

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for )  
certificate to provide water )  
service in Escambia County )  
under grandfather rights by )  
THE PEOPLES WATER SERVICE )  
COMMISSION. )  
\_\_\_\_\_ )

DOCKET NO. 920289-WU  
ORDER NO. PSC-92-0866-FOF-WU  
ISSUED: 08/25/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
J. TERRY DEASON  
BETTY EASLEY  
LUIS J. LAUREDO

ORDER GRANTING CERTIFICATE NO. 543-W  
AND ESTABLISHING INITIAL RATES

BY THE COMMISSION:

Background

On December 3, 1991, the Board of County Commissioners of Escambia County adopted a resolution pursuant to Section 367.171, Florida Statutes, declaring all water and wastewater utilities within its boundaries to be subject to the jurisdiction of this Commission. By Order No. 25593, issued January 13, 1992, we acknowledged the resolution of the County and directed all utilities requiring certification to file an application for a grandfather certificate within ninety days.

On March 31, 1992, The Peoples Water Service Company (Peoples or utility) filed its application for a water certificate under grandfather rights, pursuant to Section 367.171, Florida Statutes. Peoples is a Class A water utility serving 9,023 residential customers, 445 general service customers, and 32 fire systems in Escambia County. The utility began operation on May 24, 1937. Wastewater service is provided by Escambia County Utilities Authority (ECUA).

Application

The utility's application complies with the governing statute, Section 367.171, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for a grandfather certificate for an existing utility currently charging for service. The application contains the correct filing fee under Rule 25-30.020, Florida Administrative Code. Adequate service territory

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and system maps and a territory description have been provided as prescribed by Rule 25-30.035(9), (10), and (11), Florida Administrative Code. A description of the territory requested by the utility is appended to this Order as "Attachment A," which is by reference incorporated herein. The territory includes only the territory served by the utility prior to our receiving jurisdiction.

Further, as required by Rule 25-30.035(6), Florida Administrative Code, the applicant has provided evidence, in the form of a recorded warranty deed, indicating that the utility owns the land upon which the utility's facilities are located.

In consideration of the above, we find it in the public interest to grant the utility's application for a grandfather certificate. Accordingly, The Peoples Water Service Company is hereby granted Certificate No. 543-W to serve the territory described in "Attachment A." For administrative purposes, we note that this utility is made up of two systems: The Peoples Water Treatment System and The Peoples Water Distribution System.

#### Rates and Charges

The Peoples Water Service Company's present rates are as follows:

#### Residential Service

##### Basic Rate

First	3,000 gallons per month (gpm)	\$8.52
Next	7,000 gpm	\$3.33 per M gals.
Next	10,000 gpm	\$2.95 per M gals.
All over	20,000 gpm	\$2.85 per M gals.

##### Minimum Charge

5/8" or 3/4" meter	\$ 8.52 per month for	3,000 gals
1" meter	\$19.51 per month for	6,300 gals
1 1/4" meter	\$27.83 per month for	8,800 gals

Multi Residential Service

Basic Rate

First	3,000 gpm	\$8.52
Next	7,000 gpm	\$3.33 per M gals.
Next	10,000 gpm	\$2.95 per M gals.
All over	20,000 gpm	\$2.85 per M gals.

Minimum Charge

5/8" or 3/4" meter	\$ 8.52 per month for	3,000 gals
1" meter	\$19.51 per month for	6,300 gals
1 1/4" meter	\$27.83 per month for	8,800 gals

Fire Protection Service

Sprinklers and Private Fire Protection

2 " connection	\$10.84
3 " connection	\$13.03
4 " connection	\$16.61
6 " connection	\$26.02
8 " connection	\$43.38
10 " connection	\$65.04

Connections to sprinklers and private hydrants shall be for fire-fighting purposes only and no other use shall be permitted. It should be noted that Peoples does not charge for Public Fire Protection.

Miscellaneous Service Charges

Initial Connection Fee	\$20.00
Normal Connection Fee	\$20.00
Violation Reconnection Fee	\$50.00
Premises Visit Fee	\$20.00

Service Availability Charges

Back-Flow Preventor Installation Fee

Residential

	<u>Cost</u>	<u>Installation</u>
3/4"	\$20.00	\$20.00
1"	\$31.00	\$30.00

Commercial

	<u>Cost</u>	<u>Installation</u>
3/4" Low	\$ 84.00	\$374.00
3/4" High	\$153.00	\$374.00
1" Low	\$ 90.00	\$374.00
1" High	\$172.00	\$374.00
1 1/2" Low	\$184.00	\$440.00
1 1/2" High	\$289.00	\$440.00
2" Low	\$211.00	\$440.00
2" High	\$346.00	\$440.00

Back-flow Preventor Testing

3/4"	\$30.00
1"	\$50.00

Back-Flow prevention devices will be tested on a regular basis by utility personnel.

Customer Connection Charge and Meter Installation Fee

5/8" x 3/4" metered service	\$179.00 plus cost of material
1" metered service	\$315.00 plus cost of material
1 1/2" metered service	\$547.00 plus cost of material

Main Extension Charge

Actual Construction Costs

Plant Capacity Charge

Residential \$375 per equivalent residential connection (ERC)

Peoples collects a residential deposit in the amount of \$40.00. The utility's current rates and charges were established on June 4, 1991, by action of the Board of County Commissioners of Escambia County.

The utility has filed a tariff which reflects the above rates and service availability policy. The effective date of the tariff will be the stamped approval date.

Peoples collected gross-up charges on contributions-in-aid-of-construction (CIAC) prior to the Commission receiving jurisdiction. These charges have been removed from the utility's tariff. A separate filing must be submitted before the gross-up on CIAC may be charged again.

