

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation Into the ) DOCKET NO. 930880-WS  
Appropriate Rate Structure for ) ORDER NO. PSC-94-1123A-FOF-WS  
SOUTHERN STATES UTILITIES, INC. ) ISSUED: 09/27/94  
for all Regulated Systems in )  
Bradford, Brevard, Citrus, Clay, )  
Collier, Duval, Hernando, )  
Highlands, Lake, Lee/Charlotte, )  
Marion, Martin, Nassau, Orange, )  
Osceola, Pasco, Putnam, )  
Seminole, St. Johns, St. Lucie, )  
Volusia, and Washington )  
Counties. )

AMENDATORY ORDER

By Order No. PSC-94-1123-FOF-WS, issued September 13, 1994, this Commission determined the appropriate rate structure for Southern States Utilities, Inc., for all regulated systems in Bradford, Brevard, Citrus, Clay, Collier, Duval, Hernando, Highlands, Lake, Lee/Charlotte, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties. Additionally, the Commission established a bulk rate for Hernando County. Chairman Deason dissented in this decision. However, in error, Order No. PSC-94-1123-FOF-WS incorporated a draft version of the Chairman's dissent. Therefore, Order No. 94-1123-FOF-WS is hereby amended to include the dissent set forth below. Order No. PSC-94-1123-FOF-WS is reaffirmed in all other respects.

I dissent from the Commission's decision to continue with the uniform rate structure that was established in Docket No. 920199-WS. Although I do not believe that the uniform rate concept generates a customer bill that is inherently unreasonable, I have serious concerns that a "flash cut" to this rate structure ignores material historical inequities.

We undertook a lengthy hearing process that sought the input of a wide range of customers on the impact various rate proposals would have on them. I would concede that there was a significant body of customer testimony supporting the retention of the uniform rate. Likewise there was competent expert testimony that advanced valid factual and policy support for the uniform rate. I recognize this and respect the decision of my fellow Commissioners to continue with the current rate structure.

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Nevertheless, I feel compelled to state for the record that I feel that as a matter of sound regulatory policy our decision was wrong. I was more persuaded by an equally significant body of customer testimony that historical factors such as CIAC levels should not be easily brushed aside for the sake of the administrative conveniences associated with a uniform rate. Although I acknowledge that there are substantial burden sharing benefits associated with a consolidated, large utility with a uniform rate structure, I believe that those benefits could be more equitably achieved on a prospective basis.

On the record of this case I would have supported adoption of the "capped stand alone rate" developed by the staff. I believe that this rate would have achieved a reasonable balance among the various policies advanced by the parties to this case. The significant benefits (lower rate case expense, cost sharing of environmental mandates, etc.) of a unified utility could be recognized without ignoring material historical differences. I believe that this approach would have been more fair to all customers.

Based on the foregoing, it is therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-94-1123-POF-WS, is hereby amended to include the dissent set forth above. It is further

ORDERED that Order No. PSC-94-1123-POF-WS is hereby affirmed in all other respects.

By ORDER of the Florida Public Service Commission, this 27th day of September, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )  
LAJ