Eric Fryson

120037-WS

From:

Michele Parks [mparks@sfflaw.com]

Sent:

Wednesday, May 09, 2012 4:42 PM

To:

Filings@psc.state.fl.us

Cc:

Nicole Winans; Bart Fletcher

Subject:

{BULK} Docket No.: 120037-WS; Application of Utilities, Inc., of Pennbrooke for an Increase in

Water and Wastewater Rates in Lake County, Florida

Importance: Low

Attachments: PSC Clerk 01 (Response to Deficiencies).ltr.pdf

a. Martin S. Friedman, Esquire

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- b. Docket No.: 120037-WS; Application of Utilities, Inc., of Pennbrooke for an Increase in Water and Wastewater Rates in Lake County, Florida
 - c. Utilities, Inc. of Pennbrooke
- d. Letter (3 pages) and Attachments (7 pages)
- e. Utility's response to Staff's Deficiency Letter dated April 27, 2012

MICHELE PARKS

Paralegal for Martin S. Friedman a nd Bridget M. Grimsley





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MALMOND REMAINS DAY

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May 9, 2012

VIA E-FILING

Ann Cole, Commission Clerk Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

RE: Docket No.: 120037-WS; Application of Utilities, Inc. of Pennbrooke for an Increase in

Water and Wastewater Rates in Lake County, Florida

Our File No. 30057.205

Dear Ms. Cole:

The following is in response to Staff's Deficiency Letter dated April 27, 2012, filed in the above-referenced docket.

1. Regarding MFR Schedule A-15 (Annual AFUDC), the Utility is required to provide a description of practices and authority of rate(s) used. Please revise MFR Schedule A-15 to include a description of practices and authority in support of the stated AFUDC rate, namely the Commission order granting said AFUDC rate.

<u>RESPONSE</u>: Please see the enclosed revised MFR Schedule A-15, which includes a description of practices and authority in support of the stated AFUDC rate.

2. Regarding MFR Schedule B-7 and Schedule B-8 (Operation and Maintenance Expense Comparison), the Utility is required to utilize the Consumer Price Index All Urban Consumers Table (CPI – U) percentages published by the U.S. Department of Labor. The CPI-U amounts found on MFR Schedules B-7 and B-8 are incorrect. Please revise Schedules B-7 and B-8 to reflect 210.228 and 226.889 for December 2008 and September 2011, respectively.

RESPONSE: Please see the enclosed revised MFR Schedules B-7 and B-8; which reflect the correct Consumer Price Index amounts, found on the tabs titled B-7 and B-8 on line item 30 of each schedule, respectively.

02981 MAY-92

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a. In addition, the Utility is required to provide an explanation of all differences in excess of the benchmark factor for customer growth and inflation. When revising MFR Schedules B-7 and B-8, please provide an explanation for expenses in excess of the revised benchmark factor.

<u>RESPONSE</u>: Please see the enclosed revised MFR Schedules B-7 and B-8. The B-7 and B-8 Schedules have been updated to provide an explanation for expenses in excess of the revised benchmark factor. These items are highlighted.

b. The Utility is required to fully complete all schedules. MFR Schedule B-8, Line 29, incorrectly indicates that there was no percentage difference in total customers. Please revise MFR Schedule B-8, Line 29, rounding to four decimal places, to accurately reflect the applicable percentage change.

RESPONSE: Please see the enclosed revised MFR Schedules B-7 and B-8 for the corrected percentage difference in total customers.

3. Regarding MFR Schedule E-3 (Customer Monthly Billing), the number of customers, as of December 31, 2010, provided by the Utility does not equal the number of water and wastewater customers reflected in its 2010 Annual Report. Pursuant to Rule 25-30.110(2), F.A.C., please provide the reconciliation of the number of customers in the 2010 Annual Report and MFR Schedule E-3.

