

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a Rate)
Increase in Clay County by)
KINGSLEY SERVICE COMPANY.)

DOCKET NO. 920361-WS
ORDER NO. PSC-92-1494-FOF-WS
ISSUED: 12/28/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER ACKNOWLEDGING WITHDRAWAL OF RATE APPLICATION
AND REQUIRING REFUND OF INTERIM RATES

BY THE COMMISSION:

Kingsley Service Company (Kingsley or utility) is a class "A" utility, which as of December, 1992, served approximately 2,427 water customers and 1,838 wastewater customers in Orange Park, Florida. On July 31, 1992, the utility filed the instant application for a rate increase, and that date was established as the official date of filing. The approved test year for both interim and final rate is the twelve-month period ended December 31, 1991. Pursuant to Section 367.081(8), Florida Statutes, the utility requested that this case be processed using the proposed agency action (PAA) procedure. By Order No. PSC-92-1189-FOF-WS, issued October 20, 1992, the Commission suspended the utility's filed rate schedules and granted, subject to refund, interim revenue increases of \$120,038 for water and \$503,697 for wastewater.

On December 14, 1992, the utility filed a Notice of Withdrawal of Rate Application. In its notice, the utility states that it is withdrawing its rate case because it has entered into a contract for the sale of its systems to Clay County and that the closing of said sale is scheduled to occur before January 1, 1993. Kingsley also acknowledges that it must file an application for transfer to a governmental entity in accordance with Rule 25-30.037(3), Florida Administrative Code, and that it must refund all of the interim rates it has collected thus far.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Kingsley Service Company's withdrawal of its rate application is hereby acknowledged and accepted. It is further

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ORDERED Kingsley Service Company shall refund with interest all interim rates collected in accordance with Rule 25-30.360, Florida Administrative Code. It is further

ORDERED that this docket shall remain open pending verification by staff that the subject refunds have been made.

By ORDER of the Florida Public Service Commission this 28th day of December, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SLE

by: Kay Jeyan
Chief, Bureau of Records

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.