

FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building  
101 East Gaines Street  
Tallahassee, Florida 32399-0850

M E M O R A N D U M

April 8, 1993

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF WATER AND WASTEWATER (CHAPDELAIN) *JDW*  
DIVISION OF LEGAL SERVICES (GOLDEN) *AS*

RE : UTILITY: TRADEWINDS UTILITIES, INC. *ST*  
DOCKET NO. 921260-WS  
COUNTY: MARION  
CASE: APPLICATION FOR CERTIFICATES BY THE RESOLUTION  
TRUST CORPORATION AND AMENDMENT OF CERTIFICATES NOS.  
405-W AND 342-S FOR TRADEWINDS UTILITIES, INC.

AGENDA: APRIL 20, 1993 - CONTROVERSIAL - PROPOSED AGENCY ACTION  
FOR ISSUE ONE, PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

FILE NAME: I:\PSC\WAW\WP\921260.RCM  
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DOCUMENT NUMBER-DATE

03847 APR-83

FPSC-RECORDS/REPORTING

DOCKET NO. 921260-WS  
April 8, 1993

CASE BACKGROUND

Tradewinds Utilities, Inc. (Tradewinds) is a Class C "mom and pop" utility located in Marion County which had two separate systems just a few miles due north of the City of Ocala. The utility served 366 water customers and 257 wastewater customers. The customers served since deletion of territory going to the Resolution Trust Corporation (RTC) and, RTC's contractor/asset manager, Real Estate Recovery, Inc. (RER), is 289 and 162 for water and wastewater, respectively. According to Tradewinds' annual report for calendar year 1991, water revenue was \$63,739 and wastewater revenue was \$73,171. The net operating income was \$7,017 and \$6,631 for water and wastewater, respectively.

A portion of Tradewinds' territory was obtained by RTC as receiver for Miami Savings Bank during October 1991 as a result of a court proceeding in the Fifth Judicial Circuit. The territory is the so called Landfair/Hilltop Manor projects which were acquired by Tradewinds and amended to its territory as approved in Order No. 19688 issued July 19, 1988. A foreclosure proceeding occurred on a loan secured by a mortgage on utility assets and facilities in Landfair/Hilltop. This foreclosure does not affect the other separate systems owned and operated by Tradewinds.

On December 15, 1992, RER applied for certificates to operate water and wastewater systems in Marion County and to delete the same territory to be operated by RER from Certificates Nos. 405-W and 342-S held by Tradewinds. The Commission granted the request, issued Certificates Nos. 552-W and 481-S to RER and deleted territory from Tradewinds territory pursuant to Order No. PSC-93-0368-FOF-WS issued March 3, 1993.

DOCKET NO. 921260-WS  
April 8, 1993

**ISSUE 1:** What is the rate base of Resolution Trust Corporation/Real Estate Recovery and Tradewinds Utilities, Inc. at the time of transfer?

**RECOMMENDATION:** The rate base for Resolution Trust Corporation/Real Estate Recovery, which for transfer purposes reflects the net book value, is \$(13,787) for the water system and \$10,077 for the wastewater system. The rate base for Tradewinds Utilities, Inc., which for transfer purposes reflects the net book value, is \$(32,558) for the water system and \$145,098 for the wastewater system. (CHAPDELAINÉ)

**STAFF ANALYSIS:** According to the application, the net book value of the portions of the water and wastewater systems being transferred as of December 31, 1991 is \$37,360. Rate base was previously established by this Commission in Docket No. 870212-WS, which was a staff assisted rate proceeding. According to Order No. 18312 issued on October 19, 1987 in that docket, Tradewinds' rate base was \$55,526 as of December 31, 1986. Order No. 18312 did not include rate base related items involving the so called Landfair/Hilltop projects. As previously indicated, it is the Landfair/Hilltop projects which are being transferred to RTC/RER in this proceeding. The applicant has provided an asset valuation statement prepared by a certified public accountant (CPA) which was based upon Tradewinds' annual reports for 1990 and 1991.

Staff conducted an audit of the books and records of the utility to determine the rate base (net book value) at the time of transfer.

