

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in Polk County by Crooked Lake Park Sewerage Company.      DOCKET NO. 050586-SU  
ORDER NO. PSC-06-0337-PAA-SU  
ISSUED: April 24, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CLOSING DOCKET

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Background

Crooked Lake Park Sewerage Company (Crooked Lake or the utility) is a Class C wastewater utility serving 430 wastewater customers in Polk County. According to the utility's 2004 Annual Report, total gross revenue was \$121,303, and total operating expenses were \$126,288. On September 6, 2005, the utility filed its application for a staff assisted rate case, and requested a test year ending September 30, 2005. This request was granted and the utility paid the required filing fee of \$1,000 on January 31, 2006. We have jurisdiction pursuant to Section 367.0814, Florida Statutes.

Subsequent to the granting of staff assistance, and apparently due to the ill health of the owner, Mr. Kenneth Knowlton, the utility has been unable to respond to staff requests for accounting information, and the scheduling of the engineering evaluation. The field auditor has also been in contact with the utility's CPA in a further attempt to obtain the required information. However, due to Mr. Knowlton's illness, the books and records of the utility have not been updated since June 30, 2005.

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Our staff was in frequent contact with the owner concerning his filing during the last few months of 2005. However, the audit staff and engineering staff have had difficulty contacting the owner since the beginning of 2006. Tallahassee and field staff have made many attempts to contact Mr. Knowlton or other representatives of the utility by telephone or pager and messages have not been returned. On one occasion, however, Mr. Knowlton, did indicate he would meet the auditor at the utility, but Mr. Knowlton never arrived for the meeting.

Rule 25-30.145(2), Florida Administrative Code, requires "that company responses to audit requests for access to records shall be fully provided within the time frame established by the auditor." Because of his illness, Mr. Knowlton has not updated the utility records through the last three months of the utility's requested test year. It appears that the audit or recommendation can not be prepared without the input of Mr. Knowlton. Because our staff is unable to review or analyze the accounting and engineering documentation necessary to properly determine revised rates for Crooked Lake, we find that this docket shall be closed. Further, because our staff has spent approximately 68 hours reviewing the associated accounting and engineering information available, including travel time to the utility on three separate days, we find that the \$1,000 filing fee shall not be refunded.

Once the utility owner is prepared to assist staff with the processing of subsequent rate case requests, he may resubmit an application for a new staff assisted rate case.

Based on the foregoing, it is

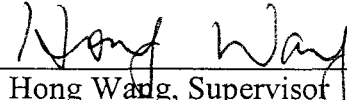
ORDERED that the \$1,000 filing fee shall not be refunded. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 24th day of April, 2006.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
And Administrative Services

By:   
\_\_\_\_\_  
Hong Wang, Supervisor  
Case Management Review Section

( S E A L )

RRJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 15, 2006.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.