

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

State of Florida



Blanca S. Bayó, Director
Division of Records and Reporting
(904) 413-6770

Public Service Commission

DATE: March 26, 1996

TO: Parties of Record

FROM: Blanca S. Bayó, Director *bsb*
Division of Records and Reporting

RE: Docket No. 950495-WS - Application for rate increase and increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia and Washington Counties.

This is to inform you that the Chairman has reported the following communication in the above referenced dockets.

- Letter from Representative Joseph H. Arnall dated February 29, 1996.

Representative Arnall's letter and Chairman Clark's response, copies of which are attached, are being made a part of the record in these proceedings. Pursuant to Section 350.042, F.S., any party who desires to respond to an ex parte communication may do so. The response must be received by the Commission within 10 days after receiving notice that the ex parte communication has been placed on the record.

ACK _____
AFA _____
APP _____
CAF _____
CMU BSB/cp
CTR Attachments
EAG _____
LEG cc: Rob Vandiver/w/letter
LIN _____
OPC _____
RCH _____
SEC 1
WAS _____
OTH _____

7793

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DOCUMENT NUMBER-DATE

03584 MAR 26 88

FPSC-RECORDS/REPORTING

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: March 21, 1996

TO: Blanca Bayó, Director of Records and Reporting

FROM: Susan F. Clark, Chairman *SFC*

RE: Docket No. 950495-WS

I have attached a copy of a letter of February 29, 1996, from Florida State Representative Joseph H. Arnall, which references matters at issue in the above-referenced proceedings. I have also attached a copy of my response. Please place this memorandum and attachment on the record of the above-referenced proceedings. Also, please give notice of this communication to all parties to the dockets and inform them that they have 10 days from receipt of the notice in which to file a response.

Attachment

7793 A

DOCUMENT NUMBER-DATE

03499 MAR 22 86

FPSC-RECORDS/REPORTING

State of Florida

Susan F. Clark
Chairman



Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6040
FAX (904) 487-1716

Public Service Commission

March 21, 1996

The Honorable Joseph H. Arnall
Representative, District 18
Florida House of Representatives
325 The Capitol
Tallahassee, Florida 32399-1300

Dear Representative Arnall:

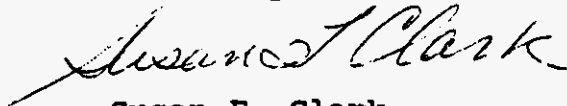
Thank you for your letter dated February 29, 1996, regarding Southern States Utilities, Inc.'s (SSU) request for an increase in water and wastewater rates. In April 1995, the Commission's decision regarding uniform rates was reversed in part by the First District Court of Appeal on the grounds that Chapter 367, Florida Statutes, requires the Commission to find that a "combination of functionally related facilities and land" constitutes one system in order for the Commission to lawfully approve uniform rates. The court concluded that the Commission failed to make such a finding in Docket No. 920199-WS. By order dated October 19, 1995, the Commission, after reviewing the evidence in the docket, voted to replace the uniform rate structure with a modified stand-alone rate structure. Interim rates approved on January 4, 1996, are based on a modified stand-alone rate structure. SSU has requested uniform rates in the current rate proceeding before the Commission.

The Commission has held over 20 customer service hearings in many service areas throughout Florida. The sworn customer testimony received at these service hearings is an integral part of the record. In addition to these customer service hearings, the Commission will hold a technical hearing in Tallahassee for the purpose of hearing sworn testimony and evidence from various expert witnesses sponsored by the parties to this proceeding. The technical hearing is scheduled for April 29, May 1-4, May 6, May 8-11, and May 13-16, 1996. The Commission is scheduled to vote on the issues in this proceeding at a special agenda conference on July 31 and August 15, 1996. The Commission's technical hearing and special agenda conference will be open to the public. However, at the special agenda conference, participation will be limited to the Commissioners and the Commission's staff.

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I am prohibited by Florida law from commenting on the merits of this company's proposal while this matter is pending. I hope this letter will assure you that the Commission will consider the concerns of all SSU customers in the on-going rate proceeding. I will place this letter on the correspondence side of the docket file where it will be available for review by the parties to the proceeding. Again, thank you for your letter and interest in this matter.