RESPONSE: The number of monthly water customers billed reflected on MFR Schedule E-3, page 1 of 1, water, column (6), line 3, will not tie to Annual Report Schedule W-9, column (d) year end number of customers because they measure different items. MFR Schedule E-3 reflects the number of bills that went out by customer class during a certain time period. It does not account for anomalies that occurred in the billing period. These could arise from a variety of reasons. If a customer moves, then they will have a final bill, if a new customer starts service then they will have a starting bill, now one premise has had two bills in one billing period. The two items are measuring different matters and because of this they will never tie. In addition the annual report will include inactive and active accounts, where as the MFR Schedule will only count active accounts for a particular billing period.

Ann Cole, Commission Clerk Florida Public Service Commission May 9, 2012 Page 3

The same is true for wastewater accounts and Annual Report Schedule S-9, column (d).

Please do not hesitate to contact me should the Staff have any questions about these responses.

Very truly yours,

MARTIN S. FRIEDMAN For the Firm

MSF/mp Enclosures

cc: Nicole Winans, Regulatory Accountant (w/enclosures) (via e-mail)
Bart Fletcher, Division of Economic Regulation (w/enclosures) (via e-mail)

Utilities, Inc. of Pennbrooke Docket No.: 120037-WS

Response to MFR Deficiency Letter - Item 1

Florida Public Service Commission

Schedule: A-15 REVISED

Page 1 of 1

Preparer: F. Seidman

Schedule of Annual AFUDC Rates Used Test Year Ended: September 30, 2011

Explanation: Provide the annual AFUDC rates used since either rate base was last established by this Commission, or the date of inception of utility service if rate base has not been established previously. Include a description of practices and authority of rate(s) used.

Line No. AFUDC rate for all Florida companies is 9.03% for qualified construction projects beginning 1/1/2003 pursuant to 3/8/2004 Order PSC-04-0262-PAA, Docket #031006-WS.

The utility uses the AFUDC practices described and approved by the Commission in Order No. PSC-04-0262-PAA-WS, dated March 8, 2004.

Florida Public Service Commission Schedule: B-7 REVISED Page 1 of 1

Preparer: K. Markwell, P. Flynn, N. Winans, F. Seidman

Note Line item 30 has been updated to reflect the correct amount per the consumer price index. Correct amounts per the price index can be found on the tab titled "BLS Data Series." All highlighted (yellow) line items have been updated to provide an explanation for expenses in excess of the revised benchmark factor.

Operation & Maintenance Expense Comparison - Water Test Year Ended: September 30, 2011

Explanation: Complete the following comparison of the applicant's current and prior test year O&M expenses before this Commission. Provide an explanation of all differences which are not attributable to the change in customer growth and the CPI-U. If the applicant has not had a previous rate case, use the year 5 years prior to the test year for comparison. Provide can additional schedule, if necessary, to explain differences.

