

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a Rate ) DOCKET NO. 911188-WS  
Increase in Lee County by LEHIGH ) ORDER NO. PSC-93-1224-FOF-WS  
UTILITIES, INC. ) ISSUED: August 24, 1993  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD  
SUSAN F. CLARK

ORDER APPROVING REQUEST TO CREDIT REFUND TO CIAC

BY THE COMMISSION:

By Order No. PSC-93-0301-FOF-WS, issued on February 25, 1993, this Commission approved an increase in Lehigh Utilities, Inc.'s (Lehigh or utility) rates and charges. The utility implemented the approved rates effective April 30, 1993. On March 11, 1993, the Office of Public Counsel (OPC) timely filed a Petition for Reconsideration of Order No. PSC-93-0301-FOF-WS. On March 12, 1993, Lehigh timely filed a Motion for Reconsideration of Order No. PSC-93-0301-FOF-WS and a Request for Oral Argument.

On reconsideration, by Order No. PSC-93-1023-FOF-WS, issued July 12, 1993, income tax expense was adjusted. Based on this adjustment, the revenue requirement for water was decreased by \$6,000 (from \$1,864,685 to \$1,858,685). This decrease in the revenue requirement resulted in a refund being required.

On June 23, 1993, the utility requested that the amount of over-collected interim rates for water be treated as additional contributions in aid of construction (CIAC). The utility estimated the total refund amount to be approximately \$1,800; the refund amount per customer was estimated to be \$0.06 with an administrative cost of \$2.12 per customer. The utility stated that it would not be prudent to incur these costs in order to comply with our refund requirement. We agree.

We have reviewed the utility's "Estimated Cost of Refund" exhibit and find that it would not be prudent to incur such costs for a \$0.06 per customer refund. Accordingly, we find it appropriate to approve the utility's request to treat the amount of

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FLORIDA PUBLIC SERVICE COMMISSION

ORDER NO. PSC-93-1224-FOF-WS  
DOCKET NO. 911188-WS  
PAGE 2

the over-collected interim rates, together with interest, as additional CIAC. We also find it appropriate to release the corporate undertaking held as security for these funds.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the request of Lehigh Utilities, Inc. to treat the amount of over-collected interim rates associated with water operations as additional contributions in aid of construction is approved. It is further

ORDERED that the corporate undertaking securing the refund amount shall be released to the utility.

By ORDER of the Florida Public Service Commission this 24th day of August, 1993.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

by: Kay Flynn  
Chief, Bureau of Records

ORDER NO. PSC-93-1224-FOF-WS  
DOCKET NO. 911188-WS  
PAGE 3

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.