

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval
of reuse plan in Lake County by
Sun Communities Finance, LLC
d/b/a Water Oak Utility.

DOCKET NO. 010087-WS
ORDER NO. PSC-01-0431-FOF-WS
ISSUED: February 22, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

ORDER GRANTING EXTENSION OF TIME TO FILE REUSE APPLICATION

BY THE COMMISSION:

BACKGROUND

Sun Communities Finance, LLC d/b/a Water Oak Utility (Sun Communities or utility) is a Class B water and wastewater utility located in Lake County. The utility provides water and wastewater service to approximately 745 residential customers and 14 general service customers. The utility was granted Water Certificate No. 454-W and Wastewater Certificate No. 388-S, pursuant to Order No. 16150, issued May 23, 1986, in Docket No. 850517-WS. The utility's rate base was last established pursuant to Order No. PSC-97-0034-FOF-WS, issued January 7, 1997 in Docket No. 960040-WS.

By Order No. PSC-00-1165-PAA-WS, issued June 27, 2000, in Docket No. 990243-WS, we ordered Sun Communities to, among other things,

file a reuse project plan (Plan) pursuant to Section 367.0817, Florida Statutes, within six months of the final order;

file semiannual reports of its conservation program; and
prepare monthly reports detailing the number of bills rendered, the consumption billed and the revenue billed.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

These reports shall be filed, by customer class and meter size, on a quarterly basis for a period of two years, beginning with the first billing period after the approved rates go into effect. The provision of this reporting requirement applies to all customers receiving service.

That Order was consummated by Order No. PSC-00-1301-CO-WS, issued July 19, 2000. Consequently, Sun Communities was required to file its Plan on January 19, 2001.

By letter dated January 16, 2001, the utility filed its Request for Extension of Time to File Reuse Project Plan.

REQUEST FOR EXTENSION OF TIME

Sun Communities has filed a Request for Extension of Time to file its reuse project plan (plan) to June 19, 2001. In support of its Request for Extension of Time, Sun Communities states that although it has been working with its design engineer in attempting to determine the specific type of treatment options available, as well as working with the regulators on what will be required to implement the plan, there have been unforeseen delays in accumulating all of this information. Moreover, the utility is negotiating the sale of the utility, which may make the filing of the plan moot. The utility is also determining the best available alternative for obtaining financing for the project either through related party debt or equity arrangement. There were no other parties involved in the prior docket.

We agree with Sun Communities' rationale for granting an extension of time to June 19, 2001. Granting the extension will give the utility enough time to resolve the possible sale of the utility and time to finalize the plan that it will file, if any. Therefore, we find it appropriate to grant Sun Communities' Request for Extension of Time to June 19, 2001, to file its reuse project plan.

Order No. PSC-00-1165-PAA-WS also required the utility to "defer 23.07% of monthly wastewater billings and include the deferred revenues as a separate line item in its capital structure with a cost rate equal to the thirty-day commercial paper rate.

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Once the utility's reuse project plan is approved, the deferred earnings and accrued interest shall be booked to CIAC." Because the utility has not filed its reuse project plan, the utility shall continue to defer 23.07% of monthly wastewater billings pursuant Order No. PSC-00-1165-PAA-WS.

REPORTING REQUIREMENTS

As discussed above, Order No. PSC-00-1165-PAA-WS required the utility to file semiannual reports of its conservation program and prepare monthly reports detailing the number of bills rendered, the consumption billed and the revenue billed. We required that the monthly reports be filed, by customer class and meter size, on a quarterly basis for a period of two years, beginning with the first billing period after the approved rates go into effect. The provision of this reporting requirement applies to all customers receiving service.

By letter dated January 29, 2001, the utility filed the reports. However, the utility shall continue to comply with all reporting requirements on a going forward basis.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Request for Extension of Time filed by Sun Communities Finance, LLC d/b/a Water Oak Utility is hereby granted. It is further

ORDERED that Sun Communities Finance, LLC d/b/a Water Oak Utility shall continue to defer 23.07% of monthly wastewater billings pursuant Order No. PSC-00-1165-PAA-WS. It is further

ORDERED that Sun Communities Finance, LLC d/b/a Water Oak Utility shall comply with all reporting requirements contained in Order No. PSC-00-1165-PAA-WS on a going forward basis. It is further

ORDERED that this docket shall remain open.

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By ORDER of the Florida Public Service Commission this 22nd
day of February, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JKF

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

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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.