

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase
in service availability charges
for water customers in the Seven
Springs service area in Pasco
County by Aloha Utilities, Inc.

DOCKET NO. 010156-WU
ORDER NO. PSC-01-0829-PCO-WU
ISSUED: March 30, 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 SUSPENDING PROPOSED WATER PLANT CAPACITY CHARGE

BY THE COMMISSION:

BACKGROUND

Aloha Utilities, Inc. (Aloha or utility), is a Class A water and wastewater utility in Pasco County. The utility consists of two distinct service areas, Aloha Gardens and Seven Springs. The utility's service area is located within the Northern Tampa Bay Water Use Caution Area as designated by the Southwest Florida Water Management District (SWFWMD). Critical water supply concerns have been identified by SWFWMD within this area.

On February 1, 2001, the utility filed an application to increase its plant capacity charge for its Seven Springs water system to \$650 per equivalent residential connection (ERC). Aloha filed this request pursuant to Order No. PSC-00-1285-FOF-WS, issued July 14, 2000, in Docket No. 960545-WS. By that Order, we approved a temporary \$500 per ERC charge, subject to refund, pending the filing of the instant application and approval of a final charge.

This Order addresses the suspension of the utility's proposed tariff sheets. We have jurisdiction pursuant to Sections 367.101 and 367.091, Florida Statutes.

SUSPENSION OF WATER PLANT CAPACITY CHARGES

Pursuant to Section 367.091(6), Florida Statutes, the tariff sheets proposed by the utility shall become effective within 60

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days after filing, unless we vote to withhold consent to the request. Further, we 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.

We have reviewed the filing and have considered the utility's proposed charge, and the information filed in support of the application. We believe it is reasonable and necessary to require further amplification and explanation of this data and to require production of corroborative information, if necessary. Our review of the application will include further examination by our staff engineers and rate analysts. Therefore, the proposed tariff sheets to increase the plant capacity charges for the Seven Springs water system shall be suspended pending further investigation.

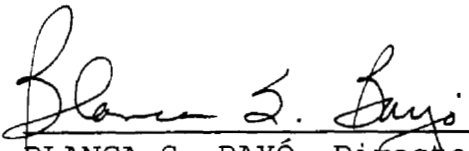
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the final water plant capacity charge proposed by Aloha Utilities, Inc., for its Seven Springs Division is hereby suspended. It is further

ORDERED that Aloha Utilities, Inc., the Seven Springs Division, shall continue to submit monthly reports in accordance with Rule 25-30.360, Florida Administrative Code, and Order No. PSC-00-1285-FOF-WS, in this docket. It is further

ORDERED that this docket shall remain open pending completion of the service availability case.

By ORDER of the Florida Public Service Commission this 30th day of March, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)
RRJ

ORDER NO. PSC-01-0829-PCO-WU
DOCKET NO. 010156-WU
PAGE 3

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 this order, which is intermediate in nature, may request 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. Citizens of the State of Florida v. Mayo, 316 So.2d 262 (Fla. 1975), states that an order on interim rates is not final nor reviewable until a final order is issued. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.