

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of BETMAR	)	DOCKET NO. 880914-WS
UTILITIES, INC. for a staff-assisted	)	ORDER NO. 22600
rate case in Pasco County	)	ISSUED: 2-26-90
	)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER ACKNOWLEDGING COMPLIANCE WITH CERTAIN REQUIREMENTS  
OF ORDER NO. 20787, GRANTING REQUEST FOR EXTENSION  
OF TIME TO FILE SERVICE AVAILABILITY CASE  
AND CLOSING DOCKET

BY THE COMMISSION:

Betmar Utilities, Inc. (Betmar or utility) is a Class C utility which provides water service to approximately 1,457 customers and wastewater service to approximately 860 customers in Pasco County.

On July 6, 1988, Betmar applied for a staff-assisted rate case. Its request for staff assistance was approved. By Order No. 20787, issued February 21, 1989, this Commission established increased rates and charges. Also by Order No. 20787, we required Betmar to make a number of improvements to its facilities, based upon an outstanding Notice of Violation (NOV) issued by the Department of Environmental Regulation (DER) in 1984. We also required the utility to obtain title to certain lands and facilities, and to bring its books and records into compliance with past and present Commission adjustments.

The requirements discussed above were all to be completed no later than October 31, 1989. We have monitored this utility and we find that it has complied with these requirements.

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Also by Order No. 20787, we directed Betmar to file for new service availability policies and charges no later than December 31, 1989. By letter dated November 21, 1989, Betmar requested that it be granted an extension of time to file its service availability case.

REQUEST FOR EXTENSION OF TIME

DER's 1984 NOV also cited Betmar's failure to maintain the minimum required freeboard in its primary and secondary percolation/evaporation ponds. We did not require any corrective action in Order No. 20787, however, since it was not known at that time what it would take to alleviate the problem. On July 7, 1989, DER issued Consent Order No. 89-0791 against Betmar for its inability to correct the problem. The Consent Order requires that Betmar either expand its effluent disposal capacity or interconnect to another wastewater treatment system.

In its request for an extension of time to file its service availability case, Betmar claims that it has been involved in negotiations with Pasco County, to interconnect to its facilities, for approximately six months. Betmar states that it has been presented with three contracts from the County, that it has signed each contract, but that none of the contracts have been presented to the County Commission for its consideration. According to Betmar, the first contract made no mention of any service availability or impact fee, but the subsequent contracts have each called for a fee of \$845 per existing connection, payable in one lump sum of \$727,560 or as a surcharge of \$7.05 per month for 120 months.

As a result of the proposed County fee, Betmar is investigating other alternatives. Since it believes that any of the alternatives might impact its service availability filing, Betmar requests that it be granted until June 30, 1990, to file its service availability case.

Based upon the discussion above, Betmar's request appears reasonable. It is, therefore, granted. Betmar shall file for revised service availability policies and charges no later than June 30, 1990.

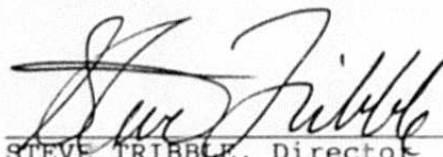
Upon consideration of the foregoing, it is,

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ORDERED by the Florida Public Service Commission that Betmar Utilities, Inc. shall file for revised service availability policies and charges no later than June 30, 1990. It is further

ORDERED that Docket No. 880914-WS be and is hereby closed since the requirements of Order No. 20787 have been met.

By ORDER of the Florida Public Service Commission this 26th day of FEBRUARY, 1990.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

RJP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric,

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gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.