

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Marie ) DOCKET NO. 940392-WU  
Morrow against SOUTHERN STATES ) ORDER NO. PSC-94-0714-FOF-WU  
UTILITIES, INC. in Hernando ) ISSUED: June 9, 1994  
County regarding high water )  
bills. )  
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The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JULIA L. JOHNSON  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION ORDER  
DENYING RELIEF REQUESTED IN CUSTOMER COMPLAINT

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and, as such, will become final unless a person whose interests are substantially affected files a petition for a formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On January 25, 1994, the Commission received a complaint regarding the billing of Ms. Marie Morrow's account by Southern States Utilities, Inc. (SSUI or utility). The customer complained about an increase in her September, October, and November, 1993, bills, and felt there was a problem with the meter.

Records indicate the customer's September 1, 1993, reading was high, reflecting a usage of 94,120 gallons. Ms. Morrow's bills normally average about 20,000 gallons monthly. Because of the unusually high bill, the utility rechecked the meter reading on September 14, 1993, before the bill was issued. The meter reading was verified and found to be correct. No leaks were noted.

Ms. Morrow's October 1, 1993, reading reflected usage of 150,820 gallons. The utility noted on the account that the reading was "triple-checked" on the same date. SSUI also noted the sprinkler system in use.

After receiving the October billing, the customer contacted SSUI and the utility went to the residence on October 18, 1993, and again verified the meter reading. The representative noted that

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the meter dial was moving very slowly and there was a possibility of a leak.

On October 27, 1993, a field test of the meter was performed and the meter was found to be functioning properly. A slow leak was noted and the customer was advised. Ms. Morrow called a plumber later that day, who came to her house that afternoon. The plumber repaired a leaky toilet, and noted that the leak was very slow.

The customer's daily readings taken from October 27, 1993, to November 7, 1993, which she provided at the conference, indicated erratic daily consumption. The customer said the higher consumption days were days the sprinkler system was in use, and that after November 2, 1993, the sprinkler system was reset to water the yard once a week, rather than every other day as it had been doing.

Ms. Morrow's November 1, 1993, meter reading reflected consumption of 87,490 gallons, and her December 2, 1993, reading returned to her normal billing with 23,540 gallons used.

Commission staff discussed the complaint with the customer on February 8, 1994, and again on February 10, 1994 after receiving the utility's report. The customer was dissatisfied and requested a bench test of the meter. Our staff also requested the test and the meter was bench tested on February 15, 1994. The bench test confirmed that the meter was accurate. SSUI provided a report on March 7, 1994 indicating the meter was bench tested on February 15, 1994 and the results showed an accuracy of 99.1% on low flow, and 99% on high flow.

The customer was advised of the test results by SSUI on March 4, 1994 and discussed her complaint with Commission staff on the same date. The customer remained dissatisfied, and said she believed the utility did something to her meter during the October 27, 1993, field test which caused her bills to go back to normal.

SSUI advised our staff that Ms. Morrow had told its representative that the timer on her sprinkler system stuck, and the utility initially believed this could be one reason for the customer's high consumption. We received a letter on March 15, 1994, from the customer requesting a hearing on the complaint. An informal conference was held in Spring Hill on April 11, 1994, with the customer, representatives from Southern States, and Commission staff attending. At the informal conference, no evidence was presented to substantiate the customer's claim that the bill was incorrect, other than past billing history. The customer did

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acknowledge using the sprinkler system every other day, replacing the sprinkler timer as a precaution and later reducing sprinkling days to once a week, and acknowledged locating and repairing a small leak in the toilet. Additionally, the customer said that there was no problem with the timer, but said she had it replaced as a precaution after receiving the first high bill.

Based on the verified meter readings and the meter test results, we believe that Ms. Morrow's bills are accurate. Although no one can say with certainty what caused the high bills, contributing factors appear to be frequent use of the sprinkler system and the toilet leak.

If no timely protest is received, this docket shall be closed.


Based on the foregoing, it is, therefore,

ORDERED that the relief requested in the complaint filed by Ms. Marie Morrow against Southern States Utilities, Inc., is hereby denied as set forth in the body of this Order. It is further

ORDERED that the provisions of this Order are issued as proposed agency action, and shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that if no timely protest is received, this docket may be closed.

By ORDER of the Florida Public Service Commission, this 9th day of June, 1994.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on June 30, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.