

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950332-WS
revised tariff sheets to include) ORDER NO. PSC-95-0535-FOF-WS
new customer deposit charges by) ISSUED: April 27, 1995
General Development Utilities,)
Inc. in Glades and Hendry)
Counties)
_____)

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 APPROVING REVISED TARIFF SHEETS CONTAINING INCREASED
CUSTOMER DEPOSIT CHARGES

BY THE COMMISSION:

General Development Utilities, Inc. (GDU) is a Class A water and wastewater utility, wholly owned by Atlantic Gulf Communities Corporation. On September 29, 1992, GDU filed applications for general water and wastewater rate increases for two of its divisions, Silver Springs Shores and Port LaBelle. By Order No. PSC-93-1113-FOF-WS, issued July 30, 1993, we set final rates and charges for the utility. Although GDU requested approval of increased customer deposit charges for both systems in its filing, that matter was not addressed in the rate case proceedings.

By Order No. PSC-94-0313-FOF-WS, issued March 21, 1994, we acknowledged the sale of the Silver Springs Shores system to Marion County. On March 8, 1995, tariff sheets containing final rates and charges for the Port LaBelle system were approved. On March 24, 1995, the utility requested that we approve revised tariff sheets containing increased customer deposit charges for the Port LaBelle system. We address that request in this order.

Section 367.091(2), Florida Statutes, requires each utility's rates, charges, and customer service policies to be contained in a tariff approved by this Commission. Further, Rule 25-30.135(2), Florida Administrative Code, prohibits a regulated utility from

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modifying or revising its rules or regulations or its charges until it files and receives approval from this Commission for any such modification or revision. GDU submitted First Revised Sheet No. 20.0, Water Tariff, and First Revised Sheet No. 20.0, Wastewater Tariff.

Pursuant to Section 367.091(5), Florida Statutes, an application to establish, increase, or change a rate or charge other than monthly rates for service pursuant to Section 367.081, Florida Statutes, must be accompanied by a cost justification. On March 27, 1995, the utility submitted information substantiating the increased customer deposit charges. The charges are the equivalent of two months estimated bills, for the corresponding meter size, and are based on the rates approved in Order No. PSC-93-1113-FOF-WS, for the Port LaBelle system.

It is our practice to establish customer deposit charges on the basis of two months average usage. We find the proposed charges to be just, reasonable, compensatory, and not unfairly discriminatory. Therefore, we approve the tariff sheets containing new customer deposit charges for the Port LaBelle system. For 5/8 inch x 3/4 inch metered water customers, the new customer deposit charge is \$72.00.

The new charges shall become effective for service rendered on or after the stamped approval date of the tariff sheets, pursuant to Rule 25-30.475(1), Florida Administrative Code.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that General Development Utilities, Inc.'s request to increase customer deposit charges for the Port LaBelle system is hereby approved. It is further

ORDERED that the tariff revisions approved herein shall become effective for service rendered on or after the stamped approval date on the tariff sheets. It is further

ORDERED that the tariff revisions approved herein are interim in nature and shall become final unless a substantially affected person files a petition for a formal proceeding which is received by the Director, Division of Records and Reporting, by the date set forth in the Notice of Further Proceedings or Judicial Review below. It is further

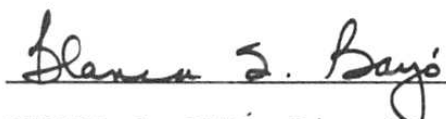
ORDERED that if a timely protest is filed in accordance with the requirements set forth below, this tariff shall remain in

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effect with any increases held subject to refund pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 27th day of April, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CJP

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on May 18, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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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 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 date this Order becomes final, 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.