

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for approval ) DOCKET NO. 941338-SU  
of revised service availability ) ORDER NO. PSC-95-0345-FOF-SU  
charges in Collier County by ) ISSUED: March 13, 1995  
FLORIDA CITIES WATER COMPANY - )  
Golden Gate Division )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

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

ORDER SUSPENDING PROPOSED PLANT CAPACITY CHARGES

BY THE COMMISSION:

Florida Cities Water Company, Golden Gate Division (FCWC or utility), is a Class A utility that provides water and wastewater service in Collier County. As of September 30, 1994, the test year for this proceeding, the utility served 2,571 water and 1,873 wastewater customers. The service area has been designated by the South Florida Water Management District as a critical use area.

During the twelve months ended September 30, 1994, the utility recorded operating revenues of \$1,319,900 for water and \$1,190,060 for wastewater service. Its recorded operating income was \$271,645 and \$269,749, respectively, for water and wastewater service.

On December 27, 1994, FCWC filed an application to increase its wastewater plant capacity charge to \$1,100 per equivalent residential connection, in accordance with Sections 367.091 and 367.101, Florida Statutes. The utility calculates that the proposed charge reflects a pro rata portion of the cost of treatment plant facilities, determined as of July, 1995, when certain plant improvements are expected to be completed. These improvements include an expansion of the plant capacity from 750,000 gallons per day (gpd) to 950,000 gpd, conversion of the treatment process from extended aeration to contact stabilization, and the addition of other equipment to meet the Class III requirements of the Department of Environmental Protection.

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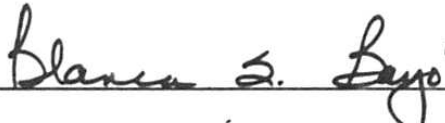
Under Section 367.091(5), Florida Statutes, the proposed plant capacity charges become effective sixty days after filing, unless we withhold consent to the operation of the proposed rates. We have reviewed the utility's application, the proposed charge, the contributions in aid of construction that would be generated thereby, and other information filed in support of the application. Upon consideration, we believe that further explanation, elaboration, and corroboration of the information filed by the utility is necessary. Therefore, we find it appropriate to suspend the utility's proposed plant capacity charge. Accordingly, this docket shall remain open.

It is, therefore,

ORDERED by the Florida Public Service Commission that the proposed wastewater plant capacity charges filed by Florida Cities Water Company, Golden Gate Division, are hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 13th day of March, 1995.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

RJP

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.