

BEFORE THE PUBLIC SERVICE COMMISSION

In RE: Application for a)
Grandfather Certificate for)
Turkey Creek Utilities, Inc.)
in Alachua County)
_____)

Docket No. 921098-WS
Filed: November 16, 1992

CITIZENS' MOTION FOR EMERGENCY ORDER

The Citizens of the State of Florida ("Citizens"), by and through their undersigned attorney, file this request for the Prehearing Officer in this docket to issue an Emergency Order prohibiting Turkey Creek Utilities, Inc. from cutting off water service to the fire hydrants located in the Turkey Creek subdivision. In support of this motion the Citizens state:

1. Turkey Creek Utilities, Inc. is an applicant for a grandfather certificate to provide water and wastewater services in Alachua County, in Docket No. 921098-WS.
2. The application is controversial because questions have been raised concerning the propriety of various charges that should be grandfathered into effect with the approval of this certificate.
3. In particular there is uncertainty concerning the propriety of a charge

the utility desires to impose upon the Homeowners' Association for supplying water to the fire hydrants.

4. The Commission's Staff was made aware of the controversy and advised the utility not to take any precipitate actions to attempt to enforce the controversial charge until Staff could study the matter.

5. Ignoring Staff the utility sent a notice to the Homeowners' Association advising it that if the fire hydrant bill was not paid on or before the end of the working day of November 18, 1992, it would "...immediately discontinue fire hydrant service to the Turkey Creek area...". The notice further advised the Homeowners' Association that if the utility discontinued providing water to the five hydrants it would advise the Fire Department that it did not have five hydrants available to put out fires that might occur in the Turkey Creek Community. The utility also advised the Homeowners' Association that it had an obligation to advise their members of this loss of fire protection to the community so that each homeowner could advise their insurance company of this material change to the public health, safety and welfare of the Turkey Creek Community.

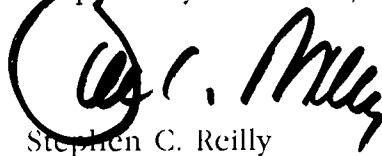
6. There is no question that the Homeowners' Association intends to pay any charges that are ultimately deemed appropriate. There is no need

for the utility to resort to these bullying tactics.

7. The utility's threat to discontinue fire hydrant service represents a serious threat to the public health, safety and welfare of the Turkey Creek Community. It is appropriate for this Commission to issue an Emergency Order abating this threat until such time as the controversy can be resolved. Since a Prehearing Officer has been assigned to this docket it would be appropriate for that Commissioner to issue the Emergency Order.

WHEREFORE the Citizens respectfully request the Prehearing Officer to issue an Emergency Order prohibiting Turkey Creek Utilities, Inc. from discontinuing fire hydrant service until such time as the Commission determines the propriety of any charge for such service.

Respectfully submitted,



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Attorneys for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE
DOCKET NO. 921098-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail and Facsimile or by *Hand-delivery to the following parties on this 16th day of November, 1992.

NORWOOD W. HOPE
2900 Turkey Creek Blvd.
Alachua, Florida 32615

*KAREN ASHER-COHEN, ESQUIRE
Division of Legal Services
Fla. Public Service Commission
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