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Southern States Utilities • 1000 Color Place • Apopka, FL 32703 • 407/880-0058

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March 2, 1995

By Federal Express

Ms. Blanca S. Bayo
Florida Public Service Commission
Director of Records & Reporting
Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399-0870

Re: Docket No. 920199-WS: Application for a
Rate Increase of Southern States Utilities, Inc.

Dear Ms. Bayo:

Enclosed please find an original and fifteen copies of Southern States' "Motion for Extension of Time to File Service Availability Filing" (together with a disk formatted for Word Perfect 5.1). By Order No. PSC-93-0423-FOF-WS in the above-referenced docket, the Commission required Southern States to file a service availability filing within two years from the date of the order. By the attached motion, Southern States requests that the Commission authorize Southern States to postpone filing a service availability charge proceeding until either we file an application for a general rate increase or June 30, 1995, whichever is earlier. These requests are necessary to permit Southern States the opportunity to file service availability information which is consistent with the information to be provided in our 1995 general rate increase application.

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COMMUNICATIONS SECTION

ACK _____ Please date stamp the enclosed copy of this letter to acknowledge filing and return the stamped copy to me in the enclosed self-addressed, stamped envelope. If there are any questions regarding this filing, please do not hesitate to call me at (407) 880-0058, ext. 152.

APP w/m Moore

CAF _____ Very truly yours,

CMU _____
CTR _____
EAG _____

LEA Jaber Brian P. Armstrong
General Counsel

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OPG _____
RCH _____ cc: Lila Jaber, Esq.

SEC _____
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WATER FOR FLORIDA'S **FUTURE**

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FPC-BUREAU OF RECORDS

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Southern States)
Utilities, Inc. and Deltona Utilities,)
Inc. for Increased Water and Wastewater)
Rates in Citrus, Nassau, Seminole,)
Osceola, Duval, Putnam, Charlotte, Lee,)
Lake, Orange, Marion, Volusia, Martin,)
Clay, Brevard, Highlands, Collier, Pasco,)
Hernando, and Washington Counties.)
_____)

Docket No. 920199-WS

Filed: March 3, 1995

**MOTION FOR EXTENSION OF TIME TO
INITIATE SERVICE AVAILABILITY CHARGE FILING**

SOUTHERN STATES UTILITIES, INC. ("SSU"), by and through its undersigned counsel, respectfully moves the Commission to grant SSU an extension of time to initiate a service availability charge filing until SSU files its next general rate increase application or June 30, 1995, whichever is earlier, and in support of this motion states as follows:

1. By Order No. PSC-93-0423-FOF-WS issued March 22, 1993 (the "Order"), the Commission established uniform rates for 90 water service areas and 37 wastewater service areas.
2. In determining that uniform rates were appropriate, the Commission found, in part, that (1) a change in the service availability charges will not effect current revenue requirements and (2) it will be many years before any increase in service availability charges would affect rates. However, the Commission required SSU to file an application for service availability charges within two years of the Order. See 93 F.P.S.C. 3:504, 605 (1993).
3. The Order was subjected to various motions for reconsideration which were not disposed of until the Commission issued its "Order on Reconsideration" (Order No. PSC-93-1598-FOF-WS) on November 2, 1993. See 93 F.P.S.C. 11:38 (1993).

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4. The Order on Reconsideration denied intervenors' requests for reconsideration. However, on its own motion, the Commission initiated an investigation to determine the reasonableness of uniform rates for all water and wastewater service areas served by SSU. See Order No. PSC-93-1422-FOF-WS issued September 30, 1993 in Docket No. 930647-WS; 93 F.P.S.C. 9:659 (1993).

5. After pre-filed testimony was filed and discovery completed, hearings in the uniform rate investigation docket were held in April, 1994. After post-hearing briefs were filed by the parties, the Commission issued its "Final Order Determining Appropriate Rate Structure for Southern States Utilities, Inc., Establishing Bulk Rates for Hernando County, and Disposing of Motions" on September 13, 1994. Order No. PSC-94-1123-FOF-WS; 94 F.P.S.C. 9:236 (1994). The Final Order re-affirmed the reasonableness of the uniform rate structure for SSU. The Final Order was affirmed on reconsideration. Order No. PSC-95-0047-FOF-WS.

