4:50 pm

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DOCUMENT NUMBER-DATE

06448 JUN 29 3

FPSC-RECORDS/REPORTING

June 29, 1994

VIA HAND DELIVERY

Ms. Blanca Bayo Florida Public Service Commission 101 East Gaines Street Tallahassee, FL 3239-0850

Re: PSC Docket No. 900025-WS Application for Staff Assisted Rate Case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc. Our File No. 29056.01

Dear Ms. Bayo:

Please find enclosed the original and fifteen (15) copies of a Motion For Stay Pending Review filed on behalf of Shady Oaks Mobile-Modular Estates, Inc., in the above-referenced matter.

If you have any questions in this regard, please let me know. ACK Sincerely, AFA Robert A. Antista FPSC-BUREAU OF RECORDS For the Firm RAA:sn Enclosure cc: Lila Jaber, Esquire Mr. Richard D. Sims 3

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for staff-assisted) rate case in Pasco County by Shady) DOCKET Oaks Mobile-Modular Estates, Inc.)

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) DOCKET NO. 900025-WS

MOTION FOR STAY PENDING REVIEW

Shady Oaks Mobile-Modular Estates, Inc. ("Shady Oaks" or "Utility"), by and through its undersigned counsel, and pursuant to Rule 25-22.061, Florida Administrative Code, hereby moves for a stay of Order No. PSC-93-0542-FOF-WS entered in this matter by the Florida Public Service Commission ("Commission"), and in support thereof states as follows:

1. By Order No. PSC-93-0542-FOF-WS, issued April 9, 1993, the Commission imposed a punitive fine against Shady Oaks in the amount of \$60,572.

2. Shady Oaks' Notice of Administrative Appeal was filed on October 19, 1993, seeking appellate relief from the Commission's Final Order.

3. Shady Oaks is currently attempting to obtain financing to fund certain improvements to the Utility that were previously ordered by the Commission. If this matter is not stayed, and the Commission pursues collection efforts against the Utility for the fine imposed in its Final Order, the Utility's efforts to gain financing to fund needed improvements will be jeopardized. Any additional financial burdens imposed upon the Utility at this time will only serve to jeopardize the Utility's ability to provide adequate utility service to its customers.

DOCUMENT NUMBER-DATE

FPSC-RECORDS/REPORTING

Therefore, Shady Oaks respectfully moves for a stay of Order No. PSC-93-0542-FOF-WS entered by the Commission on April 9, 1993, until final disposition of Shady Oaks' appeal before the First District Court of Appeal.

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Respectfully submitted on this 29th day of June, 1994 by:

ROSE, SUNDSTROM & BENTLEY 2548 Blairstone Pines Drive Tallahassee, Florida 32301 (904) 877-6555

ROBERT A. ANTISTA Fla. Bar I.D. #739375

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion was furnished by hand delivery to Lila Jaber, Esquire Florida Public Service Commission, 101 E. Gaines Street, Tallahassee, Florida 32399-0850, this 29th day of June, 1994.

ROBERT A. ANTISTA

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for staff-assisted) rate case in Pasco County by Shady) DOCKET NO. 900025-WS Oaks Mobile-Modular Estates, Inc.

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42.

Respectfully submitted on this 29th day of June, 1994 by:

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