

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of an increase to
convenience fees charged to customers, by
Wildwood Water Company.

DOCKET NO. 20170078-WU
ORDER NO. PSC-2017-0438-FOF-WU
ISSUED: November 16, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman
ART GRAHAM
RONALD A. BRISÉ
DONALD J. POLMANN
GARY F. CLARK

ORDER CLOSING DOCKET

BY THE COMMISSION:

Background

Wildwood Water Company (Wildwood or utility) is a Class C water utility providing service to approximately 343 residential service customers in St. Johns County according to its 2016 Annual Report. Wildwood is located in the St. Johns River Water Management District, but outside the water use caution area. This Commission granted Wildwood Water Certificate No. 648-W, effective January 16, 2009.¹

On April 3, 2017, Wildwood filed a letter requesting to increase its convenience charges by \$1.00 to account for an increase in billing services by Automated Billing Services, Inc. (ABS). In addition to verbal conversations with the utility's Vice President, Mr. Gregory Mills, Commission staff indicated to the utility, in a letter dated May 17, 2017, that this request must be filed as a limited proceeding or staff-assisted rate case (SARC) since it would affect the utility's base facility charge (BFC), a monthly recurring rate. Mr. Mills indicated to Commission staff during a phone conversation that he was unaware when he filed his initial request that it would require a limited proceeding or SARC with a filing fee and was not interested in pursuing the utility's original request with either of these proceedings at this time. In addition, the utility also verbally indicated to our staff that it was interested in this Commission evaluate its miscellaneous service charges. Commission staff indicated to the utility that its miscellaneous service charges could be evaluated in a tariff proceeding, in which no filing fee would be required. However, the utility would have to provide its request along with the appropriate cost justification required by Section 367.091, Florida Statutes (F.S.).

¹Order No. PSC-10-0367-PAA-WU, issued June 7, 2010, in Docket No. 100011-WU, In re: Application for grandfather certificate to operate water utility in St. Johns County by Wildwood Water Company.

Commission staff has made numerous attempts to assist the utility with the appropriate proceedings to address the requests for the increased billing fee and miscellaneous service charges. However, the utility has taken no further action to pursue its requests. As provided in the docket file, our staff has attempted to contact the utility via phone, mail, and email. To date, the utility has not filed the request for a limited proceeding or SARC required to process its request to increase its BFC, nor has the utility filed the necessary cost justification required to process its request regarding miscellaneous service charges.

This order addresses the disposition of this docket due to the utility's failure to take any action. We have jurisdiction pursuant to Chapter 367.011, F.S.

Decision

On April 3, 2017, this Commission received a letter from Mr. Gregory Mills, the Vice-President of Wildwood, requesting to increase the convenience fees charged to its customers by \$1.00 in order to cover increased billing services costs. In his letter, Mr. Mills explained that the utility's billing service, ABS, would be increasing its billing service rate by \$1.00 per customer on June 1, 2017. Additionally, Mr. Mills verbally requested that Commission staff evaluate Wildwood's current miscellaneous service charges.

Wildwood's current water rates consist of a BFC of \$34.53 and a four-tier inclining block rate structure based on usage. The utility's current BFC of \$34.53 includes a \$2.50 billing fee for the billing services provided by ABS to the utility.² Additionally, Wildwood's current miscellaneous service charges were established simultaneously with its grandfather certificate.

Commission staff sent a letter to Mr. Mills on May 17, 2017, outlining the utility's options for its requests. In its letter, our staff explained that since the requested \$1.00 increase to its present \$2.50 billing fee would affect the utility's BFC, a monthly recurring rate, the utility would need to file this request as a limited proceeding or SARC and pay the appropriate filing fee. In its letter, Commission staff also addressed the utility's request for its miscellaneous service charges to be evaluated by explaining that they could be evaluated through a tariff proceeding in which no filing fee is required. However, in order for this Commission to evaluate these charges, the utility would need to file cost justification required by Section 367.091, F.S. Commission staff asked the utility to respond to its letter by June 7, 2017, indicating how the utility would like to proceed and a written response was never received. However, the utility verbally expressed to our staff that it was not interested in a limited proceeding or SARC at this time, but, it was still interested in this Commission evaluating its miscellaneous service charges. To date, the utility has not formally requested or provided cost justification for miscellaneous service charges.

As mentioned in the Background, Commission staff has made several attempts to assist the utility with its requests, but the utility has taken no further action. Due to the utility's apparent lack of interest in pursuing its requests, Commission staff issued a letter, dated October

²Order No. PSC-10-0367-PAA-WU, issued June 7, 2010, in Docket No. 100011-WU, In re: Application for grandfather certificate to operate water utility in St. Johns County by Wildwood Water Company.

2, 2017, requesting the utility's permission to close this docket so that the utility could take the appropriate time to reevaluate its filing options. Commission staff does not have the authority to close a docket administratively without the petitioner's consent. Our staff requested a response by October 16, 2017. To date, the utility has not responded. Closing this docket does not prevent the utility from filing a separate request to initiate a new docket for the evaluation of its miscellaneous service charges. Additionally, our decision to close this docket will not prevent the utility from filing a request for a limited proceeding or SARC at a later date. Therefore, we find that this docket shall be closed because no further action is required. No filing fee has been paid by the utility, so no refund is necessary.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 16th day of November, 2017.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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.

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 Office of Commission Clerk, 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 First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, 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.