	(1)	(2) Prior TY	(3) Adjusted	(6)	(7)	
Line No.	Account No. and Name	w/PSC Adj. 12/31/08	9/30/15	\$ Difference	% Difference	Explanation
						The amount of salary expense requested in this test year is \$12,541 less than that requested for the 12/31/08 test year. The utility was able to do this primarily by consolidating its customer service centers to three national centers and reallocations. In spite of these efforts to reduce the cost to our customers, this benchmark analysis makes it appear that costs have
_		\$ 64,060	100,545	45,774	71 45 %	increased by some 70+% in 3.75 years. This is an illusion because the Commission allowed no increase in salaries or rela-
	601/3 Salaries & Wages - Employees 603 Salaries & Wages - Officers, Etc	incl above	9,289		incl above	employee benefits in the utility's last case. Thus the benchmark is measuring 2011 costs against 2005 costs, not 2008 cost In the last case, the Utility provided support for its requested increase through detailed work papers by employee, showing their job description, duties, benefits to the Company and annual pay supported by W-2s. Yet the Commission concluded the Utility did not meet its burden of proof. That case did not go to hearing. The Company maintains it already has met it burden of proof and will continue to do so in this case by showing that all positions currently filled and allocated to
	604 Employee Pensions & Benefits	13,872	25,209	11,337	81 73	Pennbrooke provide value and are required for Pennbrooke to provide safe, reliable, and effective service to its customers
	610 Purchased Water	37,445	23,513	(13.932)	(37.21)	Under benchmark Reduction in the amount of kwh purch in 2011
	615 Purchased Power	31,443	23,313 (357)	(357)	(37.21)	Child Colignia Records in the annual of Ran percent to act
	616 Fuel for Power Purchased	10.441		988	5 06	Under benchmark
8	618 Chemicals	19,541	20,529	700	2 00	Orace Committaes.
9	620 Materials & Supplies	7,077	15,101	8.024	113 38	Yearly variation in the number & types of repairs that occurred in the TY as well as the associated restoration expense
10	631 Contractual Services - Engr		64	69	-	No expense in 2008 TV. De minimis dollar amount in TV
11	632 Contractual Services - Acct.	1,571	1,985	414	26.33	The cost of the Company's annual audit has increased since 2008.
12	633 Contractual Services - Legal	1,593	393	(1,200)	(75.32)	Under benchmark, Reduction in expense
13	634 Contractual Services - Mgmt Fees			-		
14	635 Contractual Services - Testing		5	5		No expense in 2008 TY. De minimis dollar amount in TY. Expenses for items such as employment finder fees, payroll services, computer maintenance and internet supplier fees have
15	636 Contractual Services - Other	11,832	12,781	949	8.02	increased since the last test year due to increased cost of services.
	641 Rental of Building/Real Prop	,	123	123	new	
	, ,	2	11	9	467 77	De minimis dollar amount in previous and this TV, such that any change results in a distorted percent change
	642 Rental of Equipment	8,504	13,510	5.006	58 86	Reflects increase in cost of gasoline & miles traveled
	650 Transportation Expenses	8,294	[3,310	2,000	24 60	Reflects increase in cost of gassaire & indies traveled
	656 Insurance - Vehicle		•	•		
	657 Insurance - General Liability		-	· ·		
	658 Insurance - Workman's Comp			(6/6)	14741	Under benchmark Reduction in expense
	659 Insurance - Other	12,113	11,548	(565)	(4 66)	Under Denesimark Reduction in expense
	660 Advertising Expense		•	•		
24	666 Reg Comm Exp - Rate Case Amort *			-		
						Certain regulatory expenses, such as researching tariff changes, acquisition policies, etc., were incurred for the benefit of
25	667 Reg Comm. Exp - Other	308	4,203	3,895	1,264 51	Florida companies and were allocated to each company out of the Florida Cost Center
25	668 Water Resource Conservation Expense		•			
26	670 Bad Debt Expense	184	119	(65)	(35.14)	Under benchmark Reduction in expense
27	675 Miscellaneous Expenses	32,602	28.529	(4,073)	(12.49)	Under benchmark
28	TOTAL	\$ 210,704	\$ 267,105	\$ 65,690	31 18 %	
29	Total Customers	1,465 0000	1,482 0000	17 0000	1.1604 %	
.30	Consumer Price Index - U	210 228	226 889	16 66	7 925 %	
31	Benchmark Inc	iex Increase in Custi	omer ERC's	1 0116		
32		Increase in CPI		£ 0793		
33		.,		1 0918		
,3.7						

Note: Une item 29 has been rounded to four decimal places, to accurately reflect the applicable percentage change. Line item 30 has been updated to reflect the correct amount per the consumer price index. Correct amounts per the price index can be found on the tab titled "BLS Data Series." All highlighted (yellow) line items have been updated to provide an explanation for expenses in excess of the revised benchmark factor.

