

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 5668

Petition of Peter A. Heinson vs. Sunshine Water Company,)
Inc., re: billing dispute for increased water rates)

Order entered: 3/30/99

REPORT

On March 25, 1993, Mr. Peter A. Heinson filed a petition with the Public Service Board (the "Board") regarding a billing dispute with the Sunshine Water Company, Inc. A technical hearing in this matter was scheduled for August 13, 1993.

On August 12, 1993, the Vermont Department of Public Service ("DPS") requested that the Board postpone the hearing and keep the case open to allow the parties to negotiate and possibly settle the issue without hearing.

By letter dated June 19, 1996, Mr. Heinson was informed of the Hearing Officer's intent to recommend dismissal of the petition, absent a request by Mr. Heinson or the DPS, in accordance with V.R.C.P. 41(b)(1)(i).

Since this letter was sent, there has been no response from any of the parties involved in this case. It should also be noted that the Sunshine Water Company systems in Rutland, Vermont, where Mr. Heinson resides, have all, in the interim, been either abandoned or transferred to various fire districts. As there appears to be no use rendering a decision in this docket, nor any objections to dismissing the docket, I recommend that it be dismissed, without prejudice.

DATED at Montpelier, Vermont, this 30th day of March, 1999.

s/ Gregg C. Faber _____
Gregg C. Faber
Hearing Officer

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The Report and recommendation of the Hearing Officer are adopted.
2. The petition is dismissed, without prejudice.

DATED at Montpelier, Vermont, this 30th day of March, 1999.

<u>s/ Michael H. Dworkin</u>)	
)	PUBLIC SERVICE
)	
<u>s/ Suzanne D. Rude</u>)	BOARD
)	
)	OF VERMONT
<u>s/ David C. Coen</u>)	

OFFICE OF THE CLERK

FILED: MARCH 30, 1999

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board of any technical errors, in order that any necessary corrections may be made.

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.