

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for increase) DOCKET NO. 960408-WU
in plant capacity charges in) ORDER NO. PSC-96-0780-FOF-WU
Marion County by Ocala Oaks) ISSUED: June 17, 1996
Utilities, Inc.)
_____)

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 SUSPENDING TARIFF

BY THE COMMISSION:

BACKGROUND

Ocala Oaks Utilities, Inc. (Ocala Oaks or utility) is a Class B utility providing water in Marion County. According to its December 31, 1994 annual report, the utility was serving approximately 1,112 customers. During the twelve months ended December 31, 1994, the utility recorded operating revenues of \$274,415. Its recorded operating income was \$9,885.

On April 2, 1996, the utility filed an application for authority to increase its plant capacity charges for water service pursuant to Section 367.101, Florida Statutes. The filing fee was paid on April 2, 1996, which was designated the official filing date for this proceeding pursuant to Section 367.083, Florida Statutes. The utility's present service availability plant capacity fee of \$200.00 per equivalent residential connection (ERC) was established in Docket No. 820046-W, Order No. 12134, issued June 13, 1983. The utility has requested approval of a \$430.00 plant capacity charge per ERC.

SUSPENSION

Pursuant to Section 367.091(5), Florida Statutes, the rate schedules proposed by the utility shall become effective within sixty days after filing, unless the Commission votes to withhold consent to implementation of the requested rates.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-0780-FOF-WU
DOCKET NO. 960408-WU
PAGE 2

The utility has requested approval of a plant capacity charge of \$430 for its water system. The current charge is \$200 for water. The utility states that the basis for the requested increase is to offset the acquisition, improvement and construction costs incurred and to place them at a 75% contribution level at design capacity, which is in accordance with Rule 25-30.580, Florida Administrative Code.

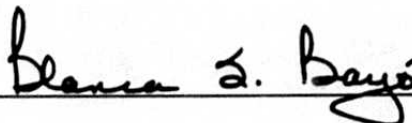
We have reviewed the filing and have considered the proposed rates, the incremental contributions-in-aid-of-construction thereby generated, and the information filed in support of the application. We find that it is reasonable and necessary to require further amplification and explanation of this data and to require production of corroborative information, if necessary. The utility had proposed several adjustments to its reported investment in water plant facilities. Our review of the utility's application will include further examination by our staff engineers and rate specialists. Therefore, we hereby suspend the proposed tariff to increase service availability charges for Ocala Oaks Utilities, Inc.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Ocala Oaks Utilities' proposed tariff to increase service availability charges is hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 17th day of June, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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ORDER NO. PSC-96-0780-FOF-WU
DOCKET NO. 960408-WU
PAGE 3

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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.