Operation & Maintenance Expense Comparison - Wastewater

Test Year Ended: September 30, 2011

Explanation: Complete the following comparison of the applicant's current and prior test year O&M expenses before this Commission. Provide an explanation of all differences which are not attributable to the change in customer growth and the CPI-U. If the applicant has not had a previous rate case, use the year 5 years prior to the test year for comparison. Provide can additional schedule, if necessary, to explain differences.

	(1)	(2) Prior TY	(3) Adjusted	(6)	(7)	
Line		w/PSC Adj.	Current TY	5	%	
No.	Account No. and Name	12/31/08	9/30/11	Difference	Difference	Explanation
						The amount of salary expense requested in this test year is \$12,330 less than that requested for the 12/31/08 test year. The utility was able to do this primarily by consolidating its customer service centers to three national centers and reallocations. In spite of these efforts to reduce the cost to our customers, this benchmark analysis makes it appear that costs have increased by some 491% in 3.75 years. This
1 2	701 /3 Salaries & Wages - Employees 703 Salaries & Wages - Officers, Etc.	\$ 61,479 incl. above	83,929 7,748	30,197 7,748	49.12 % incl. above	is an illusion because the Commission allowed no increase in salaries or related employee benefits in the utility's last case. Thus the benchmark is measuring 2011 costs against 2005 costs, not 2008 costs. In the last case, the Utility provided support for its requested increase through detailed work papers by employee, showing their job description, duties, benefits to the Company and annual pay supported by W-2s. Yet the Commission concluded the Utility did not meet its burden of proof. That case did not go to hearing. The
						Company maintains it already has met its burden of proof and will continue to do so in this case by showing that all positions currently filled and allocated to Pennbrooke provide value and are required for Pennbrooke to provide safe, reliable, and effective service to its
3	704 Employee Pensions & Benefits 710 Purchased Sewage Treatment	13,275	21,042	7,767	58.51	customers.
•	710 Fulcused Sewage Headinetic		·	-	•	
5	711 Sludge Removal Expense	31,564	5,806	(25,758)	(81.61)	Under benchmark. Application of improved dewatering process resulted in a reduction in sludge volume hauled from the WWTP.
6	715 Purchased Power	40,216	26,596	(13,620)	(33.87)	Under benchmark, Reduction in the amount of kwh purch, in 2011, partly due to improvements made at LS #1
7	716 Fuel for Power Purchased			-		
8	718 Chemicals	16,624	16,856	232	1.40	Under benchmark. Reduction in expense.
9	720 Materials & Supplies	21,826	19,040	(2,786)	(12.76)	Under benchmark, Reduction in expense.
10	731 Contractual Services - Engr.		57	57		No expense in 2008 TY. De minimis dollar amount in TY.
11	732 Contractual Services - Acct.	1,337	1,655	318	23.82	The cost of the Company's annual audit expense has increased since 2008.
12	733 Contractual Services - Legal	1,356	328	(1,028)	(75.82)	Under besichmark, Reduction in expense.
13	734 Contractual Services - Mgmt. Fees		•	•		
14	735 Contractual Services - Testing		4			
15	736 Contractual Services - Other	10,089	10,661	572	5.67	Under benchmark.
16	741 Rental of Building/Real Prop.		103	103	*	No expense in 2008 TY. De minimis dollar amount in TY,
17	742 Rental of Equipment	2	9	7	373.59	De minimis dollar amount in previous and this TY, such that any change results in a distorted percent change.
18	750 Transportation Expenses	7,238	11.276	4,038	55.79	Reflects increase in cost of gasoline & miles traveled.
19	756 Insurance - Vehicle		•	٠		
20	757 Insurance - General Liability		-	-		
21	758 Insurance - Workman's Comp.		-	•		
22	759 Insurance - Other	10,311	9,633	(678)	(6.58)	Under benchmark. Reduction in expense.
23	760 Advertising Expense		-	-		
24	766 Reg. Comm. Exp Rate Case Amort, *			-		
						Certain regulatory expenses, such as researching tariff changes, acquisition policies, etc., were incurred for the benefit of Florida
25	767 Reg. Comm. Exp Other	262	3,506	3,244	1,238.00	companies and were allocated to each company out of the Florida Cost Center.
26	770 Bad Debt Expense	156	100	(56)	(36.19)	Under benchmark. Reduction in expense.
27	775 Miscellaneous Expenses	29,179	34,795	5,616	19.25	Expenses for items such as supplies, maintenance and miscellaneous expenses have increased since the last test year due to increased cost of services
21	773 Misochaneous expenses	29,179	34,173	3,010	(3.23	
28	TOTAL	\$ 244,914	\$ 253,144	<u>\$ 15,973</u>	6.52 %	
29	Total Customers	1,247,0000	1,237.0000	(10,0000)	(0.8019) %	
30	Consumer Price Index - U	210.228	226.889	16.661	7.925 %	
31	Benchmark Inc	lex: Increase in Custon	ner ERC's	0.9920		
32	or worklight with	Increase in CPI		1 0793		
33		20		1.0706		
	* - Rate case expense is excluded as it is set by the			1.0700		

