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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Application for rate increase for Orange-)
Osceola Utilities, Inc. in Osceola County,)
and in Bradford, Brevard, Charlotte, Citrus, Clay,)
Collier, Duval, Highlands, Lake, Lee, Marion,)
Martin, Nassau, Orange, Osceola, Pasco, Putnam,)
Seminole, St. Johns, St. Lucie, Volusia, and)
Washington Counties, by Southern States)
Utilities, Inc.)

DOCKET NO. 950495-WS
FILED: August 8, 1995

ORIGINAL
FILE COPY

PETITION OF SPRING HILL CIVIC
ASSOCIATION, INC. FOR FULL COMMISSION REVIEW
OF ORDER ESTABLISHING SERVICE HEARING
SCHEDULE AND REQUIRING NOTICE

The Spring Hill Civic Association, Inc., by and through its undersigned attorney, pursuant to Rule 25-22.038(2), Florida Administrative Code, moves the full commission to review Order No. PSC-95-0829-PCO-WS Order Establishing Service Hearing Schedule and Requiring Notice and to reschedule the customer service hearings scheduled therein until such later date as will allow all customers time to adequately familiarize themselves with Southern States Utilities, Inc.'s ("SSU") rate filing, MFR's and rate case synopsis and prepare objections for presentation to the commissioners at the scheduled "customer service" hearings. In support thereof Spring Hill Civic

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AFA Association, Inc. states:

APP _____

1. On June 28, 1995 SSU filed and an application for increased water and wastewater

CAF _____

CMU _____ rates, allowance for funds prudently invested, and service availability charges. The application is

CTR _____

massive, involving in excess of 130 separate water and wastewater systems in numerous counties,

EAG _____

LEG and apparently comprising some 25,000 pages or more of petition, testimony and data. In

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OPC _____ addition to involving multiple systems, the application apparently requests interim rates based

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OFFICE OF RECORDS

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FPSC-RECORDS/REPORTING

upon a projected test year, a rate structure involving the highly controversial and unlawful concept of uniform rates and other unusual or controversial issues to include weather normalization, price elasticity, a conservation adjustment clause, reuse issues, zero bills adjustment, and others. The initial application did not include SSU's Spring Hill water and wastewater plants located Hernando County. However, based upon a PSC vote taken August 1, 1995, SSU, on August 2, 1995, filed an amended rate petition including its systems owned and operated in three additional counties: Hernando, Hillsborough, and Polk. This new filing, which includes SSU's Spring Hill water and wastewater plants, is necessarily larger and more complex than the initial rate petition.

2. Based on a telephone conversation with Chuck Hill, Director of Water and Wastewater, on the morning of August 8, 1995, the undersigned was told that SSU's amended petition had not yet been found sufficient and, therefore, SSU had not yet received an "official filing date."

3. Rule 25-22.0407(3), Florida administrative Code provides that within 30 days after the official date of filing established by the commission, the utility shall place a copy of the rate petition and the MFR's at its business office within each service area, or the main county library if it does not have a business office within a given service area. Generally, Rule 25-22.0407, Florida Administrative Code, provides that the utility shall also, within 30 days of the official filing date, provide a copy of its "rate case synopsis" at all locations where copies of the petition and MFR's were placed as well as provide copies of the rate case synopsis to the chief executive officer of each concerned municipality and county. Subsection (5)(a) of the same rule provides that within 50 days of the official date of filing the utility shall provide, in writing, an initial customer notice

to all customers within the service area and prescribes specific and detailed information to be included in the notice.

4. Morty Miller, President of the Spring Hill Civic Association, Inc., advised the undersigned that as of the morning of August 8, 1995, there was not a copy of SSU's amended petition, testimony and full MFR's available to the public at the Hernando County Public Library as required by PSC rule. The absence of these materials appears understandable since SSU has not yet received its official filing date. Likewise, SSU has not yet met the rule requirements for filing its rate case synopsis or the initial written customer notice.

5. Without the full SSU rate petition, testimony and MFR's, and rate case synopsis, none of the customers substantially affected by this proceeding, including the members of the Spring Hill Civic Association, Inc., can begin to understand how substantially affected they are by the rate filing and service availability request. Consequently, they can neither begin to defend themselves from the utility and PSC staff, nor communicate to the PSC their objections to the filing. Spring Hill Civic Association, Inc. contends that even if the required information were available to it and its members today, which it is not, there would be inadequate time to properly prepare for presentations at the customer service hearings currently scheduled to be held in Hernando County on September 11, 1995.¹

6. The members of the Spring Hill Civic Association, Inc. must be allowed adequate time to properly examine the complete filing and testimony, ascertain the affects on them and

¹ The undersigned has been advised by PSC staff counsel Maggie O'Sullivan that the customers service hearings currently scheduled by order to be held during the month of August, 1995 will be canceled and rescheduled. However, Ms. O'Sullivan advises that the customer service hearing for Hernando County will be scheduled for September 11, 1995.

prepare meaningful comments for presentation at the customer service hearing before the PSC.²

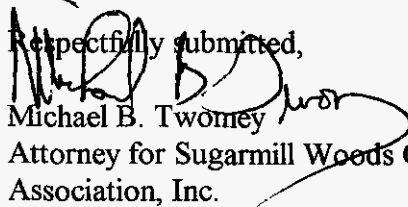
There is little more than four weeks from today's date until September 11, 1995 and the required SSU materials are not yet available for customer inspection.

7. If the customer service hearings to be held by the PSC are to be meaningful in any sense the affected customers must have reasonable and timely access to the utility's complete rate filing and the opportunity to examine the same. The PSC's rules provide for the timely, sequential distribution of such information by the utility after the utility has received its official filing date. It is not unreasonable under the circumstances that SSU has not fulfilled the rule requirements in this regard. In short, the time for the utility meeting these requirements has not yet begun to run.

8. The problem presented the customers is the PSC's haste in scheduling the service hearings before the customers can possibly examine the documents and information they are entitled by PSC rule to review. If the service hearings are not to be rendered a meaningless sham and total waste of customers' time and money, the PSC must reset the hearings until such later dates as will allow the customers to both review the complete rate filing and meaningfully examine the same. Such a time, at a minimum, is 60 full days after SSU has met the rule requirements by placing its complete filing in the Hernando County Public Library.

² Contrary to Chuck Hill's comment at the August 1, 1995 Agenda Conference, the customer service hearings are not merely an opportunity for customers to grouse about the quality of water and wastewater service they are receiving. Aside from the renewed attempt at "stealing" the CIAC of Spring Hill Civic Association, Inc. members through the renewed request for uniform rates, SSU's amended petition contains a number of new and highly controversial factors that require extensive examination. All SSU customers deserve and, indeed, are legally entitled to, adequate time to examine the complete utility filing, as well as the opportunity to address those issues at the customer hearings held in the local service areas. Anyone entertaining the notion that the customer service hearings are merely an opportunity for customers to "vent" quality of service complaints and voice generalized price objections would be well advised to avoid expressing that notion or otherwise suffer the political opportunity of defending them.

WHEREFORE, Spring Hill Civic Association, Inc. requests that the full commission review the Order Establishing Service Hearing Schedule and Requiring Notice and reschedule the customer service hearings to begin not sooner than 60 full days after SSU's full rate filing and MFR's have been received by the local business office or main county library in each service area.

Respectfully submitted,

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Association, Inc.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by U.S.

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