

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a staff-) DOCKET NO. 940768-WS
assisted rate case in Martin) ORDER NO. PSC-95-0816-FOF-WS
County by FISHERMAN'S COVE OF) ISSUED: July 6, 1995
STUART, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER MAKING ORDER NO. PSC-95-0363-FOF-WS
FINAL, WITH AN EFFECTIVE DATE OF JUNE 27, 1995

BY THE COMMISSION:

Fisherman's Cove of Stuart, Inc. (Fisherman's Cove or utility) is a Class "C" water and wastewater utility located in Martin County. The utility provides water and wastewater service to approximately 521 residential customers. The utility's service area is composed of duplexes. The utility's revenues for 1993 were \$94,842 for water and \$133,802 for wastewater.

On July 20, 1994, the utility applied for this staff assisted rate case, pursuant to Section 367.0814, Florida Statutes. By Proposed Agency Action (PAA) Order No. PSC-95-0363-FOF-WS, issued March 14, 1995, the Commission granted temporary rates in the event of protest and increased rates and charges for the utility.

On March 24, 1995 and April 4, 1995, three timely protests to Order No. PSC-95-0363-FOF-WS were received, thereby nullifying the order. Accordingly, an administrative hearing was scheduled. By Consent Agreements dated May 2, 1995, May 5, 1995, and May 8, 1995, the protestors withdrew their protests. The prehearing and hearing dates were cancelled. Since the protests have been withdrawn, we find it appropriate to make Order No. PSC-95-0363-FOF-WS final, with an effective date of June 27, 1995.

Order No. PSC-95-0363-FOF-WS, issued March 14, 1995, ordered that this docket remain open for 90 days from the issue date of the Order to allow the utility time to complete certain pro forma plant improvements. On May 31, 1995, we verified that these improvements

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have been completed. Since there are no remaining issues to this staff assisted rate case, we find it appropriate to close this docket.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-95-0363-FOF-WS shall be made final, with an effective date of June 27, 1995. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 6th day of July, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.