Sincerely,



Susan F. Clark
Chairman

c: Division of Records and Reporting
(Docket No. 950495-WS)
Division of Legal Service (Jaber)
Division of Water and Wastewater (Willis)



96-0084 MAR 11

Florida House of Representatives

JOSEPH H. ARNALL
REPRESENTATIVE, DISTRICT 18

February 29, 1996

Ms. Susan Clark, Chairman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Dear Chairman Clark:

I have recently heard from several of my constituents regarding utility bills they have received from Southern States Utilities. In particular, residents of Palm Valley have informed me that they are experiencing increases of nearly 600%.

I understand that the amount of the increase is primarily related to a decision by the Florida Public Service Commission to change rate design, moving from a uniform rate to a stand-alone rate structure.

Did the Commission fail to consider the full impact on utility customers when it made its decision in this matter? Did the Commission feel that a 600% increase in water bills was fair and equitable? Surely some consideration could have been given to customers likely to experience this magnitude of increase.

Through my membership on the Public and Investor-Owned Utilities Subcommittees in the House, I am aware of the complexities involved in the past and current Southern States Utilities rate proceedings. I also know that the Commission recognizes the benefits of a uniform rate structure to all Floridians. I urge that a uniform rate structure be reinstated immediately or certainly at the conclusion of the current proceeding to reestablish fairness and affordable water and wastewater rates.

RECEIVED

MAR 11 1996

Public Service Comm.
Committee of Mr. Clark

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COMMITTEES

Commerce • Finance & Taxation
Insurance • Rules & Calendar

Utilities & Telecommunications / Oversight & Investigations, Chair

Chairman Clark, Page 2

Aside from the rate design issue, the magnitude of this rate increase is truly astounding. It is absolutely imperative that the Commission carefully scrutinize the information pertinent to the current Southern States Utilities' rate request so as to minimize the rate impact on all customers in your final decision in this matter.

I appreciate your attention and look forward to hearing from you in the near future. Please don't hesitate to call on me if I may ever be of service to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Arnall".

Joseph H. Arnall
State Representative
District 18

cc: Hon. Scott Clemons, Chairman Utilities & Telecommunications
Ronnie Malin, Palm Valley SSU Customer

From: Carol Purvis Confirm receipt
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: Ex Parte

NOTE

The Chairman has reported receiving a letter from State Representative Joseph H. Arnall concerning Docket No. 950495-WS. We are preparing to distribute these letters to the parties to this docket. Would you please advise if your Commissioner has also received this letter.

GrC

From: Carol Purvis
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: fwd: Ex Parte

~~NOTE~~-----3/26/96-10:01am-----
The Chairman has reported receiving a letter from State Representative Joseph H. Arnall concerning Docket No. 950495-WS. We are preparing to distribute these letters to the parties to this docket. Would you please advise if your Commissioner has also received this letter.

Fwd-by:=-Braulio=Baez=-3/26/96-10:03am-----
Fwd to: Carol Purvis

.....
Commissioner Garcia has not received the letter.

fw[tape recorder

From: Carol Purvis
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: fwd: Ex Parte

~~NOTE~~-----3/26/96=10:01am-----
The Chairman has reported receiving a letter from State Representative Joseph H. Arnall concerning Docket No. 950495-WS. We are preparing to distribute these letters to the parties to this docket. Would you please advise if your Commissioner has also received this letter.

Fwd-by:=-Charles=Rehwi=3/26/96=10:02am-----
Fwd to: Carol Purvis

I haven't seen it yet.

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 950495-WS Date Docketed: 04/27/1995 Title: Application for rate increase and increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

Company: Orange-Osceola Utilities, Inc.
Southern States Utilities, Inc.
Southern States Utilities, Inc.
Southern States Utilities, Inc.

