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MAY -8 PM 1:31

COMMISSION
CLERK

Public Service Commission

May 8, 2006

Mr. Ben J. Maltese
MSM Utilities, LLC
9696 Bonita Beach Road, Suite 210
Bonita Springs, FL 34135

Re: Docket No. 050587-WS - Application for staff-assisted rate case by MSM Utilities, LLC

Dear Mr. Maltese:

This will confirm that Commission Staff will hold a customer meeting at 6:00 p.m. on Thursday, June 8, 2006. We ask that, if at all possible, you or another knowledgeable representative of the utility attend the meeting in order to answer customer questions. The location of the meeting will be:

The Oaks at Rivers Edge Community Clubhouse
1601 Hunter Creek Drive
Punta Gorda, Florida 33982

The original customer meeting notice is enclosed. Please note the date has been left blank so that you can fill in the date the notice is sent to the customers. The customers must have at least 14 calendar days' notice of the meeting, calculated from the day they receive the notice as required by Rule 25-22.0407(9)(b), Florida Administrative Code (F.A.C.). Please furnish me with a copy of the notice, as reproduced at the time it is distributed to your customers, together with a cover letter indicating the exact date(s) on which the notice was mailed or otherwise delivered to the customers.

Two copies of the Staff Report dated May 5, 2006, are enclosed. Please ensure that a copy of the completed Application for Staff Assistance and the Staff Report are available for review, pursuant to Rule 25-22.0407(9)(b), F.A.C., by all interested persons at the Clubhouse. For your convenience, I have also enclosed a copy of Rule 25-22.407, F.A.C.

Should you have any questions about any of the matters contained herein, please do not

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hesitate to contact me at (850) 413-6234. In addition, you may contact Sam Merta at (850) 413-6427 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Ralph Jaeger". The signature is written in a cursive style with a large, prominent "R" and "J".

Ralph Jaeger
Senior Attorney

RJ:sm

Enclosure

cc: Division of Economic Regulation (Rendell, Merta)
Division of Commission Clerk and Administrative Services (050587-WS)

25-22.0407 Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities.

- (1) This rule applies to all requests for general rate increases made by water and wastewater utilities.
- (2) Upon filing a petition for a general rate increase, the utility shall mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request. Each copy of the petition shall be accompanied by a statement that a copy of the minimum filing requirements (MFRs) when accepted by the Commission can be obtained from the petitioner upon request.
- (3) Within 30 days after the official date of filing established by the Commission, the utility shall place a copy of the petition and the MFRs at its official headquarters and at any business offices it has in the service areas included in the rate request. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in a service area included in its rate request, the utility shall place a copy of the petition and the MFRs at the main county library, the local community center or other appropriate location which is within or most convenient to the service area and which is willing to accept and provide public access to the copies. If the Commission determines that these locations will not provide adequate access, the Commission will require that copies of the petition and MFRs be placed at other specified locations.
- (4)(a) Within 30 days after the official date of filing established by the Commission, the utility shall place a copy of its rate case synopsis at all locations where copies of the petition and MFRs were placed.
- (b) Within 30 days after the official date of filing established by the Commission, the utility shall mail a copy of its rate case synopsis to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request.
- (c) The utility's rate case synopsis shall be approved by the Commission staff prior to distribution and shall include the following:
 1. A summary of the section of the MFRs showing a comparison of the present and proposed rates and charges;
 2. A statement of the general reasons for the rate request;
 3. A statement of any anticipated major issues involved in the rate case;
 4. A description of the ratemaking process and the time schedule established for the rate case; and
 5. The locations where complete MFRs are available.
- (5)(a) Within 50 days after the official date of filing established by the Commission, the utility shall provide, in writing, an initial customer notice to all customers within the service areas included in the rate request and to all persons in the same service areas who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the petition is filed.
- (b) The initial customer notice shall be approved by Commission staff prior to distribution and shall include the following:
 1. The date the notice was issued;
 2. A statement that the utility has filed a rate request with the Commission and a statement of the general reasons for the request;
 3. A statement of the locations where copies of the MFRs, petition, and rate case synopsis are available for public inspection and the hours and days when inspection may be made;
 4. The time schedule established for the case, including the dates, times, and locations of any hearings scheduled;

