BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate increase in Pinellas County by MID-COUNTY SERVICES, INC.	)	DOCKET NO. 921293-SU ORDER NO. PSC-94-1042-FOF-SU ISSUED: August 24, 1994

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
DIANE K. KIESLING

APPEARANCES: RICHARD D. MELSON, Esquire, Hopping Boyd Green & Sams, 123 South Calhoun Street, Post Office Box 6526, Tallahassee, Florida 32314
On behalf of Mid-County Services, Inc.

JOHN R. JENKINS, Esquire, Rose Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301
On behalf of Suntech Homes, Inc.

MARC S. NASH, Esquire, and SUZANNE F. SUMMERLIN, Esquire, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0863
On behalf of the Commission Staff

FINAL ORDER ESTABLISHING RATES AND SERVICE AVAILABILITY CHARGES

BY THE COMMISSION:

BACKGROUND

Mid-County Services, Inc. (Mid-County or utility), a wholly owned subsidiary of Utilities, Inc., is a Class B utility, located in Pinellas County, Florida. Mid-County provides wastewater service to customers located in Dunedin, Florida. The utility is located in a region which has been designated by the South Florida Water Management District (SFWMD) as a critical use area. As of December 31, 1992, the utility served approximately 1,062 residential customers and 175 general service customers. The wastewater system serves approximately 2,337 equivalent residential connections (ERCs). By Order No. 25257, issued October 28, 1991, the Commission approved a transfer of majority organizational

control of Mid-County from the former owner of the utility to Utilities, Inc. The transaction involving the acquisition of stock was completed and the closing occurred on May 22, 1991.

On April 1, 1993, the utility filed the instant application for approval of interim and permanent rate increases pursuant to Sections 367.081 and 367.082, Florida Statutes, and requested that the Commission process this case under the proposed agency action (PAA) procedure. However, the information submitted did not satisfy the minimum filing requirements (MFRs) for a general rate increase. Subsequently, on May 21, 1993, the utility satisfied the MFRs and this date was designated the official filing date. The test year for interim is the twelve-month period ended December 31, 1992. The test year for the final rate determination is the projected twelve-month period ending March 31, 1994, based on the historical twelve-month period ending June 30, 1992. The current rate case was driven by the capital improvements required by Department of Environmental Protection (DEP) directives. The utility has upgraded personnel and invested approximately $1,500,000 to improve its present service.

By PAA Order No. PSC-93-1713-FOF-SU, issued November 30, 1993, the Commission proposed increased wastewater rates and service availability charges for this utility. Specifically, the Commission proposed a $761,574 wastewater revenue requirement for Mid-County, which represents an annual increase in revenue of $262,803 or 52.69 percent.

On December 20, 1993, Suntech Homes, Inc. (Suntech or developer) timely filed a Petition on Proposed Agency Action, wherein it requested a Section 120.57, Florida Statutes, hearing. The developer's protest appeared to be limited to the service availability charges.

On December 27, 1993, Mid-County filed a Notice of Intent to Implement Increased Rates and Charges, along with revised tariff sheets, a proposed customer notice, and corporate undertakings of Mid-County Services, Inc., and its parent, Utilities, Inc. By Order No. PSC-94-0419-FOF-SU, issued February 7, 1994, this Commission acknowledged Mid-County's Notice to Implement the PAA rates.

The hearing was held on April 20, 1994, in Dunedin, Florida. The parties timely filed their briefs on May 23, 1994.

FINDINGS OF FACT, LAW, AND POLICY

Having considered the evidence presented, the briefs of the parties, and the recommendation of our staff, we hereby enter findings of fact, law, and policy.

