

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water rates in Pasco County by Colonial Manor Utility Company. | DOCKET NO. 060540-WU  
ORDER NO. PSC-07-0200-PCO-WU  
ISSUED: March 5, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
MATTHEW M. CARTER II  
KATRINA J. McMURRIAN

ORDER SUSPENDING PROPOSED RATES

BY THE COMMISSION:

Background

Colonial Manor Utility Company (Colonial or utility) is a class C water utility providing service to approximately 713 customers in Pasco County. In its 2005 Annual Report, the utility reported operating revenues of \$165,830 and a net operating loss of \$18,446.

On December 22, 2006, Colonial filed the Application for Rate Increase at issue in the instant docket. After review of the Minimum Filing Requirements (MFRs), our staff determined that the MFRs contained a number of deficiencies that require revisions by the utility. These revisions will not be received until after the statutory 60-day limit to suspend the requested rate increase; therefore, the official filing date has not been established. The utility requested that the application be processed using the Proposed Agency Action (PAA) procedure and did not request interim rates. The test year established for final rates is the projected twelve-month period ended December 31, 2007.

The utility requested final rates designed to generate annual water revenues of \$330,931. This represents a revenue increase of \$160,126 (93.75%).

This Order addresses the suspension of Colonial's requested final rate increase. We have jurisdiction pursuant to Section 367.081, Florida Statutes (F.S.).

Suspension of Proposed Rates

Section 367.081(6), F.S., provides that we may, for good cause, withhold consent to the implementation of the requested rates by a vote to that effect within 60 days after the date the rate request is filed. Further, Section 367.081(8), F.S., permits the proposed rates to go into effect (secured and subject to refund) at the expiration of five months from the official date of filing if: (1) we have not acted upon the requested rate increase; or (2) if our PAA action is protested by a party other than the utility.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Our staff has reviewed the filing and has considered the information filed in support of the rate application and the proposed final rates. Our staff recommends that it is necessary to require that the MFRs be completed, and that there be further investigation of this information, including on-site investigations by staff accountants and engineers. Based on the foregoing, we find that it is appropriate to suspend the utility's proposed rate increase, and the proposed rates are suspended.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed rates of Colonial Manor Utility Company are suspended. It is further

ORDERED that the docket shall remain open pending our final action on the utility's requested rate increase.

By ORDER of the Florida Public Service Commission this 5th day of March, 2007.

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

By:



Ann Cole, Chief  
Bureau of Records

( S E A L )

RRJ

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.

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.

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 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, 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.