



Florida Public Service Commission

SPECIAL REPORT

APRIL 2011

Application for staff-assisted rate case in Volusia County by

Tymer Creek Utilities, Inc.

DOCKET NO. 100359-WS

On July 22, 2010, Tymer Creek Utilities, Inc. (Tymer Creek) filed an application with the Florida Public Service Commission (PSC or Commission) for a staff-assisted rate case to increase its water and wastewater rates. Tymer Creek is a Class C utility serving 434 water and 423 wastewater customers in Volusia County.

QUESTIONS & ANSWERS

1 Is there an opportunity for public input on this rate case?

Yes. As part of the evaluation process for Tymer Creek's rate request, the Commission staff will conduct a customer meeting to allow customer feedback about Tymer Creek and the rate-setting process. Customer comments, written and oral, will be taken into consideration when the Commission reaches a decision. One or more Commissioners may attend and participate during the meeting.

2 Why is Tymer Creek requesting a rate increase?

Tymer Creek is requesting a rate increase to cover increasing operating costs and to earn a fair rate of return on its investment.

3 When was Tymer Creek's last approved rate increase?

Tymer Creek's last approved wastewater rate increase was in 2004, and its last approved water rate increase was in 1997.

4 Presently, how much are the average monthly water and wastewater bills for a residential customer?

Currently, the average monthly water and wastewater bills for a residential customer are \$22.04 and \$39.01, respectively.

CUSTOMER MEETING

Wednesday, April 6, 2011

6:00 p.m.

Ormond Beach Performing Arts Center

399 North U.S. Hwy 1

Ormond Beach, FL 32174

5 Based on staff's preliminary analysis, how much would the average monthly water and wastewater bills be for a residential customer?

Based on staff's preliminary analysis, the average monthly water and wastewater bills for a residential customer would be \$26.33 and \$49.32, respectively.

6 What if I can't make the customer meeting or prefer not to speak? Are there other ways to comment on the issue?

Any person who wants to comment or provide information to the Commission regarding this matter may do so orally at the meeting or in writing. Correspondence will be placed in the docket file. Written comments should be mailed to:

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

The PSC will also accept faxes and e-mails.

Fax number: *1-800-511-0809*
Internet e-mail address:
contact@psc.state.fl.us

Please be sure to include the docket number, **100359 - WS**.

Customer comments are placed on the consumer side of the docket file and are taken into consideration by the Commissioners in reaching their decision. In accordance with Florida Statutes, the PSC will also consider Tymber Creek's quality of service and other matters. If you have questions, call the Florida Public Service Commission's Division of Service, Safety and Consumer Assistance at 1-800-342-3552.

7 Who can answer technical or legal questions?

For technical questions, contact:

Avy Smith
(850) 413-6425

Sonica Bruce
(850) 413-6994

Shannon Hudson
(850) 413-7021

Bart Fletcher
(850) 413-7017

For legal questions, contact:

Martha Brown
(850) 413-6187

Larry Harris
(850) 413-6856

8 Where on the Internet can I obtain more detailed information?

Detailed docket information is available on the PSC Web site at www.floridapsc.com. Click on **Dockets and Filings/Dockets** and then type in the docket number, **100359**.

9 When will the PSC make a decision?

The PSC staff is scheduled to file a recommendation with the Commission on June 2, 2011. The Commissioners are expected to vote on this matter at the June 14, 2011 Commission Conference.