STIPULATIONS

Prior to the hearing, the utility, developer, and staff agreed upon a number of stipulations. At the hearing, we accepted the following stipulations:

1. Mid-County is accepting the Commission's decisions in the proposed agency action order, with the following modifications:

   a. The appropriate level of service availability charges remains at issue in this proceeding;

   b. The wastewater plant is 88% used and useful;

   c. Salaries directly related to construction projects should be capitalized. Accordingly, the following adjustments reflected in the proposed agency action order are deleted:

Plant Account	$ 64,326
Accumulated Depreciation	3,003
Depreciation Expense	1,608;

   d. The final rates shall be the same as those shown on Schedule No. 4, page 34, of the proposed agency action order. The rate decrease at the end of four years shall be twice the amount shown on Schedule No. 5, page 35, of the proposed agency action order. Rate case expense of $110,000 is implicit in these calculations;

   e. Mid-County will have the right, in its next rate case to present evidence as to the total amount of rate case expense incurred in this proceeding and the prudency thereof. Any such rate case expense in excess of $110,000 which is found by the Commission to be prudent shall be recoverable through rates at that time;

2. The plant capacity is 900,000 gallons per day;

3. Suntech timely filed an objection to Mid-County's Application for Increased Service Availability Charges and has standing to raise service availability charge issues;

4. Mid-County began collecting the increased service availability charge of $1,179 per ERC from Suntech Homes in mid-November, 1993, prior to the January 7, 1994, effective date;

5. Units paying the increased service availability charge prior to January 7, 1994, were not connected until after that date at which time the higher charge was appropriate;

6. Mr. Frank Seidman and Mr. Michael Burton are qualified as experts to testify in this case. This stipulation does not preclude cross-examination of such witnesses about their professional background and experience;

7. A service availability charge anywhere between $0 and $1,795 provides Mid-County with a level of CIAC which falls within the guidelines set forth in Rule 25-30.580, Florida Administrative Code.

SERVICE AVAILABILITY CHARGE

Rule 25-30.580, Florida Administrative Code, states that a utility's service availability policy must be designed such that the maximum amount of contributions-in-aid-of-construction (CIAC), net of amortization, does not exceed 75% of the total original cost, net of accumulated depreciation, of the utility's facilities and plant when the facilities and plant are at their designed capacity. The Rule also states that the minimum amount of CIAC should not be less than the percentage of such facilities and plant that are represented by the water transmission and distribution system and/or wastewater collection system.

Mid-County argued that the appropriate service availability charge should be $1,235. Utility witness Kramer testified that he developed a service availability charge by taking the depreciated cost of total utility plant and dividing it by the number of ERCs connected to the system in 1992. According to Mr. Kramer, an increase in the service availability charge was needed due to $1.4 million in improved facilities. He testified that these improvements were needed to conform with environmental regulations and to provide economical service. The increase in the service availability charge benefits customers of Mid-County by maintaining reasonable, bi-monthly, wastewater rates.

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Mr. Kramer further testified that in determining if the proposed fee was in compliance within the guidelines of Rule 25-30.580, Florida Administrative Code, he calculated the net level of CIAC at design capacity. He testified that the level of CIAC was approximately 57% for the fee developed. Further, he testified that under the rule, the level of CIAC at design capacity would fall within the range of 35.05% to 75%. The resulting charge of $1,235 falls within the guidelines at 56.97%.

To ensure the fairness and appropriateness of the proposed service availability charge, Mr. Kramer compared the proposed charge to surrounding areas and found that the City of Clearwater charges a $900 wastewater impact fee, Pinellas County a $1,177 fee, and the City of Dunedin a $1,461 combined connection and wastewater impact fee. He testified that those comparisons helped to support the fee of $1,235.

Utility witness Seidman testified that the $1,235 service availability charge yields a 57% ratio of net CIAC to net plant. This ratio is midway between the minimum and maximum limits of the rule. Mr. Seidman used Exhibit No. 13 to show that the proposed charge is within the allowable range. Mr. Seidman's calculation reflects the stipulations and the adjusted plant balances and accumulated depreciation from Proposed Agency Action Order No. PSC-94-0469-PHO-SU.

Suntech's position is that the appropriate service availability charge for the utility should be $370. The developer's proposed service availability charge is based on an interpretation of Rule 25-30.585, Florida Administrative Code, that we do not find appropriate.