Consumer Price Index - All Urban Consumers Original Data Value

Series Id: CUUR0000SA0

Not Seasonally Adjusted

Area: U.S. city average

Item: Base Period:

All items 1982-84=100

Years:

2002 to 2012

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		Oct	Nov		Annual	HALF1	HALF2
2002	177.1	177.8	178.8	179.8	179.8	179.9	180.1	180.7		181.3	181.3		179.9	178.9	180.9
2003	181.7	183.1	184.2	183.8	183.5	183.7	183.9	184.6		185.0	184.5		184.0	183.3	184.6
2004	185.2	186.2	187.4	188.0	189.1	189.7	189.4	189.5		190.9	191.0		188.9	187.6	190.2
2005	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4		199.2	197.6		195.3	193.2	197.4
2006	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9		201.8	201.5		201.6	200.6	202.6
2007	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917		208.936	210.177		207.342	205.709	208.976
2008	211.080	211.693	213.528	214.823	216,632	218.815	219.964	219.086		216.573	212.425	210.228	215.303	214.429	216.177
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834		216.177	216.330		214.537	213.139	215.935
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312		218.711	218.803		218.056	217.535	218.576
2011	220.223	221.309	223.467	224,906	225.964	225.722	225.922	226,545	226.889	226.421	226.230		224.939	223 598	226.280
2012	226.665	227.663	229.392												

Company: Utilities, Inc. of Pennbrooke

Docket No.: 120037-WS

Test Year Ended: September 30, 2011

Water [X] or Sewer [X]

Schedule: E-3 Page 1 of 1

Preparer: Nicole Winans

Explanation: Provide a schedule of monthly customers billed or served by class.

	WATER					
Line	(1) Month/	(2)	(3) General	(4)	(5)	(6)
No.	Year	Residential	Service	Irrigation	Other	Total
1	October	1,230	2	94	_	1,326
2	November	1,220	7	147	-	1,374
3	December	1,253	3	112	-	1,368
4	January	1,247	8	160	-	1,415
5	February	1,231	5	130	-	1,366
6	March	1,230	2	108	-	1,340
7	April	1,232	8	166	•	1,406
8	May	1,231	5	135	-	1,371
9	June	1,240	5	135	-	1,380
10	July	1,226	5	133	-	1,364
11	August	1,234	5	144	-	1,383
12	September	1,225	5	138	-	1,368
13						
14	Total	14,799	60	1,602	-	16,461