PSC Commissioners



COMMISSIONER
Eduardo E. Balbis



COMMISSIONER
Lisa Polak Edgar



CHAIRMAN
Art Graham



COMMISSIONER
Ronald A. Brisé



COMMISSIONER
Julie I. Brown

Art Graham was appointed to the Florida Public Service Commission by Governor Charlie Crist in July 2010 and was reappointed by Governor Rick Scott to serve a term through January 2014. In October 2010, he was elected Chair of the Commission through January 1, 2012. ♦ Chairman Graham is a member of the National Association of Regulatory Utility Commissioners (NARUC) and serves on the Committee on Water. Prior to his appointment, Chairman Graham served on the Jacksonville City Council. Among his duties as Council Member, Chairman Graham helped oversee the budget of JEA, a publicly owned electric, water, and wastewater utility, and chaired the Transportation, Energy, and Utilities Committee. He also served on the Jacksonville Beach City Council from 1998 to 2002. ♦ He is a past chair of the North Florida Transportation Planning Organization and vice president of the Northeast Florida Regional Planning Association. He was President of ART Environmental Consulting Services from 2005 to 2009 and was a recovery engineer with Georgia Pacific Pulp and Paper from 1995 to 2002. A sales engineer with Betz PaperChem from 1991 to 1995, Chairman Graham was a regional sales manager from 1989 to 1991 for Goodyear Tire and Rubber, where he also held an application engineer position from 1988 to 1989. ♦ Chairman Graham received a bachelor's degree in chemical engineering from the Georgia Institute of Technology in Atlanta. He is also a 2001 graduate of Leadership Jacksonville and a 2008 graduate of Leadership Florida.

Lisa Polak Edgar was appointed to the Florida Public Service Commission (PSC) by Governor Jeb Bush for a four-year term beginning January 2005. From January 2006 to January 2008, she served as Chairman and participated as a member of the Florida Energy Commission and the Governor's Action Team on Energy and Climate Change. Governor Charlie Crist reappointed Commissioner Edgar to a second four-year term, January 2009 through December 2012. ♦ During her first term, Commissioner Edgar worked to develop policies to strengthen the state's electric infrastructure to better prepare for, and withstand, storm events; to establish net metering and interconnection rules that encourage customer participation and renewable energy development; to further the diversification of Florida's fuel supply; to effectively reform the collection and distribution of Universal Service funds; and to broaden stakeholder participation. ♦ Commissioner Edgar served on the Federal Communications Commission Universal Service Joint Board from 2005 through 2009 working for efficient, accountable and fiscally responsible use of Universal Service funds. She is currently a member of the National Association of Regulatory Utility Commissioners Board of Directors, as well as the Committees on Electricity and Consumer Affairs. ♦ Prior to joining the PSC, Commissioner Edgar served as Deputy Secretary for the Florida Department of Environmental Protection (DEP). Her responsibilities at DEP included executive management oversight of the agency's \$2.1 billion budget, fiscal and strategic planning, accountability measures, information technology, administrative services, Florida Geological Survey, and coordination between the state and federal government on environmental issues, including proposed and existing oil and gas drilling on the Outer Continental Shelf. Commissioner Edgar represented the State of Florida on the Minerals Management Service Outer Continental Shelf (OCS) Policy Committee from 1993-2004, and on the Subcommittees on Environmental Studies in OCS Areas under Moratoria and OCS Hard Minerals. ♦ Commissioner Edgar received her Bachelor of Science and Juris Doctorate degrees from Florida State University and is a member of the Florida Bar. She is a member of Leadership Florida and the Capital Tiger Bay Club, and serves on the Board of Directors of Sustainable Florida—Collins Center. ♦ Commissioner Edgar and her husband are members of Killlearn United Methodist Church and are raising their two active children in Tallahassee.

Ronald A. Brisé was appointed to the Florida Public Service Commission by Governor Charlie Crist in July 2010 and was reappointed by Governor Rick Scott for a term through January 2014. Commissioner Brisé is a member of the National Association of Regulatory Utility Commissioners (NARUC) and serves on the Telecommunications Committee. Before this appointment, he served the citizens of North East Miami-Dade (District 108) in the Florida House of Representatives for four years. ♦ As a Representative, Commissioner Brisé was named Democratic Whip from 2006 to 2008 and served as Vice Chairman of the Florida Conference of Black State Legislators. He served on the Education & Economic Development Appropriations, General Government & Health Care Appropriations, and Select Strategic & Economic Planning Councils, was the Ranking Member on the State & Community Colleges and Workforce Appropriation Committee and served on the State Universities & Private Colleges Policy Committee. He also served on the Transportation & Economic Development Appropriations and the Energy & Utilities Policy Committees. Most notably as a legislator, Commissioner Brisé sponsored successful legislation to expand broadband deployment throughout the State of Florida making it possible for underserved areas to have access to broadband technology. He was also

