

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a staff- )  
assisted rate case in Lake County by )  
LAKE UTILITIES, LTD. )  
\_\_\_\_\_ )

DOCKET NO. 900769-WS  
ORDER NO. 24483  
ISSUED: 5/6/91

The following Commissioners participated in the disposition of this matter:

- THOMAS M. BEARD, Chairman
- J. TERRY DEASON
- BETTY EASLEY
- GERALD L. GUNTER

ORDER GRANTING REQUEST FOR WITHDRAWAL

BY THE COMMISSION:

Lake Utilities, Ltd. (utility) is a Class C water and wastewater utility located in Lake County, Florida. The utility serves two subdivisions, Velencia Terrace (Velencia) and Lakeside Terrace (Lakeside), and a commercial area.

On November 16, 1990, the utility filed an application for a staff-assisted rate case. We audited the utility's books and records. This audit showed that the utility had not been charging Lakeside customers the rates approved in the utility's existing tariff. However, Velencia was charged the tariffed rates. The audit further indicated that had the utility applied the tariffed rates, those rates would have generated sufficient revenues for the utility, and, therefore, no rate increase would be needed. After being informed of this, the utility sought to withdraw its request for a staff-assisted rate case by letter dated January 31, 1991.

Based upon our review of this matter, we find that the request for withdrawal should be granted. We instruct the utility that it must charge its tariffed rates to all customers, including those in Lakeside.

We further find that the utility must ensure that all meters for the Lakeside customers are operational no later than June 30, 1991, and commence charging the metered rates to Lakeside

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customers, effective July 1, 1991. Prior to implementing the rates, the utility must notify its customers of the rate change and provide them with notice indicating the reason for the change. The utility is required to meter the Lakeside clubhouse and the utility's wastewater treatment plant within sixty (60) days of this Order. Also, the utility must post signs containing emergency telephone numbers and the name of the owner of the facility at the treatment plant sites and the lift station within sixty (60) days of this Order. Finally, the utility must use the base facility/cubic feet charge as authorized by its 1990 price index and pass-through rate increase which became effective October 19, 1990.

This docket will remain open until the ordered improvements have been verified by staff.

In consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that the request of Lake Utilities, Ltd. for withdrawal of its application for a staff-assisted rate case is hereby granted. It is further

ORDERED that Lake Utilities, Ltd. shall use the base facility/cubic feet charge as authorized by its 1990 price index and pass-through rate increase as set forth in its approved tariff. It is further

ORDERED that Lake Utilities, Ltd. shall have all meters for the Lakeside Terrace mobile home park customers operational no later than June 30, 1991. It is further

ORDERED that pursuant to Section 367.091(3), Florida Statutes, Lake Utilities, Ltd. shall commence charging the Lakeside Terrace mobile home park customers its approved metered rates effective for meters read thirty (30) days on or after July 1, 1991. It is further

ORDERED that Lake Utilities, Ltd. shall meter the Lakeside Terrace mobile home park clubhouse and Lake Utilities, Ltd.'s wastewater treatment plant and satisfactorily complete all other improvements required by this Order within sixty (60) days of the date of this Order. It is further

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ORDERED that prior to its implementation of the rates and charges approved herein, Lake Utilities, Ltd. shall notify the Lakeside Terrace mobile home park customers of the correct rate and explain the reason for the change. It is further

ORDERED that this docket shall remain open until the ordered improvements and changes have been verified by Commission staff. The docket can then be closed administratively.

By ORDER of the Florida Public Service Commission, this 6th day of MAY, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

NRF

by: Kay Dign  
Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 Director, Division of Records and Reporting 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 or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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.