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ORIGINAL

DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
STATE OF FLORIDA  
TALLAHASSEE, FLORIDA 32399-1850

JON S. WHEELER  
CLERK OF THE COURT

(904) 488-6151

July 6, 1998

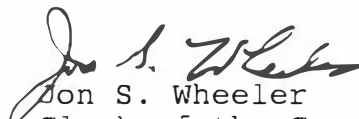
Ms. Blanca Bayo, Clerk  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: FLORIDA CITIES WATER COMPANY v. STATE OF FLORIDA,  
FLORIDA PUBLIC SERVICE COMMISSION  
Docket No.: 98-1833  
Lower Tribunal Case No.: PSC-98-0568-PCO-SU

Dear Ms. Bayo:

I have been directed by the Court to issue the attached  
mandate in the above-styled cause. It is enclosed with a  
certified copy of this Court's opinion.

Yours truly,

  
Jon S. Wheeler  
Clerk of the Court

	JSW/mp
	Enclosures
ACK	_____
FA	1 _____
APP	_____
CAF	_____
CMU	_____
CTR	_____
EAG	_____
LEG	1 _____
LIN	_____
OPC	_____
RCH	_____
SE	1 _____
WAS	Willis _____
OTH	_____

DOCUMENT NUMBER DATE

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RECEIVED BY ORDER

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

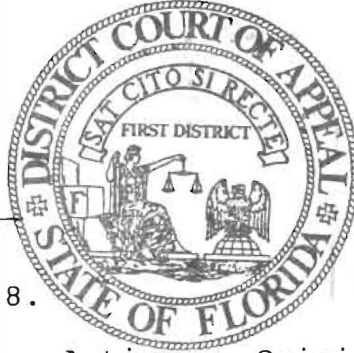
FLORIDA CITIES WATER COMPANY,  
Petitioner,

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION AND  
DISPOSITION THEREOF IF FILED.

v.

CASE NO. 98-1833

STATE OF FLORIDA, FLORIDA  
PUBLIC SERVICE COMMISSION,  
Respondent.



I CERTIFY THE ABOVE  
TO BE A TRUE COPY

*John H. White*  
CLERK DISTRICT COURT OF  
APPEAL, FIRST DISTRICT

Opinion filed June 17, 1998.

Petition for Nonfinal Agency Action -- Original Jurisdiction.

Wayne L. Schiefelbein, Esquire, B. Kenneth Gatlin, Esquire, and  
Kathryn G.W. Cowdery, Esquire, of Gatlin, Schiefelbein & Cowdery,  
Tallahassee, for petitioner.

No appearance for respondent.

PER CURIAM.

DENIED. Medivision, Inc. v. Department of Health &  
Rehabilitative Services, 488 So. 2d 886 (Fla. 1st DCA 1986);  
Continental Equities, Inc. v. Jacksonville Transportation  
Authority, 558 So. 2d 154 (Fla. 1st DCA 1990).

BOOTH, VAN NORTWICK and PADOVANO, JJ., concur.

# M A N D A T E

From

## DISTRICT COURT OF APPEAL OF FLORIDA FIRST DISTRICT

To Joe Garcia, Commissioner, Public Service Commission

WHEREAS, in that certain cause filed in this Court styled:

FLORIDA CITIES WATER COMPANY

Case No. 98-1833

v.

Lower Tribunal Case No. PSC-98-0568-  
PCO-SU

STATE OF FLORIDA, FLORIDA PUBLIC  
SERVICE COMMISSION

The attached opinion was issued on June 17, 1998.

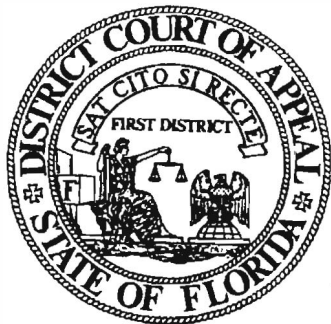
YOU ARE HEREBY COMMANDED that further proceedings, if required, be had in accordance with  
said opinion, the rules of Court, and the laws of the State of Florida.


WITNESS the Honorable Edward T. Barfield, Chief Judge

of the District Court of Appeal of Florida, First District,

and the Seal of said Court done at Tallahassee, Florida,

on this 6th day of July 1998.



  
\_\_\_\_\_  
JON S. WHEELER, Clerk  
District Court of Appeal of Florida, First District