PSC Commissioners *continued*

successful in passing legislation to provide relief from garnishment to heads of families by increasing the amount of retainable earnings before garnishment. ♦ Recently, Commissioner Brisé was the Chief Executive Officer of Strategic Partner Consulting, LLC, which provides leadership and development strategies for corporate clients. Until 2008 Commissioner Brisé was also the Chief Operating Officer for IPIP Corporation, a VoIP telecommunications carrier. Prior to this, he was the Science Department Chairperson at Miami Union Academy from 2000 to 2005 and was also the Academy's Director of Development, Marketing, and Recruitment from 2003 to 2005. ♦ Commissioner Brisé served as a member of the North Miami Planning Commission and is a past president of the Albert C. Pierre Community Center. He is a member of the NAACP and a member on the boards of the Haitian-American Scholarship Fund and Miami Union Academy. ♦ Commissioner Brisé received a bachelor's degree in biology education from Oakwood University in Huntsville, Alabama and received MBA degrees in management and marketing from American Intercontinental University in Illinois. He and his wife, JoAn, have one son, Ronald Brisé II and together are faithful members of Tabernacle Seventh-day Adventist Church.

Commissioner Eduardo E. Balbis was appointed by Governor Charlie Crist to the Florida Public Service Commission (PSC) and reappointed by Governor Rick Scott to serve a four-year term through January 1, 2015. Commissioner Balbis began serving on the PSC in November 2010, when Governor Crist appointed him to fill an unexpired term through January 1, 2011. ♦ A member of the National Association of Regulatory Utility Commissioners (NARUC), Commissioner Balbis serves on the Committees on Gas and on Consumer Affairs. Prior to serving on the PSC, Commissioner Balbis was the Assistant City Administrator for the City of West Palm Beach, where he managed the Public Utilities, Public Works, and Engineering Departments, comprising more than 400 employees. He oversaw major upgrades to the City's Water Treatment Plant that significantly improved the City's drinking water quality, and he coordinated the planning efforts for long term improvements to the City's water treatment plant to bring important operational and capital savings. ♦ As Assistant City Administrator, Commissioner Balbis was also responsible for the management of Grassy Waters Preserve. This pristine, 20-square-mile wetland ecosystem serves as a habitat for many protected species, including the Everglades Snail Kite, and is the primary source of drinking water for the City of West Palm Beach and the Towns of Palm Beach and South Palm Beach. ♦ Commissioner Balbis previously served as Chairman of the Board of the East Central Regional Wastewater Reclamation Facility, which benefits more than 239,000 customers in Palm Beach County. As Chairman, he helped bring to fruition one of the largest conservation projects in Florida: a 27 million gallon-per-day water reuse project that provides treated wastewater in lieu of groundwater to cool a 3,750 MW power plant. ♦ Previously appointed by Governor Crist to the Treasure Coast Regional Planning Council, Commissioner Balbis worked with other council members on complex regional development issues and projects affecting Palm Beach, Martin, Indian River and St. Lucie Counties. His prior experience also includes working in the private sector for national engineering firms specializing in the design of large utility infrastructure projects. ♦ Commissioner Balbis graduated from the University of Florida with a degree in Environmental Engineering and is a Licensed Professional Engineer. A lifelong Florida resident, he is married and has three children. As a hobby, he enjoys officiating football and has been an official for both high school and NCAA games for more than 15 years.