6. In addition, on June 6, 1994, the Commission issued its "Order Denying Petition for Declaratory Statement and Initiating Investigation" initiating an investigation to determine whether the Commission has jurisdiction over all of SSU's facilities and land located throughout the State of Florida. Order No. PSC-94-0686-DS-WS; 94 F.P.S.C. 6:66 (1994). After pre-filed testimony was filed and discovery completed, hearings were held in January, 1995. Post-hearing briefs were filed February 21, 1995.

7. These and other dockets have consumed the time of SSU's staff since March 22, 1993. Although SSU has attempted to compile the data necessary to initiate a service availability charge filing, SSU has determined that it will be impossible to complete the compilation and initiate such a filing by March 22, 1995.

8. In addition, due to inadequate revenues and returns in 1994 (indeed, over the past several years), SSU will be required to file a general rate increase application in 1995. SSU expects that such an application will be filed by June 30, 1995. At this time, SSU believes that it will request a historic test year consisting of the twelve months ended December 31, 1994. SSU would like to present the Commission with audited financial information for 1994 in the general rate increase application. Similarly, SSU believes that it would be prudent to initiate a service availability charge filing using the audited 1994 financial information to permit the Commission to render decisions regarding prospective service availability charges on the basis of the same data and information which will provide the foundation for water and wastewater rates. SSU estimates that the general rate increase application and service availability charge filing cannot be compiled and filed with the Commission until sometime in June, 1995 (the audited 1994 financial information is not expected to be available until at least March 31, 1995).

9. If this motion is granted, SSU will take the steps necessary to ensure that the service availability charge filing will be filed by June 30, 1995 regardless of whether the general rate increase application also is ready for filing at that time. However, it does not appear possible for SSU to initiate the service availability charge filing until such time.

WHEREFORE, for the foregoing reasons, SSU respectfully requests that the Commission grant this motion and authorize SSU to file its service availability charge filing either together with its application for a general rate increase or by June 30, 1995, whichever is earlier.

Respectfully submitted,



BRIAN P. ARMSTRONG, ESQUIRE
Southern States Utilities, Inc.
1000 Color Place
Apopka, Florida 32703
(407) 880-0058

and

KENNETH A. HOFFMAN, ESQUIRE
Rutledge, Ecenia, Underwood,
Purnell & Hoffman
P. O. Box 551
Tallahassee, Florida 32301-1841
(904) 681-6788

Attorneys for Southern States Utilities, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Southern States' Motion for Extension of Time to Initiate Service Availability Charge Filing was furnished by U.S. Mail this 2d day of March, 1995, to the following:

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BRIAN P. ARMSTRONG, ESQ.

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MARCO ISLAND SEWER AND WATER COMMITTEE

March 16, 1995

Ms. Blanca S. Bayo
 Florida Public Service Commission
 Director of Records and Reporting
 Fletcher Building
 101 East Gains Street
 Tallahassee, Florida 32399-0870

Subject: Docket Number **920199-WS**
 SSU Request for Extension of time on
 Service Availability Filing

Dear Ms. Bayo:

I'm writing you concerning SSU's request for an extension for filing a Service Availability filing.

We on Marco Island have been in discussions for almost a year with SSU to have them increase their local impact fees. These fees have not been increased since 1988. They are entirely unrealistic with respect to future and current capital investments for the system on Marco Island.

SSU keeps ignoring our urgent requests for action on this important subject. Further delays will only make matters worse. We think they should not be granted any extensions.

Respectfully,

Richard F. Bergmann

Richard F. Bergmann
 Chairman
 Marco Island Sewer and Water Committee

*58 North Collier Blvd
 Marco Island, FL 33937*

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