

FLORIDA PUBLIC SERVICE COMMISSION

Item 4

VOTE SHEET

May 8, 2018

FILED 5/8/2018  
DOCUMENT NO. 03558-2018  
FPSC - COMMISSION CLERK

Docket No. 20170166-WS – Application for limited proceeding rate increase in Orange County by Pluris Wedgefield, Inc.

Issue 1: Should Pluris Wedgefield, Inc.’s requested increases be approved as filed?

Recommendation: No. Staff recommends incremental revenue requirement increases of \$170,861 for water and \$53,377 for wastewater as opposed to the Utility’s requested incremental revenue requirement increases of \$194,159 for water and \$57,545 for wastewater.

**APPROVED** with Stipulated agreement in docket file. Staff given administrative authority to make fallout adjustments.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*Andrew Lila Fy*  
*[Signature]*  
*[Signature]*  
*[Signature]*

*[Signature]*

REMARKS/DISSENTING COMMENTS:

Stipulation Agreement, assigned DN 03180-2018, is attached.  
Commissioner Brown dissented.

**Docket No. 20170166-WS** – Application for limited proceeding rate increase in Orange County by Pluris Wedgefield, Inc.

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**Issue 2:** What are the appropriate water and wastewater rates for Pluris Wedgefield, Inc.?

**Recommendation:** The recommended monthly water rates are shown on Schedule No. 3 of staff's memorandum dated April 6, 2018 and the recommended monthly wastewater rates are shown on Schedule No. 4 of staff's memorandum dated April 6, 2018. The recommended rates should be designed to produce additional revenues of \$170,861 (12.16 percent increase) for water and \$53,377 (5.53 percent increase) for wastewater. The percent increases should be applied as an across-the-board increase to the existing rates. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. The Utility should provide proof of the date notice was given within 10 days of the date of the notice.

**APPROVED**

**Issue 3:** Should the meter installation charge requested by Pluris Wedgefield, Inc. be approved?

**Recommendation:** Yes. The meter installation charge of \$268 for a 5/8" x 3/4" meter and actual cost for all other meter sizes should be approved. The Utility should file revised tariff sheets and a proposed customer notice. Pluris should provide notice to property owners who have requested service within the 12 calendar months prior to the month the application was filed to the present. The approved charges should be effective for connections made on or after the stamped approval date on the tariff sheets. The Utility should provide proof of the date notice was given within 10 days of the date of the notice.

**APPROVED**

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**Issue 4:** What is the appropriate amount by which rates should be reduced in four years after the published effective date to reflect the removal of the amortized rate case expense as required by Section 367.081(8), F.S.?

**Recommendation:** The water and wastewater rates should be reduced, as shown on Schedule Nos. 3 and 4 of staff's memorandum dated April 6, 2018, to remove rate case expense grossed-up for RAFs and amortized over a 4-year period. The decrease in rates should become effective immediately following the expiration of the four-year rate case expense recovery period, pursuant to Section 367.081(8), F.S. Pluris should be required to file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than one month prior to the actual date of the required rate reduction. If the Utility files this reduction in conjunction with a price index or pass-through rate adjustment, separate data should be filed for the price index and/or pass-through increase or decrease and the reduction in the rates due to the amortized rate case expense.

**APPROVED**

**Issue 5:** Should this docket be closed?

**Recommendation:** If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

**APPROVED**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for a limited proceeding )  
water and wastewater rate increase in Orange )  
County, by PLURIS WEDGEFIELD, INC. )  
)

DOCKET NO. 20170166-WS

**JOINT MOTION REQUESTING COMMISSION APPROVAL OF  
STIPULATION AND SETTLEMENT AGREEMENT**

Pluris Wedgefield, Inc. (“Utility”), and the Office of Public Counsel (“OPC”), on behalf of the Utility’s customers, file this Joint Motion requesting the Florida Public Service Commission (“Commission”) approve the attached Stipulation and Settlement Agreement. In support of this Joint Motion, the Utility and OPC state:

1. The Utility and OPC have entered into a Stipulation and Settlement Agreement resolving OPC’s objection to the manner in which the Utility calculated the rate of return on rate base in this proceeding. A copy of the Stipulation and Settlement Agreement is attached hereto as Exhibit “A”.