Julie Imanuel Brown was appointed to the Florida Public Service Commission by Governor Charlie Crist and reappointed by Governor Rick Scott for a four-year term beginning January 2, 2011. Prior to her appointment, she was Associate Legal Counsel of First American Corporation, a Fortune 500 company, where she handled a variety of legal issues in the Eastern, Midwest and Mid-Atlantic Regions, including corporate compliance with regulatory authorities. ♦ Previously an Assistant City Attorney for the City of Tampa, Commissioner Brown specialized in contract, regulatory and administrative law while acting as legal advisor to the City of Tampa for wastewater, stormwater, land development coordination, and other matters. Commissioner Brown also worked as a corporate attorney at Shumaker, Loop & Kendrick, LLP in Tampa, Florida, specializing in mergers and acquisitions and securities law. ♦ Commissioner Brown's civic affiliations have included serving on the City of Tampa's Architectural Review Commission, the Board of Directors for the Tampa Firefighters Museum, the Florida Bar's 13th Judicial Circuit Bar Grievance Committee, and acting as Vice Chair of the Hillsborough County Bar Association's Judicial Campaign Practices Committee. ♦ Commissioner Brown graduated *magna cum laude* with a Bachelor of Science from the University of Florida, where she was the recipient of the Outstanding Female Leader award, President of Florida Blue Key, inducted into the Hall of Fame, and received the Dean's Cup for the College of Journalism and Communications. She earned a Juris Doctorate from the University of Florida Levin College of Law and is a member of the Florida Bar. Her graduate education included study abroad at the University of Montpellier College of Law in France. ♦ Commissioner Brown and her husband have two children.

Monthly Water Rates (Phase 1)

	Utility's Existing Rates	Staff's Preliminary Recommended Rates
<u>Residential and General Service</u>		
Base Facility Charge by Meter Size		
5/8" x 3/4"	\$ 9.75	\$ 9.34
3/4"	\$ 14.63	\$ 14.01
1"	\$ 24.38	\$ 23.35
1-1/2"	\$ 48.75	\$ 46.70
2"	\$ 78.00	\$ 74.72
3"	\$ 156.00	\$ 149.44
4"	\$ 243.75	\$ 233.50
6"	\$ 487.50	\$ 467.00
<u>Residential Service Gallonage Charge</u>		
Per 1,000 Gallons	\$ 2.56	N/A
0 - 6,000 Gallons	N/A	\$ 3.54
6,001 - 10,000 Gallons	N/A	\$ 4.07
Over 10,000 Gallons	N/A	\$ 6.11
<u>General Service Gallonage Charge</u>		
Per 1,000 Gallons	\$ 2.56	\$ 3.85

Phase 2 rates are based on the requested pro forma plant and expenses that Tymber Creek intends to complete. Phase 2 rates will be implemented once all items are completed. Since there are no pro forma items for the water system, the water rates are unchanged for Phase 2.

Monthly Wastewater Rates (Phase 1)

	Utility's Existing Rates	Staff's Preliminary Recommended Rates
<u>Residential Service</u>		
Base Facility Charge All Meter Sizes	\$ 15.89	\$ 23.84
<u>Residential Service Gallonage Charge</u>		
Per 1,000 Gallons (10,000 gallon maximum)	\$ 5.78	N/A
Per 1,000 Gallons (8,000 gallon maximum)	N/A	\$ 6.37
<u>General Service</u>		
Base Facility Charge by Meter Size		
5/8" x 3/4"	\$ 15.89	\$ 23.84
3/4"	\$ 23.84	\$ 35.76
1"	\$ 39.73	\$ 59.60
1-1/2"	\$ 79.45	\$ 119.20
2"	\$ 127.12	\$ 190.72
3"	\$ 254.24	\$ 381.44
4"	\$ 397.25	\$ 596.00
6"	\$ 794.50	\$ 1,192.00
<u>General Service Gallonage Charge</u>		
Per 1,000 Gallons	\$ 6.94	\$ 7.64

Monthly Wastewater Rates (Phase 2)

Staff's Preliminary Recommended Rates

Residential Service

Base Facility Charge All Meter Sizes \$ 28.72

Residential Service Gallonage Charge

Per 1,000 Gallons (maximum 8,000 gallons) \$ 7.72

General Service

Base Facility Charge by Meter Size

5/8" x 3/4" \$ 28.72

3/4" \$ 43.08

1" \$ 71.80

1-1/2" \$ 143.60

2" \$ 229.76

3" \$ 459.52

4" \$ 718.00

6" \$ 1,436.00

General Service Gallonage Charge

All Gallons \$ 9.26

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Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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