WASTEWATER

Line	(1) Month/	(2)	(3) General	(4)	(5)	(6)
No.	Year	Residential	Service	Irrigation	Other	Total
15	October	1,230	2	_		1,232
16	November	1,220	7	<u>-</u>	_	1,227
17	December	1,253	3	-	_	1,256
18	January	1,247	8	-	-	1,255
19	February	1,231	5	•	-	1,236
20	March	1,230	2	-	-	1,232
21	April	1,232	8	-	~	1,240
22	May	1,231	5	7	-	1,236
23	June	1,240	5	_	-	1,245
24	July	1,226	5	-	-	1,231
25	August	1,234	5	-	-	1,239
26 27	September	1,225	5	-	-	1,230
28	Total	14,799	60	-	-	14,859

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UTILITIES, INC. OF PENNBROOKE

SYSTEM NAME / COUNTY: Lake County

WATER OPERATING REVENUE

ACCT. NO. (a)	DESCRIPTION (b)	BEGINNING YEAR NO. CUSTOMERS * (c)	YEAR END NUMBER OF CUSTOMERS (d)	AMOUNT (e)				
(4)	Water Sales:		\-_					
460	Unmetered Water Revenue			s -				
	Metered Water Revenue:							
461.1	Sales to Residential Customers	1,474	1,473	331,573				
461.2	Sales to Commercial Customers			57,052				
461.3	Sales to Industrial Customers							
461.4	Sales to Public Authorities			<u>-</u>				
461.5	Sales Multiple Family Dwellings			-				
461.6	Other Revenues							
	Total Metered Sales	1,474	1,473	\$ 388,625				
	Fire Protection Revenue:							
462.1	Public Fire Protection			-				
462.2	Private Fire Protection							
	Total Fire Protection Revenue		**************************************	s				
464	Other Sales To Public Authorities			_				
465	Sales To Irrigation Customers							
466	Sales For Resale			-				
467	Interdepartmental Sales			-				
	Total Water Sales	1,474	1,473	\$ 388,625				
	Other Water Revenues:	<u> </u>						
469	Guaranteed Revenues (Including Allowance	for Funds Prudently Inves	sted or AFPI)	s				
470	Forfeited Discounts			-				
471	Miscellaneous Service Revenues			-				
472	Rents From Water Property							
473	Interdepartmental Rents							
474	Other Water Revenues			2,211				
	Total Other Water Revenues	_		\$ 2,211				
	Total Water Operating Revenues							

^{*} Customer is defined by Rule 25-30.210(1), Florida Administrative Code. Accruals are recorded in account 461.1.

117	ΠI	ITY	NA	ME

UTILITIES, INC. OF PENNBROOKE

SYSTEM NAME / COUNTY:

Lake County

WASTEWATER OPERATING REVENUE

ACCT. NO. (a)	DESCRIPTION (b)	BEGINNING YEAR NO. CUSTOMERS *	YEAR END NUMBER OF CUSTOMERS * (d)	AMOUNTS (e)			
(4)	WASTEWATER SALES						
521.1 521.2 521.3 521.4 521.5	Flat Rate Revenues: Residential Revenues Commercial Revenues Industrial Revenues Revenues From Public Authorities Multiple Family Dwelling Revenues	1,252	1,245	S 1,237			
521.6 521	Other Revenues Total Flat Rate Revenues	1,252	1,245	s 1,237			
522.1 522.2 522.3 522.4 522.5	Measured Revenues: Residential Revenues Commercial Revenues Industrial Revenues Revenues From Public Authorities Multiple Family Dwelling Revenues			460,550 7,560 			
522	Total Measured Revenues			\$468,110_			
523 524 525	Revenues From Public Authorities Revenues From Other Systems Interdepartmental Revenues		A	-			
	Total Wastewater Sales	1,252	1,245	\$ 469,347			
	OTHER WASTEWATER REVENUES						
530 531	Guaranteed Revenues Sale of Sludge			\$			
532							
534							
535							
536	Other Wastewater Revenues (Including Allowance for Funds Prudent)	y Invested or AFPI)		567			
	Total Other Wastewater Revenues			\$ 567			

^{*} Customer is defined by Rule 25-30.210(1), Florida Administrative Code.

^{521.1} includes accruals