

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Marion Utilities,) DOCKET NO. 900110-WU  
Inc. for amendment of Certificate No. ) ORDER NO. 23011  
347-W in Marion County. ) ISSUED: 5-31-90  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
BETTY EASLEY  
GERALD L. GUNTER

ORDER GRANTING REQUEST TO WITHDRAW APPLICATION  
AND CLOSING DOCKET

BY THE COMMISSION:

On February 13, 1990, Marion Utilities, Inc. (Marion or Utility) filed an application with this Commission to amend Water Certificate No. 347-W to delete certain territory in Marion County. The application was filed pursuant to Section 367.045, Florida Statutes. On May 15, 1990, Marion requested to withdraw its application. We, therefore, find it appropriate to grant Marion's request to withdraw its application for deletion of territory and to close this docket.

It should be noted, however, that during our review of this application, we became aware of quality of service deficiencies which the Utility must deal with in order to attain compliance with water standards. Marion has a functioning water treatment facility and distribution system located in an area known as Logan's Run/International Villas. The quality of the water produced exceeds the DER maximum contaminant levels. In order to achieve compliance with DER standards, certain plant improvements must be made. These problems will be dealt with in an investigation in a separate proceeding.

It is, therefore,

ORDERED by the Florida Public Service Commission that the request of Marion Utilities, Inc., 710 N.E. 30th Avenue, Ocala, Florida 32670, to withdraw its application for amendment of Certificate No. 347-W to delete territory is hereby granted. It is further

ORDERED that Docket No. 900110-WU is hereby closed.

DOCUMENT NUMBER-DATE

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By ORDER of the Florida Public Service Commission,  
this 31st day of MAY, 1990.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ALC

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