2. The Utility and OPC have entered into the Stipulation and Settlement Agreement to avoid the time, expense and uncertainty associated with adversarial litigation, in keeping with the Commission’s long-standing policy and practice of encouraging parties to settle issues whenever possible.

3. The Utility and OPC submit the Stipulation and Settlement Agreement is in the best interests of the Utility and its customers, and is in the public interest.

**WHEREFORE, the Utility and OPC respectfully request the Commission to approve without modification the attached Stipulation and Settlement Agreement and to issue a Proposed Agency Action Order consistent herewith.**

**Respectfully submitted this 24<sup>th</sup> day of April, 2018.**

**/s/Virginia Ponder**

**J.R. Kelly  
Public Counsel**

**Virginia Ponder  
Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Rm 812  
Tallahassee, FL 32399-1400  
Phone: (850) 488-9330**

**Attorneys for the Citizens of the State  
of Florida**

**/s/ Martin S. Friedman**

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**Attorney for Pluris Wedgefield, Inc.**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for a limited proceeding )  
water and wastewater rate increase in Orange )  
County, by PLURIS WEDGEFIELD, INC. )  
)

DOCKET NO. 20170166-WS

**STIPULATION AND SETTLEMENT AGREEMENT**

THIS STIPULATION AND SETTLEMENT AGREEMENT is made and entered into this 24<sup>th</sup> day of April, 2018, by and between Pluris Wedgefield, Inc. (Utility), and the Office of Public Counsel (OPC) on behalf of the customers of the Utility.

**WITNESSETH**

WHEREAS, the Utility filed an Application in this Docket for a limited rate increase; and

WHEREAS, OPC has contested the calculation of the appropriate rate of return to be used in establishing the revenue requirement; and

WHEREAS, in order to avoid the time, expense and uncertainty associated with adversarial litigation, and in keeping with the Commission's long-standing policy and practice of encouraging parties in contested proceedings to settle issues whenever possible, the Utility and OPC hereby enter into this Stipulation and Settlement Agreement to settle this case in accordance with the terms and conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below, the Utility and OPC (Parties) agree as follows:

1. The Parties agree that the overall rate of return in this proceeding to apply to the increase in rate base should be 8.26%. It is the intent of the Parties that the Utility's acceptance of OPC's methodology of calculating the rate of return shall have no precedential effect or value in any future rate case.
2. The Parties agree that this Stipulation and Settlement Agreement resolves all issues in this limited proceeding.
3. If this Stipulation and Settlement Agreement is not accepted and approved without modification by the Commission, then this Stipulation and Settlement Agreement is rejected and shall be considered null and void and neither Party may use the attempted agreement in this or any other proceeding.

4. This Stipulation and Settlement Agreement will become effective on the date the Commission enters a Proposed Agency Action Order approving the agreement in total. The Parties agree not to protest such Proposed Agency Action Order.

5. The Parties have evidenced their acceptance and agreement with the provisions of this Stipulation and Settlement Agreement by their signatures, and personally represent that they have the authority to execute this Stipulation and Settlement Agreement on behalf of their respective Parties.

6. The Parties submit that the Stipulation and Settlement Agreement is in the best interests of the Utility and its customers and is in the public interest.

**OFFICE OF PUBLIC COUNSEL**

By: /s/ Virginia Ponder  
Virginia Ponder  
Associate Public Counsel  
On behalf of the customers of  
Pluris Wedgefield, Inc.

**PLURIS WEDGEFIELD, INC.**

By: /s/ Martin S. Friedman  
Martin S. Friedman  
Attorney for Pluris Wedgefield, Inc.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Joint Motion Requesting Commission Approval of Stipulation and Settlement Agreement has been furnished by electronic Mail to the following parties on this day of April, 2018.

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Crawford, Esquire Office of the  
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/s/Virginia Ponder  
Virginia Ponder  
Associate Public Counsel