

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



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

Public Service Commission

August 21, 1998

Northside Bank of Tampa
P. O. Box 82182
Tampa, Florida 33682-2182

REDACTED

Re: Escrow Account No. for Shady Oaks (Docket No. 900025-WS)

Dear Sir or Madam:

As indicated in the attached copy of Order No. PSC-98-1100-FOF-WS, issued August 17, 1998, the funds in the escrow account referenced above are to be released to the Shady Oaks Owners Association, Inc. The agreement was signed in 1991 by Richard Sims and Caroline Sue Sims, former owners of the utility; however, as explained in the order, the Commission has determined that remaining funds in the account are to be released to the Owners Association. Additionally, as Director of the Division of Records and Reporting, I now function as the Commission's designated agent concerning escrow matters, and my signature on behalf of the Commission will authorize release of the funds.

Any questions you may have concerning this matter should be directed to Lila Jaber at (850) 413-6220 or Neil Bethea at (850) 413-6960.

Sincerely,

Blanca S. Bayó
Blanca S. Bayó

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
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- IN _____
- JPC _____
- RCH _____
- SEC _____
- NAS _____
- OTH _____

usb/kf
Attachment
cc: Lila Jaber, Division of Legal Services
Neil Bethea, Division of Water and Wastewater
Shady Oaks Owners Association, Inc.

DOCUMENT NUMBER - DATE
090037 AUG 21 98



Public Service Commission

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RECORDS AND REPORTING

DATE: August 14, 1998
TO: Blanca Bayo, Director of Records & Reporting
FROM: Neil Bethea, Division of Water and Wastewater
RE: Shady Oaks Mobile-Modular Estates, Inc., Dockets Nos. 900025-WS & 930944-WS

An escrow account was established in the staff assisted rate case for Shady Oaks Mobile-Modular Estates, Inc., in Docket No. 900025-WS. The account was established under the name of State of Florida, PSC DBA S&D Utility Company. S&D Utility Company and Shady Oaks are one and the same. R. D. Sims, who owned and operated the utility prior to the revocation of certificates in Docket No. 930944-WS, may be a signatory on the account. It is my understanding that copies of the bank statements are in the official docket file.

As you know, Mr. Sims is requesting that the escrow account be released to him. Mr. Sims was never entitled to the escrow funds. By Order No. PSC-93-1733-FOF-WS, issued December 1, 1993, the Commission ordered that the escrow funds be refunded to the customers since the improvements for which the escrow was established were not done. That refund was never made and staff has been awaiting the appointment of a permanent receiver and interconnect with Pasco County before recommending final disposition of the escrow. The Shady Oaks Owners Association (Owners Association), has now been appointed permanent receiver and the interconnect is complete.

At the August 4, 1998 agenda conference, the Commission voted to release the escrow account (order to be issued on 8/17) to the Owners Association. Please notify the bank of the change of principals in the account and authorize the release of funds to the Owners Association.