

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a staff- ) DOCKET NO. 900565-WS  
assisted rate case in Duval ) ORDER NO. PSC-92-0018-FOF-WS  
County by SHADOWROCK UTILITIES, ) ISSUED: 3/10/92  
INC. )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
J. TERRY DEASON

ORDER DISPOSING OF UNCLAIMED REFUNDS

BY THE COMMISSION:

Shadowrock Utilities, Inc., (Shadowrock or utility) is a class "C" water and wastewater utility providing service to approximately 645 single-family homes, a fifty-unit apartment complex, and a church in Duval County, Florida.

On June 20, 1990, Shadowrock applied for the instant staff-assisted rate case and submitted the correct filing fee. The test period selected for setting rates was the average twelve-month period ended June 30, 1990. By Order No. 24224, issued March 11, 1991, we proposed increased rates for the utility and authorized it to collect, on a temporary basis subject to refund, the rates proposed therein in the event the Order was protested. On April 1, 1991, the Office of Public Counsel (OPC) filed a protest to our Order.

Because of the protest, we scheduled this matter for hearing. Prior to the scheduled hearing, however, OPC and Shadowrock settled the case. By Order No. 25529, issued December 24, 1991, we approved the parties' written settlement in its entirety, approved as final a stipulated rate increase, and revived the bulk of Order No. 24224, making it final and effective. In addition, by said Order, we required the utility to refund the difference between the temporary rates it was authorized to charge and the final rates we approved. Pursuant to the settlement, the refunds were to, and in fact did, appear on the first bills rendered after our approval of the settlement. The subject of this Order is the disposition of any unclaimed refunds.

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Based on the refund reports required by our rules and other information filed by the utility, we have verified that all of the utility's customers, save eighteen, received the proper refund, with interest, as a credit on their bills. The eighteen customers who did not receive a credit on their bills are no longer on the utility's system. Accordingly, the utility mailed refund checks, totalling some \$100, to the last known mailing addresses of the eighteen.

In the event these refunds are unclaimed, the utility proposes to treat the unclaimed amounts as cash contributions-in-aid-of-construction (CIAC), allocated equally between the water and wastewater systems. The utility believes this allocation appropriate since the refund amounts were generated equally by the two service systems.

The current CIAC level for each system is greater than the 75% guideline set forth in Rule 25-30.580, Florida Administrative Code. However, a \$50 augmentation to the CIAC accounts would represent less than 1/100th of one percent of each system's total CIAC balance.

Because there will be no meaningful effect on CIAC levels using the utility's proposed treatment of unclaimed refunds and because we think that the utility's proposed disposition of same is reasonable, we hereby approve it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Shadowrock Utilities, Inc.'s proposal to treat all unclaimed refunds resulting from Order No. 24224 as cash contributions-in-aid-of-construction to be allocated equally between its water and wastewater systems is hereby approved. It is further

ORDERED that this docket be closed.

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By ORDER of the Florida Public Service Commission, this 10th  
day of MARCH, 1992.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

MJF

by: Kay Heljan  
Chief, Bureau of Records

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, 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.