

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950531-WS
revised tariff sheets and) ORDER NO. PSC-95-0849-FOF-WS
special service availability) ISSUED: July 17, 1995
contract with B. & V. Lichter in)
Flagler County by Palm Coast)
Utility Corporation.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING REVISED TARIFF SHEETS

Palm Coast Utility Corporation (PCUC or utility) is a class "A" water and wastewater utility in Flagler County. According to PCUC's 1993 annual report, PCUC serves approximately 13,491 water and 9,138 wastewater customers. Gross operating revenues were reported as \$5,844,210 for the water system and \$2,673,211 for the wastewater system. Annual operating income was \$369,507 for water and \$758,876 for wastewater.

On April 5, 1995, PCUC filed a request with us for approval of a service availability contract with B. & V. Lichter in Flagler County. This service availability contract was submitted pursuant to Section 367.101, Florida Statutes, and Rule 25-30.550(1), Florida Administrative Code. On April 11, 1995, we sent a letter stating that revised tariff sheets would be required to approve this service availability contract and its charge for a 1 1/2" meter installation. On May 4, 1995, PCUC filed revised tariff sheets requesting approval of the charge contained in this service availability contract, pursuant to Section 367.091(2), Florida Statutes.

Pursuant to Section 367.091(2), Florida Statutes, a utility's rates, charges, and customer service policies must be contained in a tariff approved by this Commission. Upon our staff's request, the utility submitted revised tariff sheets on May 4, 1995. Pursuant to Section 367.091(5), Florida Statutes, the sixty-day suspension date for the proposed tariff sheets is July 6, 1995.

DOCUMENT NUMBER-DATE

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The utility's request contained a cost justification in accordance with Section 367.091(5), Florida Statutes. The proposed tariff sheets contain a charge of \$385.00 for installation of a 1 1/2" meter. This charge consists of \$325.86 for meter and appurtenances and \$59.28 for two and one-half hours of labor, at \$23.71 an hour, being needed for installation. Pursuant to Section 367.101, Florida Statutes, this Commission shall set just and reasonable charges. After reviewing the tariff request and the cost justification, we have determined that this charge is just and reasonable.

The utility's proposed revised tariff sheets are hereby approved. The utility's service availability contract with B. & V. Lichter will be administratively approved, pursuant to Rule 25-30.550(1), Florida Administrative Code. The new charge contained in the revised tariff sheets shall become effective for new connections made on or after the stamped approval date of the revised tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. In the event that a timely protest is filed, the tariffs shall remain in effect with any increases held subject to refund pending resolution of the protest. If no timely protest is filed, then this docket shall be closed upon expiration of the protest period.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the proposed revised tariff sheets submitted by Palm Coast Utility Corporation are hereby approved. It is further

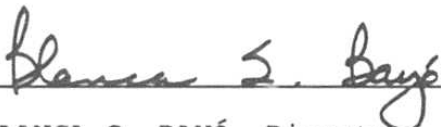
ORDERED that the new charge contained in the revised tariff sheets shall become effective for new connections made on or after the stamped approval date of the revised tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. It is further

ORDERED that in the event that a timely protest is filed, the tariffs shall remain in effect, with any increases held subject to refund pending the resolution of the protest. It is further

ORDERED that in the event no timely protest is filed, then this docket shall be closed upon expiration of the protest period.

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By ORDER of the Florida Public Service Commission, this 17th
day of July, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 7, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

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If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the date this Order becomes final, 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.