

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a) DOCKET NO. 900505-WS
Staff-assisted Rate Case in) ORDER NO. PSC-93-0196-FOF-WS
Bay County by SANDY CREEK) ISSUED: 02/09/93
UTILITIES, INC.)
_____)

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 APPROVING PLANS FOR IMPROVEMENTS
AND CLOSING DOCKET

BY THE COMMISSION:

Sandy Creek Utilities, Inc. (Sandy Creek or utility) is a Class C water and wastewater utility located in Bay County, Florida. On May 21, 1990, the utility filed an application for a staff-assisted rate case (SARC) pursuant to Section 367.0814, Florida Statutes. By proposed agency action Order No. 24170, issued February 27, 1991, this Commission proposed to authorize increased revenues for the utility's water and wastewater systems.

The proposed agency action order was subsequently protested by customers of the utility. In addition, the Office of Public Counsel (OPC) intervened in the case. Therefore, an administrative hearing was held on July 17, 1991, in Panama City before Commissioner Easley. By Order No. 25373, issued on November 21, 1991, this Commission adopted the hearing officer's recommended order entered September 18, 1991, and dispensed with exceptions filed by OPC and Commission Staff.

In Order No. 25373, we directed the docket to remain open pending the receipt, review, and consideration of the required plan for water and wastewater improvements, required meter installation of five unmetered irrigation connections, and allowed the release of escrowed funds that were related to the implemented temporary rates. The escrowed funds were released, and the unmetered connections were metered. On February 19, 1992, the utility filed with this Commission the required plan for improvements.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REGISTRATION

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However, in Order No. PSC-92-0263-FOF-WS, April 28, 1992, we instructed the utility to submit a revised plan within eight months because the plan it filed was not satisfactory. We gave the utility an additional eight months to file a revised plan identifying the necessary improvements to its wastewater system, with cost estimates for those improvements. The docket was ordered to remain open until our receipt and review of its revised plan.

The utility was directed to submit a revised plan which included various viable alternatives to the purchase of a new generator for its water system. The utility has since demonstrated that the need for a new generator is not as crucial to the system as in the past. Sandy Creek has installed water valves enabling it to isolate areas in need of repair, thereby reducing the number of instances required to shut off the entire system. In addition, power supply outages are not occurring as frequently. The utility has assured us that it will take every measure to insure that appropriate back up power will be supplied if needed. We believe that the concerns for improving the water system have been satisfied.

The utility's initial plan for improving its wastewater system was not satisfactory because we determined that the utility's plan for a study of infiltration identification was too costly and too time consuming. The utility has now begun to address its infiltration problems in a more direct manner. Major sources of infiltration have been identified and are being corrected in a timely fashion. The utility will install more effective pumps, and it plans to proceed with a replacement force main and a new master lift station as soon as funds are available. All of these items are intended to make the system more efficient and should improve the quality of service to the utility's customers.

The utility has not submitted cost estimates as directed in Order No. PSC-92-0263-FOF-WS; however, we believe that it is no longer necessary because the improvements are being made with funds from the utility's normal cash flow and other internal sources. In addition, since no funds were allowed in the utility's last rate case for making any improvements, we find that the utility is progressing satisfactorily towards improving its service without the need for providing us with cost estimates.

Therefore, we find that Sandy Creek has complied with the quality of service concerns discussed in Orders Nos. 25373 and PSC-92-0263-FOF-WS. The installation of water valves, the identification and correction of known infiltration sources, the

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installment of more effective pumps, and plans for a new force main and master lift station, are actions and plans which have demonstrated that the utility is progressing satisfactorily toward making the improvements necessary to its water and wastewater systems in order to continue providing adequate service to its customers. Therefore, we find that the docket shall be closed.

Based upon the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Sandy Creek Utilities, Inc. has satisfactorily complied with providing a plan for improving its water and wastewater systems, as directed in Order No. PSC-92-0263-FOF-WS. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission this 9th day of February, 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 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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.