



JACK SHREVE  
PUBLIC COUNSEL

STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399-1400  
904-488-9330

ORIGINAL  
FILE COPY

October 13, 1993

Mr. Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 E. Gaines Street  
Tallahassee, FL 32399-0863

Re: Docket No. ~~\_\_\_\_\_~~

Dear Mr. Tribble:

Enclosed please find the original and fifteen (15) copies of Citizens' Prehearing Statement for filing in the above-referenced docket. A diskette in IBM-compatible WordPerfect 5.1 is also submitted.

Please indicate receipt of filing by date-stamping the attached copy of this letter. Thank you for your assistance in this matter.

- ACK \_\_\_\_\_
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- APP \_\_\_\_\_
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- NAS 1 \_\_\_\_\_
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16F  
FPSC-BUREAU OF RECORDS

Sincerely,

*Stephen C. Reilly*  
Stephen C. Reilly  
Associate Public Counsel

DOCUMENT NUMBER-DATE  
10994 OCT 13 93  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL  
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In re: Application for Certificates to )  
Provide Water and Wastewater Service in )  
Alachua County Under Grandfather Rights )  
by TURKEY CREEK, INC. & FAMILY DINER, )  
INC. d/b/a TURKEY CREEK UTILITIES )  
\_\_\_\_\_ )

DOCKET NO. 921098-WS  
FILED: October 13, 1993

CITIZENS' PREHEARING STATEMENT

Come now the Citizens of the State of Florida (Citizens), by and through their undersigned attorney, pursuant to the provisions of Commission Rule 25-22.038(3), Florida Administrative Code, and the Commission's Order Establishing Procedure issue August 9, 1993 and Order No. PSC-93-1430-PCO-WS, issued October 1, 1993, and submit their prehearing statement.

A. All Known Witnesses

Citizens are not sponsoring any witnesses.

B. All Known Exhibits

Citizens are not sponsoring any prefiled exhibits.

C. Statement of Basic Position

In its grandfather certificate application the utility is attempting to secure Commission approval for rates and charges which were not properly approved and being charged to its customers at the time the Commission received jurisdiction on June 30, 1992. The utility is also requesting more territory than it is currently serving. Turkey

Creek Utilities should be required to charge only those rates which it was charging on June 30, 1992. The utility should also be required to refund its customers all monies collected since June 30, 1993 in excess of these charges plus interest. The territory granted to the utility should be no more than what was included in Turkey Creek's original Development of Regional Impact (DRI) Order.

D. - F.        Issues and Positions

ISSUE 1:     Should the utility be required to cease collecting rates in excess of that which it was charging on June 30, 1992?

POSITION: Yes.

ISSUE 2:     Should the utility be required to refund with interest all monies collected since June 30, 1993, in excess of those charges it was collecting on June 30, 1993?

POSITION: Yes.

ISSUE 3:     Should Turkey Creek be authorized to continue collecting a charge for public fire protection?

POSITION: No, the utility should be directed to discontinue collecting its charge for public fire protection.

ISSUE 4:     What miscellaneous service charges should be approved for Turkey Creek Utilities?

**POSITION:** The standard charges as found in Staff Advisory Bulletin No. 13, 2nd Revised, should be approved for this utility.

**ISSUE 5:** What should the Commission require the utility to do with reference to customer deposits?

**POSITION:** The Commission should require the utility's compliance with Commission Rule 25-30.311, Florida Administrative Code. Any monies retained by the utility as a "prepaid disconnection" charge should be refunded with interest since June 30, 1992.

**ISSUE 6:** What is the appropriate late fee for Turkey Creek Utilities?

**POSITION:** The appropriate late fee for Turkey Creek is \$3.00.

**ISSUE 7:** What are the appropriate service availability charges for Turkey Creek Utilities?

**POSITION:** The proper service availability charges for Turkey Creek are those charges provided by Commission Order No. PSC-93-0816-FOF-WS.

**ISSUE 8:** Should the utility be required to meter its unmetered irrigation locations?

**POSITION:** Yes, if the customer desires to continue receiving irrigation service, the utility should be required to install the size meter requested by the customer at the unmetered irrigation locations and begin charging the tariffed rates.

**ISSUE 9:** Should the utility be required to replace the 1 inch meters installed at residential homesites with 5/8" x 3/4 meters?

POSITION: Yes, the utility should either replace 1 inch meters with 5/8 x 3/4 inch meter at no cost to the customer or begin charging the rates for the 5/8 x 3/4 inch meter.

ISSUE 10: Should the utility be required to revise its standard form for application for service?

POSITION: Yes, the utility should be required to modify its application for service as outlined in Commission Order No. PSC-93-0816-FOF-WS.

G. Proposed Stipulations

There are no stipulations at this time.

H. Pending Matters

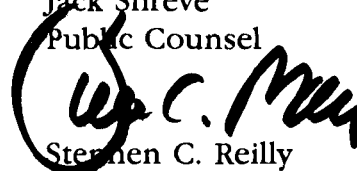
Turkey Creek Utilities' Motion for Continuance.

I. Requirements That Cannot Be Complied With

There are no requirements that cannot be complied with at this time.

Respectfully submitted,

Jack Shreve  
Public Counsel



Stephen C. Reilly  
Associate Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street  
Room 812

Tallahassee, FL 32399-1400

(904) 488-9330

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE  
DOCKET NO. 921098-WS**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by \*hand delivery or by U.S. Mail to the following parties on this 13th day of October, 1993.

NORWOOD HOPE  
2900 Turkey Creek Blvd.  
Alachua, FL 32615

\*CATHY BEDELL, ESQUIRE  
Florida Public Service Commission  
Division of Legal Services  
101 E. Gaines Street  
Tallahassee, FL 32399-0863

PETER C.K. ENWALL, ESQUIRE  
211 N.E. First Street  
Post Office Box 23879  
Gainesville, FL 32602

  
Stephen C. Reilly