

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 941187-WU  
revised tariff sheets to provide ) ORDER NO. PSC-94-1589-FOF-WU  
for after-hours violation ) ISSUED: December 22, 1994  
reconnection charges in Duval )  
County by BEAUCLERC UTILITIES )  
COMPANY )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER DENYING OCTOBER 17, 1994, TARIFF  
AND  
APPROVING NOVEMBER 7, 1994, TARIFF

BY THE COMMISSION:

Beauclerc Utilities Company (utility) is a Class B utility providing water and wastewater service to 1,469 customers in Duval County. The utility is not in a critical use area. The utility has reported operating revenues of \$309,166 and \$401,064 for its respective water and wastewater systems, and a net income of \$107,991 for 1993.

On October 17, 1994, pursuant to Section 367.091, Florida Statutes, and Rule 25-30.135, Florida Administrative Code, the utility filed a request for approval of its revised tariff sheets to include a new \$25.00 charge for after-hours violation reconnection. Pursuant to Section 367.091, Florida Statutes, and Rule 25-30.135, Florida Administrative Code, the Commission Staff asked the utility to submit a cost justification supporting the additional costs. On November 7, 1994, the utility submitted the appropriate cost justification plus a second set of revised tariff sheets containing the new \$17.30 after-hours violation reconnection charge, which conforms to the cost justification.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

We have reviewed the utility's cost justification and have determined that it substantiates the increased charge proposed in the November 7, 1994, revised tariff pages. The proposed charge of \$17.30 is only slightly higher than the utility's current violation reconnection charge of \$15.00. The \$2.30 difference allows the utility to recover its additional overtime costs caused by having employees work extra hours to accommodate the customers.

In consideration of the foregoing, we hereby approve the November 7, 1994, revised tariff sheets and deny the October 17, 1994, revised tariff sheets. Pursuant to Rule 25-30.475, Florida Administrative Code, the new charges shall be effective for service rendered on or after the stamped approval date. The utility shall not implement the new charges until the customers receive proper notice of the new charges. The utility shall provide proof that the customers have received notice within ten days of the date of the notice.

Finally, substantially affected persons shall have 21 days from the date of this Order to request a hearing. If we do not receive any timely objections to the tariffs, no further action will be required and the docket shall be closed. However, in the event that we receive a timely protest, the tariffs shall remain in effect and the additional revenues held subject to refund pending the resolution of the protest. If no timely protest is filed, our actions approving the tariff shall become final.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Beauclerc Utilities Company's November 7, 1994, revised tariff sheets adding a \$17.30 charge for after-hours violation reconnections are hereby approved. It is further

ORDERED that Beauclerc Utilities Company's October 17, 1994, revised tariff sheets adding a \$25.00 charge for after-hours violation reconnections are hereby denied. It is further

ORDERED that, once the customers receive proper notice, the approved charges shall become effective for service rendered on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. It is further

ORDERED that Beauclerc Utilities Company shall provide proof that it has provided notice to its customers within ten days following the date of the notice. It is further

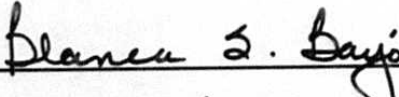
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ORDERED that substantially affected persons shall have 21 days from the date of this Order to request a hearing on approval of the above tariffs. It is further

ORDERED that if a timely protest to the tariffs is filed, the tariffs shall remain in effect and the additional revenues held subject to refund pending the resolution of the protest. It is further

ORDERED that, upon expiration of the protest period, if no protest has been received, the Commission's action approving the tariff will be final, and the docket shall be closed.

By ORDER of the Florida Public Service Commission, this 22nd day of December, 1994.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

ELS



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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 12, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final 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 date this Order becomes final, 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.