



Public Service Commission

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

DATE: November 8, 1996
TO: Division of Records and Reporting
 Division of Legal Services, Alice Crosby
FROM: Division of Water & Wastewater, J. Travis Coker *JTC [Signature]*
RE: Docket No. 960602-WS; Request for exemption from Florida Public Service Commission regulation for provision of water and wastewater service in Palm Beach County by St. Andrews I Limited Partnership D/B/A San Marino at Townplace.

On April 8, 1996, this Commission received an application from St. Andrews I Limited Partnership D/B/A San Marino at Townplace (San Marino or reseller) for a reseller exemption pursuant to Section 367.022(8), Florida Statutes, (F.S.). Staff has determined that San Marino meets the requirements for status as a service entity that will resell water and wastewater at a rate that will not exceed the actual purchase price thereof provided in Section 367.022(8), F.S.

The application was filed in accordance with Section 367.022(8), F.S., and Rule 25-30.060(3)(h), Florida Administrative Code (F.A.C.). Included with exemption application was a statement from the agent of the system describing the statutory and factual basis for the exemption. San Marino at Townplace is owned by St. Andrews I Limited Partnership and managed by Trammell Crow Residential Services, Inc. Mr. Greg Inglehart, Vice President of St. Andrews I Limited Partnership, submitted a letter of authorization giving Mr. John S. Ranney legal authority to act on behalf of the apartment complex. Mr. Ranney, of Envirotech Utility Management Systems, signed the application on behalf of San Marino. In addition, Mr. Ranney acknowledged Section 837.06, Florida Statutes, regarding false statements. The applicant acknowledged the requirements of Rule 25-30.111, F.A.C., regarding annual reporting requirements. The applicant also acknowledged Chapter 367.122, F.S., which deals with the examination and testing of meters; and Rules 25-30.262 through 25-30.267, F.A.C., which explains the responsibilities of the utility owner for insuring the accuracy of the meters.

San Marino has named the City of Boca Raton as the entity providing service to the apartment complex and has submitted that municipality's rates and charges. The reseller has also provided its proposed rates and charges and an explanation of its proposed method of billing. The actual rates billed to the tenants are identical to the rates charged by the City of Boca Raton. This demonstrates that the rates charged will not exceed the amount paid for water or wastewater by the reseller entity. San Marino states it does require a \$30.00 deposit and will notify this Commission of any change in this policy. San Marino also stated in its application that tenants will be billed monthly, no miscellaneous charges or water charges for common areas will be levied and that the service territory will be limited to the apartment complex only. The service area is identified by the following address: 20886 St. Andrews Boulevard, Boca Raton, Florida, 33433.

DOCUMENT NUMBER-DATE

12055 NOV 13 96

FPSC-RECORDS/REPORTING

For informational purposes, the City of Boca Raton's rates and charges for general metered water and wastewater service, charged monthly are as follows:

DEPOSITS

<u>Meter Size</u>	<u>Deposit Amount</u>
3/4" to 1.0"	\$80.00
1.5"	\$140.00
2.0"	\$200.00

WATER RATES

Customer Charge		\$2.11
Water Capacity Charge		\$9.48
Consumption Rate		
0 - 25,000 gallons	per 1,000 gallons	\$.35
25,000 - 50,000 gallons	per 1,000 gallons	\$.85
in excess of 50,000 gallons	per 1,000 gallons	\$1.10

WASTEWATER RATES

Residential Wastewater Charge		
First bathroom		\$10.34
each additional bathroom		\$ 5.17
Non-Residential Consumption Rate		
for all usage	per 1,000 gallons	\$ 1.70

STORMWATER RATES

Bimonthly Charge	\$ 3.48
------------------	---------

The City of Boca Raton also levies a 8.5% tax on water usage. These rates became effective in 1988.

The proposed rates for water and wastewater service for San Marino, charged monthly are as follows:

WATER RATES

Customer Charge		\$ 2.11
Water Capacity Charge		\$ 9.48

Consumption Rate		
0 - 25,000 gallons	per 1,000 gallons	\$.35
25,000 - 50,000 gallons	per 1,000 gallons	\$.85
in excess of 50,000 gallons	per 1,000 gallons	\$ 1.10

WASTEWATER RATES

Residential Wastewater Charge		
First bathroom		\$10.34
each additional bathroom		\$ 5.17

The 69 units at San Marino will be billed for consumption based on these rates. An example of a San Marino tenant with 5,000 gallons usage in a two bath unit would be calculated as follows:

Customer Charge	(2.11 / 69 units)	\$.03
Base water charge	(9.48 / 69 units)	\$.14
Water charges	(5 x .35)	\$ 1.75
Boca Raton municipal 8.5% tax	(.085 x 1.82)	\$.16
Base wastewater charge	(10.34)	\$10.34
additional bathroom charge	(5.17)	\$ 5.17
Stormwater Charge	(1.74)	<u>\$ 1.74</u>
	Total	\$19.33

In summary, staff has determined that San Marino meets the necessary qualifications for a nonprofit reseller exemption pursuant to Section 367.022(8), Florida Statutes and Rule 25-30.060(3)(h), Florida Administrative Code. Staff recommends that an administrative order be issued finding San Marino exempt from Commission regulation pursuant to Section 367.022(8), Florida Statutes. Staff further recommends that the order require San Marino to notify this Commission in the event of any change of circumstances or method of operation of its water system. Furthermore, staff recommends that this docket be closed.

I:\PSC\WAW\WP\960602.TC