

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Joanne ) DOCKET NO. 930571-WS  
Friedland against Southern ) ORDER NO. PSC-93-1165-FOF-WS  
States Utilities regarding high ) ISSUED: August 10, 1993  
water bills. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
THOMAS M. BEARD  
SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING ADJUSTMENT TO CUSTOMER ACCOUNT

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On February 22, 1993, Joanne Friedland filed a complaint with this Commission's Division of Consumer Affairs against Southern States Utilities, Inc. (SSU). Mrs. Friedland reported that she had received higher than usual water bills since moving into her new home during the summer of 1992. She stated that she had first complained to SSU on October 12, 1992. She said that after she had received several bills for approximately \$120, she disconnected her sprinkler system. However, she claimed that instead of reducing her bills, she received a bill for approximately \$220. On October 22, 1992, an SSU representative verified the meter reading and checked for leaks, finding none. Mrs. Friedland contacted SSU again on November 23, 1992. The meter was reread and checked for leaks again on November 24, 1992.

On December 8, 1992, Mrs. Friedland requested that a field test be performed on her meter. The test was performed on December 9, 1992. SSU reported that the meter twice "tested over 5 percent fast." SSU was not able to explain why the field test was not more

DOCUMENT NO. 93-108-DATE

08619 AUG 10 93

precise in determining the percentage of meter error. On December 17, 1992, the meter was removed and taken to SSU's facility in Apopka for bench testing. The meter tested at an average of 16 percent fast. SSU has credited the customer's account 16 percent for the period from the inception of the account until the date that the meter was removed for testing. This resulted in a total adjustment of \$53.38 for the overbilling. However, SSU had not reduced the taxes charged. Mrs. Friedland had also asked that the taxes be adjusted. Further, since she believed that something more was wrong with the billing during the month that she received the \$220 bill, she was not satisfied with the adjustment.

Since she was not content with the utility's response to her complaint, Mrs. Friedland filed an informal complaint with our Division of Consumer Affairs. Our staff reviewed the complaint and determined that, after making a further adjustment of \$5.34 to cover taxes, SSU had made the appropriate adjustment to Mrs. Friedland's bill and that no other adjustments were necessary.

Thereafter, Mrs. Friedland requested an informal conference which was held on May 27, 1993. Attending the conference were Richard Durbin from our Division of Consumer Affairs, Mrs. Joanne Friedland, and Mary Ann Szukala and Judy Sweat of SSU. At the conference Mrs. Friedland did not produce any additional information to substantiate her claim that SSU was billing for more water than she was actually consuming.

During the informal conference, Mrs. Friedland said that she had stopped using her sprinkler system in late October 1992 as a result of receiving the high water bills. She also stated that the lawn was being watered manually because the sprinkler system was not in working order. Mrs. Friedland could not be more specific about what was wrong with the sprinkler system. Mrs. Friedland stated that there are no leaks on her side of the meter.

On May 28, 1993, pursuant to our staff's request, SSU provided a consumption history for the previous occupants at Mrs. Friedland's address. We have thoroughly reviewed the billing history for the premises. The final reading for the customer/resident prior to Mrs. Friedland, Mr. Luis Elias, was taken on or about June 12, 1992. His last bill for a full month's service was 109,000 gallons. During the period from June 12, 1992, until Mrs. Friedland opened her account with SSU on July 30, 1992, 122,100 gallons registered on the meter. Since Mrs. Friedland's account was not opened until July 30, it may be assumed that the

ORDER NO. PSC-93-1165-FOF-WS  
DOCKET NO. 930571-WS  
PAGE 3

residence was unoccupied during this time. If that is true, then a water leak may have existed at some point on the customer's side of the water meter.

After the new meter was installed, Mrs. Friedland's water consumption went down substantially for four months. From April 15, 1993, until May 12, 1993, water consumption rose to 34,860 gallons. A further reading was taken on May 25, 1993, which indicated a usage since May 12, 1993, of 17,690 gallons. This is an average of 1,361 gallons per day. If water is consumed at this rate, Mrs. Friedland would use 40,830 gallons in a 30 day period.

Given the water consumption history at this residence and the results of the bench test, SSU shall not be required to make any further adjustment to Mrs. Friedland's bill. Therefore, we find that SSU has adjusted Mrs. Friedland's bill in the appropriate amount and that no further action regarding this complaint is necessary.

We find that it is appropriate to close this docket if no substantially affected person timely files a protest to this proposed agency action Order.

Based on the foregoing it is, therefore,

ORDERED by the Florida Public Service Commission that Southern States Utilities, Inc., has made the appropriate adjustment to Mrs. Joanne Friedland's account by reducing her bills 16 percent, totalling \$53.38, plus \$5.34 for taxes from the date she opened the account until installation of the new meter. It is further

ORDERED that the provisions of this Order are issued as proposed agency action and shall become final unless an appropriate petition is received by the Director of the Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date set forth in the Notice of Further Proceedings or Judicial Review. It is further

ORDERED that, in the event no timely protest is filed, this docket shall be closed.

ORDER NO. PSC-93-1165-FOF-WS  
DOCKET NO. 930571-WS  
PAGE 4

By ORDER of the Florida Public Service Commission this 10th  
day of August, 1993.



---

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

LK

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.


The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 31, 1993.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it

ORDER NO. PSC-93-1165-FOF-WS  
DOCKET NO. 930571-WS  
PAGE 4

By ORDER of the Florida Public Service Commission this 10th  
day of August, 1993.



---

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

LK

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 31, 1993.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it

ORDER NO. PSC-93-1165-FOF-WS  
DOCKET NO. 930571-WS  
PAGE 5

satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.