

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval
of pass-through service
availability charge for bulk
wastewater service from City of
Sanford, in Seminole County, by
Utilities, Inc. of Florida.

DOCKET NO. 030602-SU
ORDER NO. PSC-03-1244-TRF-SU
ISSUED: November 5, 2003

The following Commissioners participated in the disposition of
this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

ORDER APPROVING PASS-THROUGH SERVICE AVAILABILITY CHARGE
FOR BULK WASTEWATER SERVICE

BY THE COMMISSION:

BACKGROUND

Utilities, Inc. of Florida (UIF), a wholly-owned subsidiary of
Utilities, Inc., is a Class A utility providing water and
wastewater service to 23 systems in the following counties: Marion,
Orange, Pasco, Pinellas, and Seminole. On July 11, 2003, UIF filed
an application to implement a pass-through service availability
charge of \$2,125, to be collected from new customers of its Ravenna
Park/Lincoln Heights wastewater system in Seminole County. In its
application, UIF states that a new service availability charge is
necessary to recover the impact fee charged to new single
residential connections by the City of Sanford (Sanford or City).
We have jurisdiction to address this application pursuant to
Sections 367.091 and 367.101, Florida Statutes, and we approve the
new charge for the reasons stated below.

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DECISION

In its application, UIF states that the wastewater treatment plant serving its Ravenna Park/Lincoln Heights service area was condemned by the Florida Department of Transportation in 2000. The plant was dismantled in July, 2001. In order to ensure continuous and uninterrupted service for customers in the area, UIF entered into a bulk wastewater agreement with Sanford. The agreement provides that the City will accept and treat wastewater from the service area at designated collection points. The agreement has eliminated the need for UIF to construct a new wastewater treatment plant.

The existing service availability charge of \$570 per equivalent residential connection (ERC) in Seminole County was approved by the Commission by Order No. 7562, issued December 27, 1976, in Docket No. 760421-WS, In Re: Application of Utilities, Inc. of Florida for Certificates to Operate Nine Water and Two Sewer Systems in Seminole County, Florida. According to UIF's current tariff, the charge in Seminole County is labeled a tap-in charge. There is no distinction made for plant capacity or main extension charges. UIF has stated that the current tap-in charge will remain in effect for UIF's future wastewater customers in Seminole County, with the exception of new customers in the Ravenna Park/Lincoln Heights area. Any new collection lines in the Ravenna Park/Lincoln Heights area will be contributed by the developers.

UIF has requested that new connections in the Ravenna Park/Lincoln Heights service area be assessed a wastewater service charge of \$2,125. The initial connection fee of \$2,125 is essentially a plant capacity charge that the City assesses all new residential wastewater connections. UIF submitted a canceled check in the amount of \$510,000, which it paid to the city on June 21, 2001, to connect its 240 existing wastewater customers. UIF recorded this amount as an addition to plant in 2001. UIF has also requested that new customers in the service area be assessed the actual cost of connecting to the collection system. These charges should be in lieu of the current tap-in charge of \$570.

Approval of these charges will allow UIF to collect the initial connection charge of \$2,125 from each new customer and remit the charge to the City. Thus, the connection charge will not be recorded as an addition to Contributions in Aid of Construction (CIAC) for UIF. We believe that it is appropriate to collect the charges only from the customers who directly benefit from the agreement between the utility and the City. The new installation charge at actual cost incurred, and the donation of lines by the developers, will offset UIF's investment as required by Rule 25-30.580, Florida Administrative Code.

The revised tariff sheet, filed on September 24, 2003, properly reflects the revised charges. We approve it with the direction that it shall be implemented on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(2), Florida Administrative Code, provided that no timely protest is filed, and appropriate notice has been made. The notice shall be mailed or hand delivered to all persons in the service area who have filed a written request for service within the past 12 calendar months or who have been provided a written estimate for service within the past 12 calendar months. UIF shall provide proof of the date the notice was given within 10 days after the date of the notice.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Utilities, Inc. of Florida for approval of a pass-through service availability charge for bulk wastewater service from the City of Sanford in Seminole County is approved. It is further

ORDERED that the tariff shall be implemented on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(2), Florida Administrative Code, provided that no timely protest is filed, and appropriate notice has been made. The notice shall be mailed or hand delivered to all persons in the service area who have filed a written request for service within the past 12 calendar months or who have been provided a written estimate for service within the past 12 calendar months. UIF shall provide

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proof of the date the notice was given within 10 days after the date of the notice. It is further

ORDERED that the provisions of this Order shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the Notice of Further Proceedings" attached hereto. If an appropriate petition is timely filed the tariff shall remain in effect, and the applicable charges shall be held subject to refund, pending resolution of the protest. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 5th day of November, 2003.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

MCB

NOTICE OF FURTHER PROCEEDINGS

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 26, 2003.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

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.