

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request to establish new class of service  
for RV park in Lee County, by Tamiami  
Village Water Company, Inc.

DOCKET NO. 050819-WU  
ORDER NO. PSC-06-0338-AS-WU  
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

FINAL ORDER APPROVING SETTLEMENT AGREEMENT

BY THE COMMISSION:

Tamiami Village Water Company, Inc. (Tamiami or utility) is a Class C utility in Lee County. The system serves approximately 785 water customers. According to its 2004 Annual Report, Tamiami recorded total gross revenues of \$183,499, resulting in a net loss of \$11,621.

By letter dated October 12, 2005, Tamiami filed for approval of a new class of service for a general service tariff. By Order No. PSC-06-0090-TRF-WU, issued February 9, 2006, we approved Tamiami's request for a new class of service.

By letter dated February 8, 2006, Tamiami Master Association, Inc. (TMA) filed a timely protest to Order No. PSC-06-0090-TRF-WU. In its protest, TMA stated that it was contesting the numbers given to this Commission regarding the meters and the customers in the RV Park. We have jurisdiction pursuant to Sections 367.081 and 367.121, Florida Statutes.

After the protest was filed, Tamiami and TMA engaged in settlement negotiations. On February 24, 2006, Tamiami and TMA reached an agreement, and a settlement was signed and submitted to this Commission for approval as a resolution of all disputes and matters concerning Order No. PSC-06-0090-TRF-WU.

In support of the Settlement Agreement, the parties recognize the expensive uncertainty of continuing this proceeding and desire to effectuate a settlement. The parties agree to support this Settlement Agreement as final disposition of all matters covered by Order No. PSC-06-0090-TRF-WU. In the Settlement Agreement the parties agree that the estimated number of equivalent residential connections (ECRs) should be 104.76, and when multiplied by the existing

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residential base facility charge of \$11.65 for all meter sizes, the appropriate base facility charge for the RV Park is \$1,220.50.<sup>1</sup>

Based on the above, we find the Settlement Agreement is fair, just, and reasonable, will further the goal of administrative efficiency, and is in the public interest. Therefore, we hereby approve the Settlement Agreement. Further, the Ninth Revised Tariff Sheet No. 16.1, filed on March 1, 2006, reflecting a base facility charge of \$1,220.50 and a gallonage charge of \$3.03 per 1,000 gallons is also approved as filed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Settlement Agreement and the Ninth Revised Tariff Sheet No. 16.1, as discussed above, are approved as filed. It is further

ORDERED that 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  
Hong Wang, Supervisor  
Case Management Review Section

( S E A L )

RRJ

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<sup>1</sup> In Order No. PSC-06-0090-TRF-WU, this Commission proposed to approve a monthly base facility charge of \$1,370.70 based on an estimated 118 ERCs.

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 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.