Suntech witness Burton testified that his service availability charge calculation presents a fair and equitable distribution of capital costs based upon a hydraulic share approach. Mr. Burton testified that his methodology calculates a service availability charge which is fair and equitable by demonstrating that, if all connections to this system, existing and future, were charged this service availability charge, it would result in an imputed CIAC at buildout equal to 75% of original cost of plant net of accumulated depreciation at design capacity. He also testified that any such charge greater than $370 would compensate the utility for costs that were not previously included in the service availability charges collected from all existing connections by overcharging future connections. Also, any such charge would place an unfair and unwarranted burden upon the future connections to the system.

We analyzed Exhibit No. 20 and have determined that Suntech's proposed service availability charge of $370 is based on several calculation errors and rule misinterpretations. First, it does not include the stipulated amount of capitalized salaries.

Second, Suntech takes the position that service availability charges should be calculated using the total cost of the utility's facilities, excluding contributed properties. Mr. Burton believes that net property CIAC should be removed so that the utility will not recover costs that they have not invested in. Mr. Burton contends that this would result in a double-recovery of costs. However, Mr. Burton acknowledged that he could not point to any rule or prior Commission case where this practice has been approved. We believe that there is a major flaw in Suntech's calculation. The reasoning is flawed in that, when the maximum CIAC amount of 75% of net plant is calculated under Rule 25-30.580, Florida Administrative Code, the total amount of CIAC is considered, whether it is contributed property or cash. Under past Commission practice, there has been no distinction between how property or cash contributions are treated.

Finally, the accumulated depreciation included in Mr. Burton's exhibit does not match the plant in service balance. In fact, Mr. Burton acknowledged certain inaccuracies and inconsistencies in his numbers and data.

Further, we analyzed the parties' calculations of ERCs available to buildout to determine the appropriateness of their projections. Mid-County was granted a new operating permit from DEP effective April 1, 1994. The permit increased the capacity of the plant from 800,000 gallons per day (gpd) to 900,000 gpd. This increase changed the projected ERCs available until buildout.

Order No. PSC-93-1713-FOF-SU reflected use of 100 ERCs per year in its calculations because of documentation from the utility supporting that number. Exhibit No. 12 shows the maximum month average flows of the utility, which is 259 gpd; as well as the average month flows, which equals 225 gpd. The utility used the maximum month average, while the developer used the average month flows.

Using the most recent flow data in Exhibit No. 12, we calculated the remaining ERCs to buildout:

GPD Treated, maximum month	681,000
Permitted plant capacity gpd	900,000
Plant ERC capacity 900,000/259 gpd	3,475

Existing ERCs at 6/30/92	2,850
Remaining ERCs to buildout (3,475-2,850)	625

Using the 100 ERC per year growth used in PAA Order No. PSC-93-1713-FOF-SU at 259 gpd, the utility has 6.25 years to buildout from July 1, 1992. This means buildout at current rates should be reached by September 1, 1998.

GPD Treated, average month	640,926
Permitted plant capacity gpd	900,000
Plant ERC capacity 900,000/225 gpd	4,000
Existing ERCs at 6/30/92	2,850
Remaining ERCs to buildout (4,000-2,850)	1,150

Using the 100 ERC per year growth used in PAA Order No. PSC-93-1713-FOF-SU at 225 gpd, the utility has 11.5 years to buildout from July 1, 1992. This means buildout at current rates should be reached by January 1, 2003.

Although he disagreed with the policy, Witness Burton testified that traditionally, the Commission uses the maximum month average in calculating utility used and useful capacities. Based on the evidence presented on the record, we find that it is appropriate to use the maximum month average flows of Mid-County to calculate the buildout time of September 1, 1998. This calculates to 425 ERCs remaining from July 1, 1994.

Based on the foregoing, we believe the $1,235 service availability charge is fair and reasonable. We further believe that the utility's charge is not excessive and that it complies with Commission guidelines. Therefore, the utility shall file tariff sheets reflecting the service availability charge at $1,235.

