

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of amendment to
tariff sheets for miscellaneous service charges
in Polk County by Pinecrest Utilities, LLC.

DOCKET NO. 120290-WU
ORDER NO. PSC-13-0087-PCO-WU
ISSUED: February 14, 2013

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Pinecrest Utilities, LLC. (Pinecrest or Utility) is a Class C water utility serving approximately 128 customers in Polk County. The Utility is located in the Southern Water Use Caution Area of the Southwest Florida Water Management District. However, there are no water use restrictions for the Utility because annual withdrawals are less than 100,000 gallons per day. The Utility's 2011 annual report indicates gross revenues of \$53,354 and net operating loss of \$11,784.

On November 13, 2012, the Utility filed an application for approval of a tariff amendment to charge customers who opt to pay their water bill by debit or credit card. Pinecrest filed the tariff sheet for this request on November 28, 2012. This Order addresses the suspension of Pinecrest's proposed tariff sheet. We have jurisdiction pursuant to Section 367.091(6), Florida Statutes (F.S.).

Pursuant to Section 367.091(6), F.S., we may withhold consent to 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 its consent. We find that the tariff shall be suspended to allow sufficient time to review the application and gather all pertinent information necessary to reach an informed decision concerning the proposed tariff. This reason constitutes good cause to suspend the tariff consistent with the requirements of Section 367.091(6), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Pinecrest Utilities, LLC.'s proposed tariff to establish a charge for customers who opt to pay their water bill by debit or credit card shall be suspended. It is further

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 14th day of February, 2013.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.