

State of Florida



ORIGINAL

Public Service Commission  
-M-E-M-O-R-A-N-D-U-M-

---

**DATE:** May 19, 2003  
**TO:** Division of the Commission Clerk and Administrative Services  
**FROM:** Ralph Jaeger - Office of the General Counsel - Economic Regulation Section  
**RE:** Docket No. 020567-WS - Investigation of Possible Overearnings by Lake Grove Utilities, Inc., in Lake County.  
 Docket No. 020407-WS - Application for Rate Increase in Polk County by Cypress Lakes Utilities, Inc.  
 Docket No. 020408-SU - Application for Rate Increase in Seminole County by Alafaya Utilities, Inc.  
 Docket No. 020409-SU - Application for Rate Increase in Charlotte County by Utilities, Inc. of Sandalhaven.  
 Docket No. 020071-WS - Application for Rate Increase in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida.

---

Immediately after I faxed the May 19, 2003, letter to the above-noted utilities concerning delinquent monthly reports on interim revenues, staff discovered that all reports had been filed. The utilities and staff have now been advised that the utilities are current with their monthly reports.

RRJ/jb

I:\utilitiesrev.rnj

AUS \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMP \_\_\_\_\_  
 COM \_\_\_\_\_  
 CTR \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 MMS \_\_\_\_\_  
 SEC \_\_\_\_\_  
 OTH \_\_\_\_\_  
 Attach docket

DOCUMENT NUMBER-DATE

04544 MAY 20 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL  
HAROLD A. MCLEAN  
GENERAL COUNSEL  
(850) 413-6199

## Public Service Commission

May 16, 2003

Martin S. Friedman, Esquire  
Rose Law Firm  
600 S. North Lake Blvd.  
Suite 160  
Altamonte Springs, FL 32701

Re: Docket No. 020567-WS - Investigation of Possible Overearnings by Lake Grove Utilities, Inc., in Lake County.  
Docket No. 020407-WS - Application for Rate Increase in Polk County by Cypress Lakes Utilities, Inc.  
Docket No. 020408-SU - Application for Rate Increase in Seminole County by Alafaya Utilities, Inc.  
Docket No. 020409-SU - Application for Rate Increase in Charlotte County by Utilities, Inc. of Sandalhaven.  
Docket No. 020071-WS - Application for Rate Increase in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida.

Dear Mr. Friedman:

With the exception of Utilities, Inc. of Florida, there appears to be a serious problem with the above-noted utilities filing the required monthly reports for rates subject to refund by the 20<sup>th</sup> day of each month. These reports are required both by Rule 25-30.360(6), Florida Administrative Code, and the orders which either granted interim rates or made rates subject to refund.

For violating this rule and the accompanying orders, the utilities are subject to a fine of up to \$5,000 per day for each day that the violation continues pursuant to Section 367.161, Florida Statutes. If staff does not receive all the above-noted reports by May 27, 2003, then staff will be forced to file a show-cause recommendation for each of the utilities with delinquent reports. I have just received the e-mail with the monthly reports for Lake Grove Utilities, Inc. However, at this time, it appears that no other reports have been received. The report to catch the utilities up for all delinquent reports should show the amount of revenues for each month collected subject to refund and then the total amount. For each month after that, the report will need to show just that month and then the total amount.

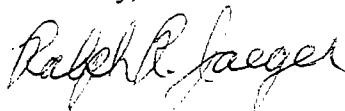
Martin S. Friedman, Esquire  
Page 2  
May 16, 2003

Moreover, these reports are due monthly and must be filed by the 20<sup>th</sup> of each month following the month being reported. Any subsequent failure to file a timely monthly report will subject the utility to an immediate show cause proceeding.

It is my understanding that Utilities, Inc., of Florida, has just been granted interim rates in Docket No. 020071-WS. If it collects any interim rates in May, then it must file a monthly report by June 20, 2003.

Finally, if the utilities fail to file the required monthly reports on a timely basis, in addition to show cause proceedings and fines, staff will investigate the appropriateness of the continued collection of interim rates. I cannot impress upon you enough the seriousness of this situation and the need for the utilities to comply with the Commission's Orders, Rules, and appropriate statutes. Your attention in this matter is greatly appreciated.

Sincerely,



Ralph R. Jaeger  
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merchant, Kyle, Fletcher, Joyce, Greene, Revell, Willis)  
Office of the General Counsel (Harris, Fleming, Vining, Gervasi, Stern)  
Division of the Commission Clerk and Administrative Services  
Mr. Lawrence N. Schumacher, Utilities, Inc.  
Mr. Steven Lubertozi, Utilities, Inc.