Rule 25-30.585, Florida Administrative Code

Rule 25-30.585, Florida Administrative Code, states:

> Subject to the limitation in Rule 25-30.580, service availability charges for real estate developments shall not be less than the cost of installing the water transmission and distribution facilities and sewage collection system and not more than the developer's hydraulic share of the total cost of the utility's facilities and the cost of installing the water transmission and distribution facilities and sewer collection system. The terms of a developer's agreement shall be consistent with the basic principles embodied in the rules of this part of the utility's approved tariff.

> A statement of the potential impact of the developer agreement on the rates of the utility shall be submitted along with the developer agreement pursuant to Rule 25-30.550.

Utility witness Seidman testified that this rule does not apply to this case since Suntech and Mid-County have no developer agreement. Developer witness Burton testified that no developer agreement is necessary for this rule to apply. We believe witness Burton is correct in his assessment that no developer agreement needs to exist for Rule 25-30.585, Florida Administrative Code, to apply. Nowhere in the first part of the rule, which describes what the minimum and maximum service availability charges for a real estate development should be, does it state that a developer agreement is necessary. The second sentence of the rule states that "the terms of a developer agreement shall be consistent with the basic principles . . ." Interpreted, this part of the rule means that if there is a developer agreement, it shall be consistent with the basic principles embodied in the rules. It does not state that a developer agreement must exist for this rule to apply in setting the service availability charges of a real estate development. Since no developer agreement between the utility and the developer exists in this case, there is no need to discuss the last part of the rule which deals with these agreements. By interpreting this rule as it is plainly written, we believe that there is no need for a developer agreement to exist for this rule to apply. When interpreting undefined terms in a statute or rule, the body interpreting the terms must give them their plain and ordinary meaning. See, e.g., City of Tampa v. Thatcher Glass Corporation, 445 So.2d 578 (Fla. 1984).

Rule 25-30.580, Florida Administrative Code, and Rule 25-30.585, Florida Administrative Code, are separate and distinct in their meanings. Utility witness Seidman testified that Rule 25-30.585, Florida Administrative Code, supplements the guideline rule and is specifically directed at service availability charges as they impact real estate developments. We agree that the provisions in Rule 25-30.585, Florida Administrative Code, exist to supplement Rule 25-30.580, Florida Administrative Code, in deriving a service availability charge.

Rule 25-30.585, Florida Administrative Code, is used when a developer intends to develop real estate and requires water and/or wastewater service. This rule specifically states that, at a minimum, the developer will contribute the cost of installing the water transmission and distribution facilities and sewage collection system. The rule further codifies that the developer will pay no more than its hydraulic share of the total cost of the

utility's facilities. Since Rule 25-30.585, Florida Administrative Code, is subject to the limitation in Rule 25-30.580, Florida Administrative Code, the total CIAC net of amortization cannot exceed 75% of the utility's net plant at design capacity.

With respect to the interpretation of Rule 25-30.585, Florida Administrative Code, witness Seidman testified that:

> When the service availability guideline rules were being promulgated, the Commission considered and adopted a service availability policy that would fix charges for the individual residential and commercial applicants and allow some flexibility for negotiated charges between developers and utilities. As long as those negotiated charges are consistent with the utility's tariff and do not cause the utility, as a whole, to violate the guidelines, they are allowable under Rule 25-30.585. (emphasis added)

We agree. Under cross-examination, Mr. Seidman further testified that Rule 25-30.585, Florida Administrative Code, applies only to the determination of the proper hydraulic capacity of the total cost of the utility's facilities, and that this rule's intended purpose was to provide the proper guidelines to settle disagreements or disputes between developers and utilities over the actual demand a development will place on a system. Further, when the Commission considered the rules on service availability charges, it considered that there should be fixed charges for single customers, either commercial or residential, and that there should be some options for negotiations for developer charges. We agree with Mr. Seidman. An example of such a negotiation would be where a company has a main extension charge in its tariff but a developer desires to donate the mains in his development instead. This rule gives the company the guidelines to negotiate a reduction in the main extension fee so that the developer only pays for the hydraulic share of the company's existing mains that will serve the developer's development. Another example might involve negotiations over the hydraulic demand that will be placed upon a treatment plant for a master metered condominium development so that the calculation of the proper charge under Rule 25-30.580, Florida Administrative Code, can be made.

