

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate) DOCKET NO. 900386-WU
increase in Marion County by) ORDER NO. PSC-92-0464-SPA-WU
SUNSHINE UTILITIES OF CENTRAL) ISSUED: 06/08/92
FLORIDA, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON

ORDER GRANTING MOTION FOR STAY OF ORDER NO. 25722

BY THE COMMISSION:

CASE BACKGROUND

By Motion for Stay filed February 28, 1992, Sunshine Utilities of Central Florida, Inc. (Sunshine) has requested that we stay the effectiveness of Order No. 25722, issued February 13, 1992, requiring the Utility to refund to its customers interim rates and pass-through interim rates.

Sunshine filed a Notice of Appeal of Order No. 25722 with the First District Court of Appeal on February 26, 1992. Pursuant to Rule 25-22.061(1)(a), Florida Administrative Code, this Commission is required to grant a stay pending appeal if the Order being appealed requires a refund to customers. That Rule also provides that the utility involved post a corporate undertaking and such other condition as this Commission finds appropriate.

Sunshine has posted a corporate undertaking for its interim rates in the amount of \$65,000. Further, Sunshine has also filed an irrevocable standby letter of credit from SunBank of Ocala for \$50,000, which expires August 23, 1992. We believe that the security already provided is sufficient; however, the utility shall extend this letter of credit through February 28, 1993. Therefore, we find it appropriate to grant Sunshine's Motion for Stay of Order No. 25722 with the condition that it extend the letter of credit for \$50,000 from SunBank of Ocala.

It is, therefore,

ORDERED by the Florida Public Service Commission that Sunshine Utilities of Central Florida, Inc.'s Motion for Stay of Order No. 25722 is hereby granted. It is further

DOCUMENT NUMBER-DATE

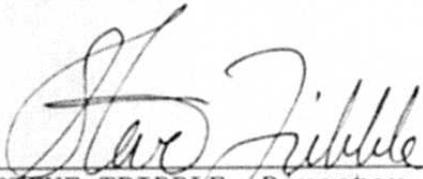
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FPSC-RECORDS/REPORTING

ORDER NO. PSC-92-0464-SPA-WU
DOCKET NO. 900386-WU
PAGE 2

ORDERED that Sunshine Utilities of Central Florida, Inc. shall extend the expiration date of its irrevocable standby letter of credit, on file with SunBank of Ocala, from August 23, 1992, to February 28, 1993.

By ORDER of the Florida Public Service Commission, this 8th day of June, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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.