

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

FILE COPY

In Re: Application for) DOCKET NO. [REDACTED]
 Certificates to Provide Water) FILED:
 and Wastewater Service in)
 Alachua County Under Grandfather)
 Right by TURKEY CREEK, INC. &)
 FAMILY DINER, INC. d/b/a TURKEY)
 CREEK UTILITIES.)

COMMISSION STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-93-1151-PCO-WS, issued August 9, 1993, the Commission Staff (Staff) files its prehearing statement as follows:

A. Witnesses

Staff intends to call JoAnn Chase as a witness. She will testify on the appropriate territory, rates, and charges for the utility in this grandfather certificate proceeding.

B. Exhibits

Staff has identified a list of exhibits which it intends to utilize at hearing. Staff reserves the right to identify additional exhibits at the Prehearing Conference and at hearing for purposes of cross-examination. At this time, Staff has identified the following exhibits.

- ACK _____ 1. JC-1 Map of proposed service territory
- AFA _____ 2. JC-2 Territory Description
- APP _____
- CAF _____ 3. JC-3 Commission approved rates for Turkey Creek Utilities
- CMU _____
- CTR _____ 4. JC-4 Letter from Norwood Hope describing the public fire protection charge as a token fee
- EAG _____
- LEG _____ 5. JC-5 Bill from Turkey Creek Utilities to the Turkey Creek Master Owners Association for public fire protection
- LIN _____
- GFC _____
- RCH _____ 6. JC-6 Recommended Miscellaneous Service Charges
- SEC / _____
- WAS _____
- GTH _____

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7. JC-7 Utility's Service Availability Charges
8. JC-8 Recommended Service Availability Charges
9. JC-9 Corrections to components of meter installation charges
10. JC-10 Utility's application for service

C. Basic Position

Based on the information gathered through discovery and prefiled testimony, it is staff's basic position that the territory to be served by the utility should be the territory being served on June 30, 1992, the date the Public Service Commission received jurisdiction of Alachua County, as well as, the territory which is included in the Development of Regional Impact. It is also staff's position that the utility's rates should be those rates which the utility was charging its customers on June 30, 1992. In addition, staff believes other charges of the utility should be adjusted.

D. Issues of Fact, Law and Policy

The following are issues identified by Staff and its positions on these issues.

ISSUE 1: What territory should be approved for Turkey Creek Utilities in this grandfather proceeding?

POSITION: The territory which should be approved for Turkey Creek Utilities is the territory which it was serving on June 30, 1992, the date the Public Service Commission received jurisdiction of Alachua County, as well as the territory which is included in the Development of Regional Impact.
(Chase)

ISSUE 2: What monthly service rates should be approved for Turkey Creek Utilities in this grandfather proceeding?

POSITION: The appropriate rates for this utility are the rates which the utility was charging its customers on June 30, 1992, the date the Public Service Commission obtained jurisdiction over utilities operating in Alachua County. Any monies collected pursuant to the two unauthorized rate increases after June 30, 1992, should be refunded with interest in accordance with Rule 25-30.360, Florida Administrative Code. (Chase)

ISSUE 3: Should Turkey Creek Utilities be authorized to continue collecting a charge for public fire protection?

POSITION: No, the utility should be directed to discontinue collecting the charge for public fire protection, effective with the 1993 billing. In addition, the utility should not be authorized to discontinue service to the fire hydrants in the event the association does not pay the 1992 bill. (Chase)

ISSUE 4: What are the appropriate Miscellaneous Service Charges?

POSITION: The appropriate Miscellaneous Service Charges for Turkey Creek Utilities are those found in Staff Advisory Bulletin No. 13, 2nd Revised. (Chase)

ISSUE 5: Should Turkey Creek Utilities be required to refund the accrued interest associated with the customer deposit?

POSITION: Yes, staff believes that Turkey Creek Utilities should be required to refund the accrued interest from June 30, 1992, the date of jurisdiction. (Chase)

ISSUE 6: What is an appropriate late fee for Turkey Creek?

POSITION: A \$3.00 late fee is appropriate. (Chase)

ISSUE 7: What are the appropriate Service Availability Charges?

POSITION: The Service Availability Charges for Turkey Creek Utilities should be based on ERC's, not meter size. Therefore, the appropriate Service Availability Charges for Turkey Creek are \$380 per ERC for water and \$440 per ERC for wastewater. In addition, the utility's current meter installation charge should be broken into two charges: a meter installation fee based on meter size and a customer connection charge based on the cost of connecting to the utility's main. (Chase)

ISSUE 8: Should the utility be required to meter its unmetered irrigation locations?

POSITION: Yes, if a customer desires to continue receiving irrigation service, the utility should be required to install the size meter requested by the customer at the unmetered irrigation locations and begin charging the tariffed rates. Also, that customer should be required to pay the appropriate meter installation fee. (Chase)

ISSUE 9: Should the utility be required to replace the 1 inch meters installed at the residential homesites with 5/8" x 3/4" meters?

POSITION: Yes, the utility should either replace 1 inch meters with 5/8" x 3/4" meters at no cost to the customer or begin charging the rates for the 5/8" x 3/4" meter. (Chase)

ISSUE 10: Should the utility be required to revise its standard form for application for service?

POSITION: Yes, the utility should be required to modify its application for service to remove requirements placed upon customers which exceed the Commission's rules. (Chase)

ISSUE 11: Should an escrow account be established to insure that funds are available for a refund to customers if a refund is required by the Commission's final decision?

POSITION: Yes, \$75,000 of the proceeds of the sale of the utility to the City of Alachua should be escrowed to insure that funds are available for a refund to customers if a refund is required by the Commission's final decision. (Chase)

E. Stipulated Issues

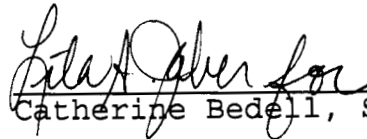
There are no issues that have been stipulated at this time.

F. Pending Matters

There are no matters pending at this time.

G. Requirements That Cannot Be Complied With

There are no requirements of Order No. PSC-93-1151-PCO-WS that cannot be complied with at this time.



Catherine Bedell, Senior Attorney

FLORIDA PUBLIC SERVICE COMMISSION
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Commission Staff's Prehearing Statement has been furnished to Turkey Creek Utilities, c/o **John Wharton, Esquire**, Rose Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida, 32301, and **Stephen Reilly, Esquire**, Office of Public Counsel, Claude Pepper Building, Room 812, 111 W. Madison Street, Tallahassee, Florida, 32399-1400, by hand delivery, and to **Peter Enwall, Esquire**, P.O. Box 23879, Gainesville, Florida, 32602, by U.S. Mail, this 13th day of October, 1993.

Catherine Bedell for
 Catherine Bedell Senior Attorney

FLORIDA PUBLIC SERVICE COMMISSION
 101 East Gaines Street
 Tallahassee, Florida 32399-0863
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