

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate increase in Brevard, Charlotte, Lee, Citrus, Clay, Duval Highlands, Lake, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, Volusia, and Washington Counties by SOUTHERN STATES UTILITIES, INC., Collier County by MARCO SHORES UTILITIES (Deltona); Hernando County by SPRING HILL UTILITIES (Deltona); and Volusia County by DELTONA LAKES UTILITIES (Deltona).

Docket No. 920199-WS

Order No. PSC-93-0423-FOF-WS Issued: 3-22-93

COVA'S RESPONSE TO SSU'S MOTION FOR RECONSIDERATION

Cypress and Oak Villages Association, Inc. ("COVA"), responds to Southern States Utilities, Inc.'s Motion for Reconsideration of PSC Order No. 93-0423-FOF-WS.

Concerning Part A of the Motion for Reconsideration, COVA relies on the Office of the Public Counsel to provide an appropriate response.

Concerning Section B of the motion, "Hernando County Bulk Wastewater Rate," COVA objects to reconsideration, but points out that the problem raised by SSU merely dramatizes the inequity of statewide uniform rates. The asserted basis for giving Hernando County a preferential rate is the large amount it has paid in service availability fees and for its collection and pumping facilities. Reading between the lines, however, the real reason for SSU's objection to the application of uniform rates to Hernando County is that the county apparently has the ability to provide its own wastewater treatment services and therefore declined to subsidize the remainder of SSU's customers. In other words,

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04201 APR 1993  
FPSC-RECORDS/REPORTING

Hernando County is not a captive customer, unlike all of the company's general service customers.


The company's contention that the bulk wastewater rate violates its and Hernando County's due process rights is remarkable. The same evidence that supported calculation of statewide uniform rates generally would presumably support the calculation of this rate. The fact is that none of SSU's customers knew the effect of statewide uniform rates until after the staff recommendation was issued, therefore, all of the customers' due process rights were violated.

It is also curious that SSU would point out, in Hernando County's defense, that the CIAC or service availability fees paid by Hernando County equals or exceeds the amount of plant in-service. The customers of Sugarmill Woods, represented by COVA, had paid in CIAC of \$9.8 million versus \$9.6 million plant in-service, and thus are in the precise situation that SSU alleges is inequitable as to Hernando County.

In summary, although COVA agrees that the application of statewide uniform rates to Hernando County appears to be inequitable, there is no legitimate reason to treat Hernando County differently from other customers similarly situated. COVA agrees that there was a denial of due process on this issue, but the same applies to all customers. COVA again requests the commission to

reconsider its adoption of statewide uniform rates.

Respectfully submitted,

  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail this 11th day of April 1993 to the following persons:

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