5. A comparison of current rates and charges and the proposed new rates and charges;
 6. The utility's address, telephone number, and business hours;
 7. A statement that written comments regarding utility service or the proposed rates and charges should be addressed to the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and that such comments should identify the docket number assigned to the proceeding;
 8. A statement that complaints regarding service may be made to the Commission's Division of Regulatory Compliance and Consumer Assistance at the following toll-free number: 1(800)342-3552; and
 9. If the utility has not requested a change in its service availability charges as part of its rate request, a statement that the Commission will be reviewing the utility's service availability charges in the pending rate case and that the Commission may adjust those charges.
 10. The docket number assigned by the Commission's Division of the Commission Clerk and Administrative Services.
- (c) The initial customer notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.
- (6)(a) No less than 14 days and no more than 30 days prior to the date of each service hearing, in those cases where the Commission has scheduled a service hearing, the utility shall provide written notice of the date, time, location, and purpose of the service hearing to all customers within service areas designated by the prehearing officer or the Commission staff. The notice shall be approved by the Commission staff prior to distribution. The notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.
- (b) No less than 14 days and no more than 30 days prior to the date of the hearing, in all cases, including those in which the Commission has scheduled a service hearing, the utility shall provide written notice of the date, time, location, and purpose of the hearing to all customers within the service areas included in the rate request. The notice shall be approved by Commission staff prior to distribution. The notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.
- (7) No less than 14 days and no more than 30 days prior to the date of each hearing held in or near a utility service area included in the rate request, the utility shall have published in a newspaper of general circulation in the area in which such hearing is to be held a display advertisement stating the date, time, location, and purpose of the hearing. The notice shall be approved by Commission staff prior to publication.
- (8) When a utility files for a petition for a general rate increase and requests that its case be processed as proposed agency action in accordance with Section 367.081(8), Florida Statutes, the utility shall comply with the requirements of subsections (2),(3), (4) and (5) of this rule.
- (a) No less than 14 days and no more than 30 days prior to the date of a customer meeting conducted by the Commission staff, the utility shall provide written notice of the date, time, location, and purpose of the customer meeting to all customers within service areas designated by the Commission staff. The notice shall be approved by Commission staff prior to distribution. The notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.
- (b) If the proposed agency action order issued in the case is protested and any hearings are subsequently held, the utility shall give notice in accordance with subsections (6) and (7) above.

- (9) When a utility applies for a staff-assisted rate case in accordance with Section 367.0814, Florida Statutes, and Rule 25-30.455, F.A.C., and staff-assistance is granted, the requirements of subsections (2), (3), (4), and (5) of this rule shall not apply.
- (a) Upon receipt of the staff reports, the utility shall place two copies of its application for staff-assistance and the staff reports at any business offices it has in its service area. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in its service area, the utility shall place two copies of its application and the staff reports at the main county library, the local community center or other appropriate location that is within or most convenient to the service area and that is willing to accept and provide public access to the copies.
- (b) No less than 14 days and no more than 30 days prior to the date of a customer meeting conducted by the Commission staff, the utility shall provide, in writing, a customer meeting notice to all customers within its service area and to all persons in the same service areas who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the petition is filed.
- (c) The customer meeting notice shall be approved by the Commission staff prior to distribution and shall include the following:
1. The date the notice was issued;
 2. The time, date, location, and purpose of the customer meeting;
 3. A statement that the utility has applied for a staff-assisted rate case and the general reasons for doing so;
 4. A statement of the location where copies of the application and the staff reports are available for public inspection and the times during which inspection may be made;
 5. A comparison of current rates and charges and the proposed new rates and charges;
 6. The utility's address, telephone number, and business hours;
 7. A statement that written comments regarding utility service or the proposed rates and charges should be addressed to the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and that such comments should identify the docket number assigned to the proceeding;
 8. A statement that complaints regarding service may be made to the Commission's Division of Regulatory Compliance and Consumer Assistance at the following toll-free number: 1(800)342-3552.
 9. A statement that the Commission will be reviewing the utility's service availability charges in the pending case and that the Commission may adjust those charges.
 10. The docket number assigned by the Commission's Division of the Commission Clerk and Administrative Services.
- (d) The customer meeting notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.
- (e) If the proposed agency action order issued in the case is protested and any hearings are subsequently held, the utility shall give notice in accordance with subsections (6) and (7) above.
- (10) After the Commission issues an order granting or denying a rate change, the utility shall notify its customers of the order and any revised rates. The customer notification shall be approved by Commission staff and be distributed no later than with the first bill containing any revised rates.

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Specific Authority 350.127(2), 367.121(1)(f) FS. Law Implemented 120.569, 120.57, 367.081(2)(a),
367.0814(1), 367.0817, 367.091,
367.121(1)(a) FS. History—New 5-27-93, Amended 5-3-99.