Staff's calculation of rate base for the RTC is shown on Schedules Nos. 1A and 3A for the water and wastewater systems, respectively, with adjustments to rate base shown on Schedules Nos. 2A and 4A as of December 31, 1991. Likewise, staff's calculation of rate base for the remaining Tradewinds systems is shown on Schedules Nos. 1B and 3B for the water and wastewater systems, respectively, with adjustments to the rate base shown on Schedules Nos. 2B and 4B as of December 31, 1991. Based on the adjustments set forth herein, staff recommends that rate base for RTC be established as \$(13,787) for the water system and \$10,077 for the wastewater system as of December 31, 1991. The rate base remaining for Tradewinds is \$(32,558) for water and \$145,098 for

DOCKET NO. 921260-WS  
April 8, 1993

wastewater as of December 31, 1991. This rate base calculation is used purely to establish the net book value of the property being transferred and does not include the normal ratemaking adjustments of working capital calculations and used and useful adjustments.

The adjustments which were made to the Resolution Trust Corporation rate base components brought the investment transferred into compliance with the data contained in Order No. 18312. The accumulated depreciation and accumulated amortization of CIAC were set equal to each other due to the plants being virtually all donated. The negative rate base for the RTC water system is due to an excess of CIAC collected from the developer in the Landfair/Hilltop development. Whether or not excessive CIAC was collected deliberately was not readily determinable. Staff believes that it is most likely that as property was donated or contributed, a mismatch occurred in booking CIAC and the physical assets received. In any event, the staff rate base represents the value of the investment transferred in terms of utility plant in service and land, CIAC, and accumulated depreciation and amortization.

The rate base of the systems remaining under Tradewinds results from adjustments to properly recognize the CIAC which was erroneously recorded as income, to correct an erroneous general ledger entry regarding accumulated depreciation, and to adjust for booking entries not made pursuant to Order No. 18312. The negative rate base for the water system is due to prepaid CIAC from developers. An unsupported entry for land of \$114,715 was adjusted out of the land account for wastewater.

Due to the transfer of a portion of the original assets to a receiver and no purchase price, per se, no acquisition adjustment is recommended in this proceeding.

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 1A

The Resolution Trust Corporation

SCHEDULE OF WATER RATE BASE

December 31, 1991

<u>DESCRIPTION</u>	<u>BALANCE PER UTILITY</u>	<u>STAFF ADJUSTMENTS</u>	<u>BALANCE PER STAFF</u>
Utility Plant in Service	\$ 111,313	\$(34,888)	\$ 76,425
Land	19,500	0	19,500
Accumulated Depreciation	( 14,983)	2,329	( 12,654)
Contributions-in-aid-of-Construction	(130,813)	21,101	(109,712)
CIAC Amortization	<u>19,497</u>	<u>( 6,843)</u>	<u>12,654</u>
TOTAL	<u>\$ 4,514</u>	<u>\$(18,301)</u>	<u>\$( 13,787)</u>

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 2A

The Resolution Trust Corporation  
SCHEDULE OF WATER RATE BASE ADJUSTMENTS

<u>EXPLANATION</u>	<u>ADJUSTMENT</u>
Utility Plant in Service Adjust to Order No. 18312	\$(34,888)
Accumulated Depreciation Adjust to Rule Rate	\$ 2,329
Contributions-in-aid- of-Construction Adjust to Order No. 18312	\$ 21,101
CIAC Amortization Adjust to Rule Rate	\$( 6,843)

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 3A

The Resolution Trust Corporation  
SCHEDULE OF WASTEWATER RATE BASE

December 31, 1991

<u>DESCRIPTION</u>	<u>BALANCE PER UTILITY</u>	<u>STAFF ADJUSTMENTS</u>	<u>BALANCE PER STAFF</u>
Utility Plant in Service	\$ 122,414	\$(26,925)	\$ 95,489
Land	39,000	0	39,000
Accumulated Depreciation	( 18,322)	5,495	( 12,827)
Contributions-in-aid-of-Construction	(161,414)	37,002	(124,412)
CIAC Amortization	<u>40,033</u>	<u>(27,206)</u>	<u>12,827</u>
TOTAL	<u>\$ 21,711</u>	<u>\$(11,634)</u>	<u>\$ 10,077</u>

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 4A

The Resolution Trust Corporation  
SCHEDULE OF WASTEWATER RATE BASE ADJUSTMENTS

<u>EXPLANATION</u>	<u>ADJUSTMENT</u>
Utility Plant in Service Adjust to Order No. 18312	\$(26,925)
Accumulated Depreciation Adjust to Rule Rate	\$ 5,495
Contributions-in-aid- of-Construction Adjust to Order No. 18312	\$ 37,002
CIAC Amortization Adjust to Rule Rate	\$(27,206)



DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 1B

Tradewinds Utilities, Inc.  
SCHEDULE OF WATER RATE BASE

December 31, 1991

<u>DESCRIPTION</u>	<u>BALANCE PER UTILITY</u>	<u>STAFF ADJUSTMENTS</u>	<u>BALANCE PER STAFF</u>
Utility Plant in Service	\$ 297,407	\$ 34,888	\$ 332,295
Land	20,000	0	20,000
Accumulated Depreciation	( 59,747)	3,229	( 56,518)
Contributions-in-aid-of-Construction	(111,742)	(205,334)	(317,076)
Prepaid CIAC	( 48,045)	0	( 48,045)
CIAC Amortization	<u>35,909</u>	<u>877</u>	<u>36,786</u>
TOTAL	<u>\$ 133,782</u>	<u>\$(166,340)</u>	<u>\$( 32,558)</u>

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 2B

Tradewinds Utilities, Inc.

SCHEDULE OF WATER RATE BASE ADJUSTMENTS

<u>EXPLANATION</u>	<u>ADJUSTMENT</u>
Utility Plant in Service Adjust to Order No. 18312	\$ 34,888
Accumulated Depreciation Correct for error in gen. ledger Adjust to Order No. 18312	\$ 5,098 ( 1,869)
Contributions-in-aid- of-Construction Correct for CIAC rec. as income Adjust to Order No. 18312	\$(184,233) \$( 21,101)
CIAC Amortization Adjust to Order No. 18312	\$ 877

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 3B

Tradewinds Utilities, Inc.

SCHEDULE OF WASTEWATER RATE BASE

December 31, 1991

<u>DESCRIPTION</u>	<u>BALANCE PER UTILITY</u>	<u>STAFF ADJUSTMENTS</u>	<u>BALANCE PER STAFF</u>
Utility Plant in Service	\$ 663,705	\$ 26,925	\$ 690,630
Land	150,716	(114,715)	36,001
Accumulated Depreciation	(123,264)	( 44)	(123,308)
Contributions-in-aid-of-Construction	(157,058)	(258,187)	(415,245)
Prepaid CIAC	(110,901)	0	(110,901)
CIAC Amortization	<u>62,681</u>	<u>5,240</u>	<u>67,921</u>
TOTAL	<u>\$ 485,879</u>	<u>\$(340,781)</u>	<u>\$ 145,098</u>

DOCKET NO. 921260-WS  
April 8, 1993

SCHEDULE NO. 4B

Tradewinds Utilities, Inc.

SCHEDULE OF WASTEWATER RATE BASE ADJUSTMENTS

<u>EXPLANATION</u>	<u>ADJUSTMENT</u>
<b>Utility Plant in Service</b>	
Adjust to Order No. 18312	\$ 26,925
<b>Land</b>	
Reduction due to lack of proof	\$(114,715)
<b>Accumulated Depreciation</b>	
Correct for error in gen. ledger	\$( 3,092)
Adjust to Order No. 18312	3,048
<b>Contributions-in-aid- of-Construction</b>	
Correct for CIAC rec. as income	\$(221,185)
Adjust to Order No. 18312	\$( 37,002)
<b>CIAC Amortization</b>	
Adjust to Order No. 18312	\$ 5,240

DOCKET NO. 921260-WS  
April 8, 1993

**ISSUE 2:** Should the Resolution Trust Corporation adopt and use the rates and charges approved for this utility system?

**RECOMMENDATION:** Yes, the Resolution Trust Corporation should continue charging the rates and charges approved for this utility system. (CHAPDELAINÉ)

**STAFF ANALYSIS:** The utility's approved rates and charges were effective June 19, 1992 pursuant to a 1992 Price Index.

Rule 25-9.044(1), Florida Administrative Code, provides that:

"In cases of change of ownership or control of a utility which places the operation under a different or new utility...the company which will thereafter operate the utility business must adopt and use the rates, classification and regulations of the former operating company (unless authorized to change by the Commission)..."

The Resolution Trust Corporation has not requested a change in the rates and charges of the utility and staff sees no reason to change them at this time. Accordingly, staff recommends that the utility continue operations under the existing tariff and apply the approved rates and charges. The utility has filed a tariff reflecting the transfer of ownership of the Landfair/Hilltop system. Staff will approve the tariff effective for services provided or connections made after the stamped approval date.

DOCKET NO. 921260-WS  
April 8, 1993

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If there is no timely protest to Issue 1.  
(GOLDEN)

STAFF ANALYSIS: If no party furnishes a timely protest to the recommendation contained in issue 1, no further action is required and this docket may be closed.