

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DATE: March 18, 1997

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.

Issue 1: Should the Commission grant SSU's Cross-Motion for Reconsideration of Order No. PSC-96-1320-FOF-WS?

Recommendation: No, SSU has not shown that the Commission made any mistake or overlooked any fact or law; accordingly, SSU's Cross-Motion for Reconsideration should be denied.

APPROVED

Commissioner Kiesling dissented.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in Majority column: Susan J. Clark, J. Terry Deason, Jane K. Kuey]

[Handwritten signatures in Dissenting column: J. Terry Deason, Jane K. Kuey (Issue 1)]

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

Commissioners Johnson and Deason dissented from majority decision on Issue 11. Commissioner Kiesling dissented on Issue 1.

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Issue 2: Should the Commission grant Marco, et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS, as to the issue of the revenue amounts relating to the two-year reduction on equity?

Recommendation: No. Marco, et al.'s motion for reconsideration as to the issue of the revenue amounts relating to the two-year reduction on equity should be denied.

APPROVED

Issue 3: Should the Commission grant Marco, et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS, as to the issue of the projected sales for SSU's Palm Valley facility?

Recommendation: Marco, et al.'s motion for reconsideration should be granted in part and denied in part as set forth in the analysis portion of staff's March 6, 1997 memorandum. A mistake of fact was made regarding Palm Valley's projected water sales. Therefore, the Commission should adjust the water rates for Palm Valley, as shown on Supplemental Schedule No. 5A of staff's memorandum, to reflect this correction. Based on the analysis portion of staff's memorandum, the rates should not be adjusted to any facility except Palm Valley. Further, the utility should file revised tariff sheets for Palm Valley within thirty days of the issuance date of the order which are consistent with the Commission's vote. In addition, staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. The charges should become effective for connections made on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(1), F.A.C. Regarding the customer notice requirement, SSU should be required to notice only the Palm Valley customers.

APPROVED

Issue 4: Should Marco et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS be granted as to the Commission's decision to allow certain attorney's fees in rate case expense?

Recommendation: No. Marco et al.'s motion for reconsideration should be denied as to the Commission's decision to allow certain attorney's fees in rate case expense.

APPROVED

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Issue 5: Should the Commission grant Marco, et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS, as to the issue of SSU's requested salary increase?

Recommendation: No. The movants have not demonstrated a mistake of fact or law.

APPROVED

Issue 6: Should the Commission grant Marco, et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS, as to the issue of an acquisition adjustment in connection with SSU's purchase of the Lehigh and Deltona facilities?

Recommendation: No. Marco, et al. did not demonstrate that the Commission made a mistake of fact or law.

APPROVED

Issue 7: Should the Commission grant Marco, et al.'s motion for reconsideration of Order No. PSC-96-1320-FOF-WS, as to the issue of the classification of the Collier property in rate base?

Recommendation: No. The movants are merely requesting that the Commission reweigh the evidence, and have not demonstrated that the Commission made a mistake of fact or law.

APPROVED

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Issue 8: Should the Commission reconsider, on its own motion, the calculation and implementation of the AFPI charges approved by Order No. PSC-96-1320-FOF-WS?

Recommendation: Yes. The Commission's decision to adjust the utility's requested AFPI charges to reflect the Commission-approved used and useful amounts on a per facility basis and to cap the charges to the approved plant capacity charges is still valid; however, the AFPI charges attached to Order No. PSC-96-1320-FOF-WS do contain errors and do not include all the specific facilities affected by the Commission's used and useful determination. The calculation of the specific rates should be reconsidered and amended as shown on Amended Schedule No. 10 of staff's memorandum. The beginning date of the charges should be January 1, 1997. Further, if the utility files revised tariff sheets within thirty days of the issuance date of the order which are consistent with the Commission's vote, staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. If the revised tariff sheets are filed and approved, the charges should become effective for connections made on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(2), F.A.C., provided the customers have received notice. The utility should provide proof of the date notice was given within 10 days after the date of notice. All of SSU's prior tariff charges for AFPI have been canceled as of January 1, 1997.

MODIFIED

*Approved with addition of three
Schedules inadvertently omitted
from staff's Recommendation.*

Issue 9: Should the Commission reconsider, on its own motion, the calculation and implementation of certain private fire protection charges?

Recommendation: Yes. The Commission should reconsider, on its own motion, the calculation and implementation of certain private fire protection charges. These corrections are based upon omissions made in the final order and should be calculated in accordance with Rule 25-30.465, F.A.C. Further, if the utility files revised tariff sheets within thirty days of the issuance date of the order which are consistent with the Commission's vote, staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. If the revised tariff sheets are filed and approved, the charges should become effective for connections made on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(1), F.A.C. Regarding the customer notice requirement, because these new private fire protection charges apply only to future customers, and not existing customers, noticing should be provided at the time service is requested.

APPROVED

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Issue 10: Should the Commission reconsider, on its own motion, the calculation and implementation of certain plant capacity charges and main extension charges?

Recommendation: Yes. The Commission should reconsider, on its own motion, the calculation and implementation of certain plant capacity charges and main extension charges. These corrections are based upon the omissions detailed in the staff analysis. Further, if the utility files revised tariff sheets within thirty days of the issuance date of the order which are consistent with the Commission's vote, staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. If the revised tariff sheets are filed and approved, the charges should become effective for connections made on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(2), F.A.C., provided the customers have received notice. The utility should provide proof of the date notice was given within 10 days after the date of notice.

APPROVED

Issue 11: Should the Commission consider OPC's January 15, 1997, motion for reconsideration?

Recommendation: No. OPC's motion for reconsideration was filed after the 15-day time period established by Commission rule. The Commission cannot extend the time period for the filing for reconsideration, and therefore the motion should be denied as untimely.

APPROVED

*Approved with understanding
that first paragraph on p. 36 of
staff's Recommendation will
be deleted.*

Commissioners Johnson and Deason dissented.