

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Disposition of
contributions-in-aid-of-
construction in Pasco County by
Hudson Utilities, Inc. d/b/a
Hudson Bay Company

DOCKET NO. 970559-SU
ORDER NO. PSC-98-1139-FOF-SU
ISSUED: August 24, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER AUTHORIZING CREDIT TO CONTRIBUTIONS-IN-AID-OF-CONSTRUCTION
ACCOUNT FOR UNCLAIMED REFUNDS AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

Hudson Utilities, Inc. d/b/a Hudson Bay Company (Hudson or utility) is a Class B wastewater utility providing service to the public in Pasco County. As of December 31, 1997, the utility served 1,339 wastewater customers. The utility had gross operating revenues of \$793,845, and reported net operating income of \$70,848.

In compliance with Orders Nos. 16971 and 23541, Hudson filed its 1995 annual CIAC report regarding its collection of gross-up for the year. Order No. PSC-97-1349-FOF-SU, issued October 27, 1997, in Docket No. 970559-SU, required the utility to refund a total of \$38,535, plus accrued interest through the date of refund to contributors on a pro rata basis. The refund for 1995 was \$41,028. The utility had six months to complete the refund. The utility has completed the refunds and has a total of \$1,196 in unclaimed refunds; of that total \$746 are outstanding checks as of May 31, 1998 and \$450 are undeliverable refunds. By letter dated June 28, 1998, the utility requested that it be allowed to credit the unclaimed refunds as CIAC. The utility's request to dispose of the unclaimed refunds is the subject of this Order.

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FROM FIELD OFFICE/REPORTING

UNCLAIMED REFUNDS

In accordance with Order No. PSC-97-1349-FOF-SU, Hudson implemented the refund and submitted copies of its refund report to the Commission. By letters dated June 28, 1998, Hudson provided copies of canceled refund checks and/or customer credits reflecting refund amounts. Hudson requested that the CIAC refunds which remain outstanding be treated as cash CIAC. According to Hudson, the unclaimed refund total of \$1,196, includes \$746 in outstanding checks and \$450 in undeliverable refunds.

Although Hudson is already 79 percent contributed, the unclaimed refunds represent only 3 percent of the refunds ordered, and will not materially affect the utility's level of contribution. In similar situations, we have allowed other utilities to credit CIAC accounts with the amount of unclaimed refunds of gross-up on CIAC.

Hudson has provided a list of each individual check, payee and amount remaining unclaimed. Hudson already had most of the addresses in its files, and contacted the United State Post Office for any forwarding addresses. Hudson mailed the refund checks to the last known mailing address of each contributor, and states that the remaining refunds are undeliverable. The utility has exhausted all possible alternatives to locate forwarding addresses for the remaining customers. Therefore, Hudson's request to credit CIAC in the amount of \$1,196 for unclaimed refunds is granted.

However, Hudson shall honor any remaining refund claims submitted to the utility within 90 days following the date of issuance of our order approving the proposal. Each refund made within the 90-day period shall be accompanied by an appropriate reduction to the CIAC account.

CLOSING OF DOCKET

There is no further action to be taken in this docket, and the docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request of Hudson Utilities, Inc., d/b/a Hudson Bay Company, to credit its contributions-in-aid-of-construction account, in the

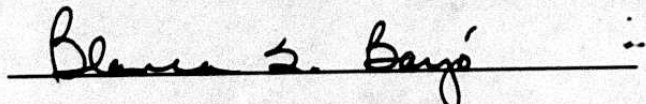
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amount of \$1,196, for unclaimed refunds shall be granted. It is further

ORDERED that Hudson Utilities, Inc., shall honor any remaining refund claims submitted to the utility within 90 days following the date of issuance of our order approving the proposal, and any refund made within the 90-day period shall be accompanied by an appropriate reduction to the contributions-in-aid-of-construction account. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 24th day of August, 1998.



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 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 after the issuance 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.