escrow Account No. 0152700007412 - authorization to release funds to Gulf Utility Company (Docket No. 960329-WS)

Dear Ms. Simmons:

The above-referenced escrow account was established by Gulf Utility Company to comply with security requirements set forth in Commission Order No. PSC-97-0847-FOF-WS, issued July 15, 1997. Pursuant to that order, the escrow account was to be closed and the money therein released to the utility, once staff verified that the refund had been completed. On February 17, 1998, the utility filed with the Commission an affidavit stating the appropriate refund had been made. Staff has verified that this information is correct and that the refunds were made in accordance with Rule 25-30.060, F.A.C.

Therefore, by this letter, we are requesting that the funds in the above-referenced escrow account be released to Gulf Utility Company. I have enclosed a copy of the utility's affidavit. Should you have any questions or if my office can assist you in this matter, please advise.

Sincerely,


Blanca S. Bayo

bsb:cag/kf

Enclosure

cc: Division of Water and Wastewater (Hill, Willis, Rendell, Galloway)
Division of Legal Services (Jaber, Vaccaro)
Mr. Ken Gatlin, Esq.



Gulf Utility Company
 19910 S. Tamiami Trail
 P.O. Box 350
 Estero, FL 33928-0350
 941/498-1000
 FAX 941/498-0625

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation of rates of Gulf Utility Company in Lee <u>County for possible overearnings</u>)	Docket No. 960234-WS
)	
In re: Application for increase in rates and service availability charges in Lee <u>County by Gulf Utility Company.</u>)	Docket No. 960329-WS
)	

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, duly authorized by law to administer oaths and to take acknowledgements, on this day personally appeared Carolyn B. Andrews, who after being duly sworn on oath, deposes and says:

1. That the Affiant has personal knowledge of the matters set forth herein;
2. That on February 13, 1998, refunding of water revenues in accordance with Order No. PSC-97-1544-FOF-WS was accomplished.

FURTHER AFFIANT SAYETH NOT.

Carolyn B. Andrews

 By: Carolyn B. Andrews
 Vice President

SWORN TO AND SUBSCRIBED BEFORE me this 13th day of February, 1998.

Brooksy Q. Rivers

 NOTARY PUBLIC
 State of Florida at large
 My Commission Expires: Apr. 28, 2001

BROOKSY Q. RIVERS
 COMMISSIONS # CC628962
 EXPIRES APR 28, 2001
 BONDED THROUGH
 ATLANTIC BONDING CO., INC

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYO
DIRECTOR
(850) 413-6770

Public Service Commission

February 26, 1998

Ms. Dianne Simmons
SunTrust Bank, Southwest Florida
Post Office Box 3454
Fort Myers, FL 33918-3454

draft

Re: Authorization to release escrow funds - Account Number 0152700007412 - Gulf Utility Company and FPSC (Docket No. 960329-WS)

Dear Ms. Simmons:

The above-referenced escrow account was established by Gulf Utility Company to comply with security requirements set forth in Commission Order No. PSC-97-0847-FOF-WS, issued July 15, 1997. Pursuant to that Order, the escrow account can be closed and the money therein should be released to the utility, once staff has verified that the refund has been completed. On February 17, 1998, the utility filed with the Commission, an affidavit stating that the appropriate refund had been made. Staff has verified that this information is correct and that the refunds were made in accordance with Rule 25-30.360, Florida Administrative Code.

Therefore, by this letter, we are requesting that the funds in the above-referenced escrow account be released to Gulf Utility Company. I have enclosed a copy of the utility's affidavit. Should you have any questions or if my office can assist you in this matter, please advise.

Sincerely,

Blanca S. Bayo

BSB/ccg

cc: Division of Water and Wastewater (Hill, Willis, Rendell, Galloway)
Division of Legal Services (Jaber, Vaccaro)
Mr. Ken Gatlin, Esq.

DATE: 3/3/98

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

TO:

Dianne Simmons

Fax: (941) 482-4841

FROM:

Kay Flynn

Fax: (850) 413-7118

Voice: (850) 413-6770

RE:

Docket 960329-WS

Note:

Acct. No. [REDACTED]

Attached is a copy of the letter releasing escrowed funds for Gulf Utility Company, in the above-referenced account.

Kay Flynn

PSC

(850) 413-6744