#### AGREEMENT WITH ECUA

In a letter dated May 21, 1992, Peoples requested that the Commission grant it the authority to enter into an agreement with ECUA to terminate water service to the existing water customers for non-payment of wastewater bills. The ECUA currently operates the wastewater system serving many of Peoples' existing water customers. Peoples contends that granting the utility authority to enter into this agreement to terminate service would help ECUA in their collections while minimizing the wastewater ratepayers' expense by reducing ECUA's uncollectible accounts.

Pursuant to Rule 25-30.320(2)(g), Florida Administrative Code, discontinuance of service for nonpayment of bills must be for service provided by the same or an affiliated utility. Based on this Rule, we hereby deny the utility's request to enter into an agreement with ECUA to terminate water service.

Peoples may submit a tariff filing along with full justification at a later date requesting a waiver of the Rule for this arrangement.

Based upon the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the application of Peoples Water Service Company for a grandfather water certificate is hereby granted. It is further

ORDERED that Certificate No. 543-W shall be issued to Peoples Water Service Company. It is further

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ORDERED that Peoples Water Service Company's service territory shall be that described in "Attachment A," appended hereto. It is further

ORDERED that Peoples Water Service Company's initial rates and charges shall be those set forth in the body of this Order. It is further

ORDERED that the tariff submitted by Peoples Water Service Company shall be stamped approved, and the effective date of the tariff shall be its stamped approval date. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 25th day of August, 1992.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

LAJ

by: Kay Flynn  
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

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.



ATTACHMENT A

THE PEOPLES WATER SERVICE COMPANY

TERRITORY DESCRIPTION - ESCAMBIA COUNTY

Commence at the Northwest corner of Fraction Section 8, Township 3 South, Range 31 West, Escambia County, Florida, (Also, the Northeast Corner of Section 9, Township 3 South, Range 31 West) for the Point of Beginning (POB); Thence run South along the West line of Sections 8, 13, and 19 a distance of approximately 3 miles to the Northwest corner of Section 24; Thence run East along the North line of said Section 24 a distance of approximately 1 mile to the Northeast corner of Section 24, Thence South along the East line of Section 24 a distance of approximately 910 feet to the North Shore line of Big Lagoon and Pensacola Bay; Thence meander Easterly along said shore line a distance of approximately 17,950 feet to the East line of Section 17, Township 3 South, Range 31 West; Thence North along said East line of Section 17 a distance of approximately 2,194 feet to the Northeast corner of said Section 17; Thence West along the North line (Or S 76° W) a distance of approximately 4,092 feet to the Southwest corner of Section 27, Township 3 South, Range 31 West; Thence North 13° West along the West line of said Section 27 a distance of approximately 6,000 feet to the intersection of Sections 27, 15 and 3 and continuing North along the West line of Section 3 for a distance of approximately 2,200 feet to the North Shore line of Bayou Grande; Thence meander Easterly along the North Shore line of said Bayou Grande a distance of 9,500 feet to the point where Bayou Grande intersects with Township 2 South and Township 3 South; Thence meander Easterly along the North Shore line of said Bayou Grande / Pensacola Bay and an Easterly extension thereof a distance of approximately 33,200 feet to the center line of Bayou Chico; Thence North 47° West along the center line of Bayou Chico approximately 4,400 feet to the point where Bayou Chico branches to the North and West; Thence Northerly along the center line of the North branch of Bayou Chico North 9° West a distance of approximately 2,750 feet to the center of U.S. 98 (Also State Road Number 30 and Navy Boulevard); Thence continue North 2° West a distance of approximately 2,100 feet to where Bayou Chico branches to the East and West (This point also approximately 800 feet South of the South line of Section 34, Township 2 South, Range 30 West.); thence meander Westerly along the center line of said Bayou Chico approximately 4,800 feet along said center line to center line of State Road 295 / New Warrington Road (This intersection is approximately 200 feet South of the South line of Section 34, Township 2 South, Range 30 West.); thence continuing Westerly along center line of Bayou Chico approximately



2,000 feet to the East line of Section 56, Township 2 South, Range 30 West; Thence South 4° West along the East line of Section 56 and a Southerly extension thereof for a distance of approximately 4,750 feet to the center line of U.S. 98 (Also State Road 30 and State Road 298 B); Thence Westerly along the center line of said road a distance of approximately 12,850 feet to the intersection of the West line of Section 21, Township 2 South, Range 31 West and State Road 727; Thence South along the West line of Section 21 a distance of approximately 700 feet; Thence due West a distance of approximately 1,100 feet, thus entering Section 22, Township 2 South, Range 31 West; Thence due South a distance of approximately 1,300 feet; Thence due East a distance of approximately 1,100 feet to the West line of Section 21; Thence due South along the West line of Section 21 a distance of approximately 2,700 feet to the Northeast corner of Section 32, Township 2 South, Range 31 West; Thence continue South a distance of approximately 1,500 feet along the East line of Section 32 to the North line of Jones Swamp; Thence South 64° West along the North line of Jones Swamp a distance of approximately 1.2 miles to the East line of Section 31, Township 2 South, 31 Range West; Thence continue South 64° West, and a Southwesterly extension thereof along the North line of Jones Swamp a distance of approximately 4,170 feet to the North line of Section 5, Township 3 South, Range 31 West; thence continue West along the North line of Section 5 a distance of approximately 3,950 feet to the Northeast corner of Fraction Section 8; Thence continue West along the North line of Fraction Section 8 a distance of approximately 2,900 feet to the P.O.B.