

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of majority organizational control of Sunny Shores Water Company, Inc., holder of Certificate No. 578-W in Manatee County, from Jack E. Mason to Jack E. Mason, II and Debbie A. Mason.

DOCKET NO. 160023-WU  
ORDER NO. PSC-16-0209-PCO-WU  
ISSUED: May 24, 2016

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman  
LISA POLAK EDGAR  
ART GRAHAM  
RONALD A. BRISÉ  
JIMMY PATRONIS

ORDER SUSPENDING SUNNY SHORES WATER COMPANY INC.'S REQUEST TO  
ESTABLISH LATE PAYMENT CHARGE

BY THE COMMISSION:

**Background**

Sunny Shores Water Company, Inc. (Sunny Shores or utility) is a Class C water utility serving approximately 262 customers in Manatee County. Sunny Shores' 2014 annual report shows gross revenue of \$77,727 and a net operating income of \$2,887. Sunny Shores' service area lies in the Southwest Florida Water Management District.

On January 15, 2016, Sunny Shores filed an application for transfer of majority organizational control (TMOC). Subsequently, on March 24, 2016, Sunny Shores filed a request for a late payment charge. This Order addresses the utility's request for a late payment charge. Commission staff is in the process of reviewing the application for TMOC, which remains deficient. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

**Decision**

Pursuant to Section 367.091(6), F.S., this Commission may withhold consent to the operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding our consent. At the Commission Conference on May 5, 2016, this Commission voted to suspend Sunny Shores' request for a late payment charge to allow Commission staff sufficient time to review the application and gather all pertinent information to present this Commission with an informed recommendation on the request, consistent with Section 367.091(6), F.S. Commission staff sent a data request to the utility on April 22, 2016, regarding the late payment charge, and the utility's response was due on May 13, 2016. Based on the above, we find that Sunny Shores' request to establish a late

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payment charge shall be suspended to allow our staff sufficient time to review the utility's cost justification.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Sunny Shores Water Company Inc.'s request to establish a late payment charge is hereby suspended in accordance with Section 367.091(6), F.S. It is further

ORDERED that this docket shall remain open pending this Commission's final action on this docket.

By ORDER of the Florida Public Service Commission this 24th day of May, 2016.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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 wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.