Mr. Burton testified that a service availability charge must be determined based on the guidelines of Rules 25-30.580 and 25-30.585, Florida Administrative Code, as well. He testified that Rule 25-30.585, Florida Administrative Code, establishes a hydraulic, or pro rata share, cost allocation. His calculation is based on the number of potential connections, both existing and

future, all being charged the same service availability charge, with the utility thereby achieving a 75% recovery condition. Based on this approach, he calculated that the appropriate service availability charge would be $370. He testified that this amount represents a fair and equitable charge, and that it allocates the cost evenly among the units that benefit.

Mr. Burton's method suggests that the service availability charge should be computed based on today's information carried back to the utility's inception in 1969 or, as if all current and future customers paid a service availability charge of $370. Existing customers did not pay this $370 service availability charge. Instead, they paid the previously approved service availability charge of $136.60. The Commission has no authority to require past customers to pay this proposed charge of $370. Witness Burton testified that he is not aware of a Commission precedent which has applied his methodology.

We believe that Rule 25-30.585, Florida Administrative Code, is subject to the limitations of Rule 25-30.580, Florida Administrative Code. The service availability charges are first calculated and approved using the guidelines of Rule 25-30.580, Florida Administrative Code. Only after these charges have been approved are negotiations between developers and utilities addressed by using the provisions of Rule 25-30.585, Florida Administrative Code. Therefore, we find that the service availability charge of $1,235 complies with Rule 25-30.585, Florida Administrative Code.

Collection of Service Availability Charges

Exhibit No. 22 documents the chronological history of this proceeding, including the payment of the increased service availability charges. Furthermore, testimony was provided by Mr. Rasmussen, on behalf of the utility, and Mr. Orsi, on behalf of Suntech, that in April, 1993 after receiving notice of Mid-County's intent to file an application for an increase in service availability charges, Suntech attempted to prepay charges at the old rate for the remaining 128 units of Phase I development. Further, the evidence in the record revealed that Mid-County refused to accept Suntech's tendered check as payment in full for the 128 units. Instead, Mid-County offered Suntech the option of (1) having the check returned, and resubmitting application for the units ready to be constructed, or (2) having its check deposited, and applied to subsequent connections at the rate prevailing at the time each unit was connected. Suntech took the former option, and paid for the 18 units which it indicated was ready to construct.

The utility's position is that, since none of the 10 units connected until after the January 7, 1994, effective date, the higher charge was appropriate and thus Suntech has not ultimately "overpaid" with respect to any of these units. Further, it is the utility's position that Suntech has suffered no harm as a result of being required to pay the higher charges, subject to refund, approximately six weeks in advance of the time such charges were formally authorized. In its brief, the utility stated it believed that given the totality of the circumstances, its actions were reasonable.

Suntech's position is that it could not afford to have issuance of its building permits delayed indefinitely while it sought recourse against Mid-County; thus, it paid the higher charge. Further, Suntech asserts in its brief that the utility charged the increased service availability charge prior the issuance of Order No. PSC-93-1713-FOF-SU, issued November 30, 1993.

Suntech asserts that Mid-County attempted to collect the increased service availability charge and it is now asking the Commission to ignore its practice because, in its view, no harm was done. Suntech believes that the Commission should sanction Mid-County appropriately for its violation of Commission rules and its breach of duty to its customers.

We have considered the stipulations and Exhibit No. 22, and believe that the actions taken by Mid-County, in this case, were not inappropriate. Since the units paying the increased service availability charges prior to January 7, 1994, were not connected until after the charges were implemented, no action is necessary.

Additional CIAC

Utility Witness Seidman testified that the utility does not know if additional property CIAC will be received until it enters into a developer agreement relating to future extensions of its wastewater system. As stated earlier, Mid-County has no developer agreements with Suntech or any other developer.

