

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for approval ) DOCKET NO. 951323-WU  
of service availability policy ) ORDER NO. PSC-96-0163-FOF-WU  
in Escambia County by The ) ISSUED: February 6, 1996  
Peoples Water Service Company. )  
\_\_\_\_\_ )

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 CHANGE OF  
SERVICE AVAILABILITY POLICY

BY THE COMMISSION:

The Peoples Water Service Company (Peoples or utility) is a Class A utility providing water service in Escambia County and elsewhere, and headquartered in Towson, Maryland. The Escambia County facility, the Warrington Plant, serves 8,008 residential, 1,893 commercial, government and irrigation customers, and 30 fire systems in Pensacola, Florida.

On August 25, 1992, Order No. PSC-92-0866-FOF-WU was issued approving the utility's application for a grandfather water certificate and establishing the utility's initial rates and charges. According to the 1993 annual report, the utility's annual revenues are \$3,090,689, and its operating income is \$454,776.

On November 7, 1995, the utility filed its application requesting approval to change its service availability policy. The utility stated in its application that it is not proposing a change to the existing service availability charges but proposing the change to more fully explain the utility's service availability policy and procedure.

Section 367.091(5), Florida Statutes, states that the Commission may withhold consent to the operation of any or all portions of new rate schedules, by a vote to that effect within 60 days giving a reason or statement of good cause for withholding that consent. If the Commission does not withhold consent, the proposed tariff may be assumed in effect after 60 days. We have

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-0163-FOF-WU  
DOCKET NO. 951323-WU  
PAGE 2

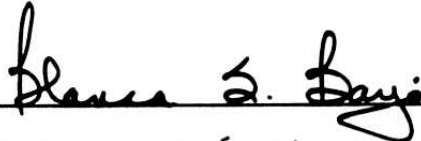
reviewed the filing and have considered the utility's proposal. Pursuant to Section 367.101 (1), Florida Statutes, the Commission shall, upon request or upon its own motion, investigate agreements or proposals for charges and conditions for service availability. Since this utility has filed an extensive proposal regarding the service availability policy, we find it appropriate to suspend the utility's tariff sheets to change or clarify the current policy. We find that this will allow time for further discovery and further review of the utility's service availability policy.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the proposed tariff sheets filed by Peoples Water Service Company, Escambia County, are hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 6th day of February, 1996.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

MTR

ORDER NO. PSC-96-0163-FOF-WU  
DOCKET NO. 951323-WU  
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 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.