

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a new) DOCKET NO. 951365-WU
class of service in Marion) ORDER NO. PSC-96-0120-FOF-WU
County by Ventures Associates) ISSUED: January 23, 1996
Utilities Corp.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING TARIFF

BY THE COMMISSION:

Venture Associates Utilities Corp. (Venture) is a developer-owned Class B water utility which presently provides service to the Palm Cay subdivision within Marion County. Venture reports in its 1994 annual report that it presently provides service to approximately 888 customers, mainly residential, with annual revenues of \$196,985 and a net operating loss of \$3,676.

On October 20, 1995, Venture requested approval of a tariff filed pursuant to Section 367.091, Florida Statutes. Venture plans to add a general service customer who will receive water through a six inch turbine meter for Palm Cay. The existing general service rate schedule for Palm Cay only provides for base facility charges for meters up to a size of four inches.

Venture provides service to the Palm Cay subdivision through an on-site water treatment plant. Currently, Venture is involved in a separate docketed item regarding its provision of service to an additional subdivision, Ocala Palms Subdivision, Docket No. 930892-WU. By Order No. PSC-94-1621-FOF-WU, issued December 30, 1994, we amended Venture's territory to include the Ocala Palms area. This Order also approved separate rates and charges for the Ocala Palms area. That case was protested and is scheduled for hearing on January 22, 1996.

Pursuant to Rule 25-30.437(6), Florida Administrative Code, "the rates are first established with the 5/8 inch x 3/4 inch meter as the foundation. For meter sizes larger than 5/8 inch, the base

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facility charge shall be based on the usage characteristics." Absent any justification, we refer to the American Water Works Association's (AWWA) equivalency factors for usage characteristics when calculating rates for meter sizes larger than 5/8 inch.

We calculated the six-inch turbine meter rate based on the AWWA's factor of 62.5. It should be noted that this equivalency factor is higher than that of a six-inch compound meter. The difference between the two types of meters is based on the meter's ability to serve more customers. Therefore, we find it appropriate to approve Venture's request. Accordingly, the tariff sheets shall be stamped approved. In the event a protest is filed within 21 days of the issuance of this Order, the tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed upon expiration of the protest period.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the proposed tariff sheet submitted by Venture Associates Utilities Corp. is hereby approved. It is further

ORDERED that in the event that a protest is filed within 21 days of the issuance of this Order, this tariff shall remain in effect with any increases held subject to refund pending the resolution of the protest. It is further

ORDERED that in the event no timely protest is filed, then this docket shall be closed upon expiration of the protest period.

By ORDER of the Florida Public Service Commission, this 23rd day of January, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Karp DeLeon
Chief, Bureau of Records

(S E A L)

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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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 13, 1996.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.