Suntech witness Orsi testified that Suntech expects to enter into a developer agreement with Mid-County for Phase II of its Brookfield subdivision. Suntech estimates that it will contribute approximately $100,000 of lines and facilities to Mid-County in connection with that development.

Since no signed developer agreements or any other evidence was entered into the record to indicate that any future CIAC will be received by Mid-County, we believe that the service availability

charge will not be affected by any property which the developer might contribute in the future.

ERC Factor

No documentation was offered by either party relating to the exact amount of the flows emanating from the homes in question to Mid-County's wastewater plant. Mr. Burton, Suntech's witness, when asked whether he had done anything to ascertain whether Mr. Orsi's townhomes placed less demand on the Mid-County system than the single family residences, responded negatively. Similarly, Mr. Seidman, Mid-County's witness, responded negatively when asked if he had used historical data on flows in Brookfield (Suntech's development).

Witness Orsi, Suntech's president, testified that the homes he is building are similar in size to single family homes with 1,100 to 2,000 square feet, which is larger than the average townhouse. He further testified that each townhome has its own 5/8" meter with individual wastewater service from Mid-County, stating that all his townhomes are equipped with "individual meters, no master meters or group metering. . ." Mr. Orsi also differentiated between his townhomes, which he referred to as "street townhomes" and others referred to as "condominium townhomes". In a street townhome, the purchaser owns the front and back yards and the land under the home. The condominium townhome owner usually owns only the land beneath the unit. Additionally, the streets are public in a street townhome community vs. being private with condominium townhomes. Mr. Orsi also testified that the majority of the homes (110) are in the 1,500 to 2,000 square foot range and all 160 homes have washer hookups and dishwashers. The homes have separate meters for irrigation provided by wells on the property. When homes are provided with irrigation meters the percentage of water passing through the regular meter that is returned to the wastewater plant is significantly increased because the irrigation water, which is used for such things as lawn watering and car washing, is not registered on the meter used to calculate sewer rates.

Utility witness Rasmussen testified that the utility distinguishes between single family residences based on size, number of bathrooms, washer-drier hookup and whether it is metered individually. He stated that if a residence is metered individually, it is placed in the single family category.

Based on the testimony in the record, we find that the appropriate ERC factor for townhomes and villas is one ERC equals 350 gpd for water, and one ERC equals 280 gpd for wastewater.

Rates

By Order No. PSC-93-1713-FOF-SU, the Commission approved final rates as reflected on page 34, schedule 4. These rates were stipulated to by the parties and accepted by the Commission at the hearing. These rates shall become final and effective provided that the tariff sheets are consistent with the decision herein.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to determine the water and wastewater rates and charges of Mid-County Services, Inc., pursuant to Sections 367.081 and 367.101, Florida Statutes.

2. As the applicant in this case, Mid-County Services, Inc. has the burden of proof that its proposed rates and charges are justified.

3. The rates and charges approved herein are just, reasonable, compensatory, not unfairly discriminatory and in accordance with the requirements of Section 367.081(2), Florida Statutes, and other governing law.

4. Pursuant to Chapter 25-9.001(3), Florida Administrative Code, no rules and regulations, or schedules of rates and charges, or modifications or revisions of the same, shall be effective until filed with and approved by the Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Mid-County Services, Inc. is authorized to charge the new rates and charges as set forth in the body of this Order. It is further,

ORDERED that prior to the implementation of the rates and charges approved herein, Mid-County Services, Inc., shall submit and have approved a proposed notice to its customers of the increased rates and charges and the reasons therefor. The notice will be approved upon Staff's verification that it is consistent with our decision herein. It is further,

ORDERED that prior to the implementation of the rates and charges approved herein, Mid-County Services, Inc., shall submit and have approved revised tariff sheets. The revised tariff sheets

will be approved upon Staff's verification that it is consistent with our decision herein. It is further,

ORDERED that each of the findings made in the body of this Order is hereby approved in every respect. It is further,

ORDERED that this docket may be closed upon the utility's filing and Staff's approval of revised tariff sheets and a customer notice.

By ORDER of the Florida Public Service Commission, this 24th day of August, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

MSN

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be

completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.