

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of POINCIANA)	DOCKET NO. 881503-WS
UTILITIES, INC. for a rate increase)	ORDER NO. 20974
in Osceola County.)	ISSUED: 4-3-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, CHAIRMAN
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER SUSPENDING PROPOSED RATES

BY THE COMMISSION:

On February 22, 1989, Poinciana Utilities, Inc., (Poinciana or the utility) filed an application for increased water and sewer rates in Osceola County. The information met the minimum filing requirements for a general rate increase. Accordingly, the official filing date was established as February 22, 1989. The utility did not request interim rates.

By letter dated November 18, 1988, Poinciana Utilities, Inc., had requested the test year ended October 31, 1988, for this proceeding. That test year was approved by letter dated December 1, 1988.

Section 367.081(6), Florida Statutes, provides that the rate schedules proposed by the utility shall become effective within sixty days after filing unless we issue an order withholding our consent to the operation of the proposed rates. Further, the above-referenced statute permits the proposed rates to go into effect, under bond, eight months after filing unless we have taken final action on the utility's application.

We have reviewed the utility's filing and find that the utility has made substantial plant additions since our last audit. In addition, the utility has proposed numerous adjustments to the rate base and operating statements. We have considered the proposed rates, the amount of the additional revenues sought thereunder and the supporting data which has been submitted. We find that it is reasonable and necessary to require further amplification, explanation and cross-examination of the data filed by the utility, as well as additional and/or corroborative data, and schedule public hearings, if necessary, for these purposes. In consideration of the above, we hereby suspend the proposed rate schedules.

Based on the foregoing, it is therefore,

ORDERED by the Florida Public Service Commission that the proposed rate schedules of Poinciana Utilities, Inc., are hereby suspended pending further investigation as set forth in the body of this Order.

DOCUMENT NUMBER-DATE

03332 APR -3 1989

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By ORDER of the Florida Public Service Commission
this 3rd day of APRIL, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

SFS

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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.