

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Change) DOCKET NO. 921235-WS
of Service Availability) ORDER NO. PSC-93-0144-FOF-WS
Charges in Glades and Hendry) ISSUED: 01/27/93
Counties by GENERAL DEVELOP-)
MENT UTILITIES, INC. (Port)
LaBelle Division))
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

ORDER SUSPENDING PROPOSED
SERVICE AVAILABILITY CHARGES

BY THE COMMISSION:

General Development Utilities, Inc./Port LaBelle Division (Port LaBelle or utility) is a Class A utility located in Glades/Hendry Counties. Port LaBelle is in a critical use area as designated by the South Florida Water Management District. As of December 31, 1991, Port LaBelle had 812 water customers and 783 wastewater customers. According to the utility's minimum filing requirements (MFRs), the Port LaBelle water system had actual operating revenues of \$230,813 and a net loss of \$14,611. The wastewater system had actual operating revenues of \$165,764 and a net loss of \$65,029.

On December 3, 1992, the utility filed an application for a change in its service availability charges. As filed, the application met the requirements of Rule 25-30.565, Florida Administrative Code, and December 3, 1992, was established as the official filing date. The utility also filed revised tariff sheets specifying the new rates.

This Commission has not previously considered Port LaBelle's rates in a full rate case. The Commission received jurisdiction over Port LaBelle in February 1990. Service availability charges have not been evaluated by the Commission.

Section 367.091(5), Florida Statutes, states that the Commission may withhold consent to the operation of any or all portions of new rate schedules, by a vote to that effect within 60 days giving a reason or statement of good cause for withholding

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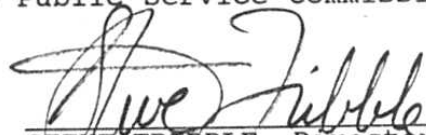
that consent. If the Commission does not withhold consent, the new rate schedules may be assumed in effect after 60 days.

We have reviewed the filing and the information filed in support of the application. We find that it is reasonable and necessary to require further amplification and explanation of the data filed by Port LaBelle. In consideration of the above, we find it appropriate to suspend the proposed tariff to increase service availability charges for Port LaBelle pending further discovery.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the proposed service availability schedules filed by General Development Utilities, Inc., for Port LaBelle are hereby suspended.

By ORDER of the Florida Public Service Commission this 27th day of January, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.