Official Filing Date: 08/02/1995
Last Day to Suspend: 10/06/1995 8 Mo. Expiration: 05/06/1996

Referred to: ADM AFA APP CAF CMU EAG GCL LEG RAR RRR (WAW)
 ("(") indicates OPR) X X X X X X X X X X X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A1(a)

Staff Assignments

OPR Staff M Willis, K Amaya, B Casey,
J Chase, J Clark, B Crouch,
T Davis, P Dewberry, G Edwards,
E Fuchs, C Galloway,
J Gilchrist, E Groom, C Hill,

Staff Counsel L Jaber, R Capeless, R Jaeger,

OCRs (AFA) A Causseaux, I Forbes, P Lester,
A Maurey, C Romig, D Vandiver

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WARNING: THIS SCHEDULE IS TENTATIVE AND SUBJECT TO REVISION
FOR UPDATES CONTACT THE RECORDS SECTION: (904) 413-6770
 Current CASR revision level 2 Due Dates

	Previous	Current
1.*Deficiency Notification to Applicant	SAME	07/10/1995
2.*FAW Notice for Service Hearing - Ft. Myers	SAME	07/19/1995
3.*FAW Notices, Serv. Hrqs Marco Island/Ocala/Lecanto	SAME	07/26/1995
4.*MFRs Due	SAME	08/02/1995
5.*FAW Notice, Serv. Hrqs. Kissimmee/Mt. Dora/Sanford	SAME	08/02/1995
6.*FAW Notice, Serv. Hrqs Sebring/Stuart	SAME	08/09/1995
7.*MFRs Deficiencies Due	SAME	08/10/1995
8.*FAW Notices, Serv. Hrqs Jacksonville & Kissimmee	SAME	08/23/1995
9.*Notice of Customer Service Hearings	SAME	08/29/1995
10.*FAW Notice - Serv. Hrg New Port Richey	SAME	08/30/1995
11.*FAW Notice for Serv. Hrg, Temple Terrace	SAME	09/06/1995
12.*FAW Notice - Serv. Hrqs Sanford/Brooksville/Ocala	SAME	09/13/1995
13.*Order on Procedure	SAME	09/13/1995
14.*Service Hearing - Sunny Hills	SAME	09/14/1995
15.*Service Hearing - Kissimmee	SAME	09/19/1995
16.*Service Hearing - Jacksonville	SAME	09/20/1995
17.*Staff Recommendation - Interim	SAME	09/26/1995
18.*Service Hearing - New Port Richey	SAME	09/28/1995
19.*Service Hearing - Temple Terrace	SAME	10/03/1995
20.*Special Agenda - Interim	SAME	10/06/1995
21.*FAW Notice - Serv. Hrg, Mt. Dora	SAME	10/11/1995
22.*Service Hearing - Ocala	SAME	10/11/1995
23.*Service Hearing - Sanford	SAME	10/12/1995
24.*Service Hearing - Brooksville	SAME	10/13/1995
25.*Standard Order - Interim	SAME	10/26/1995
26.*Field Work Complete - AFA	SAME	11/01/1995
27.*Service Hearing - Mt. Dora	SAME	11/08/1995
28.*Service Hearing - Sebring	SAME	11/27/1995
29.*Service Hearing - Ft. Myers	SAME	11/28/1995
30.*Staff Recommendation - Interim	NONE	12/22/1995
31.*Special Agenda - Interim Rates	SAME	01/04/1996
32.*Notice of Customers Services Hearings	NONE	01/11/1996
33.*Service Hearing - Marco Island (6:00 p.m.)	SAME	01/22/1996
34.*Standard Order - Interim Rates	SAME	01/24/1996
35.*Service Hearing - Inverness (6:00 p.m.)	SAME	01/24/1996
36.*Service Hearing - Ocala (10:00 a.m.)	SAME	01/25/1996
37.*Service Hearing - Jacksonville (6:00 p.m.)	SAME	01/25/1996
38.*Service Hearing - Kissimmee (6:00 p.m.)	12/07/1995	01/29/1996
39.*Service Hearing - Sanford (10:00 a.m.)	SAME	01/30/1996
40.*Service Hearing - Mount Dora (6:00 p.m.)	SAME	01/30/1996

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 03/13/1996

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	JN	KS	GR		
X							

- Prehearing Officer

Commissioners					ADM
CL	DS	JN	KS	GR	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 03/13/1996

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