



# Public Service Commission

**-M-E-M-O-R-A-N-D-U-M-**

*J.K.*  
*1/24/97*

**DATE:** February 21, 1997

**TO:** Chairman Julia L. Johnson

**FROM:** Rosanne G. Capeless, Senior Attorney, Division of Legal Services *RBC*  
 Robert J. Casey, Regulatory Analyst III, Division of Water and Wastewater *RJC*  
 Stanley D. Rieger, Utility Systems/Communications Engineer, Division of Water and Wastewater *SR*

**RE:** Docket No. 960984-SU - Investigation of possible overearnings in Volusia County by North Peninsula Utilities Corporation.

By this memorandum, we are requesting to place the attached recommendation on the March 4, 1997, agenda conference, as an emergency item. We have discovered an error in the calculation of a used and useful percentage contained in the staff recommendation which the Commission approved by proposed agency action in this docket at the February 18, 1997, agenda conference. By the attached recommendation, we seek to correct that error.

At the February 18, 1997, agenda conference, the Commission voted to, among other things, require North Peninsula Utilities Corporation to refund certain price index and pass-through rate adjustments. In accordance with Section 367.081(4)(d), Florida Statutes, the Commission's allotted term for ordering those refunds is July 23, 1997. We are requesting that the attached recommendation be added to the next agenda as an emergency item so that if the proposed action is protested, there will be time for the Commission to take final action by that critical date. Moreover, if the Commission agrees that the error occurred and should be corrected, we will be able to timely issue one order incorporating the correction and otherwise memorializing the Commission's decision of March 4, 1997.

Thank you for your consideration of this request.

*Y/11/97*  
*2/24/97*

RGC/mw

Attachment

cc: William D. Talbott, Executive Director  
 Dr. Mary A. Bane, Deputy Executive Director/Technical  
 Blanca Bayo, Director, Division of Records and Reporting

**Public Service Commission** REPORTING**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** February 21, 1997  
**TO:** Commissioner J. Terry Deason, Prehearing Officer  
**FROM:** Rosanne G. Capeless, Senior Attorney, Division of Legal Services *RG*  
**RE:** Docket No. ~~960984~~-SU - Investigation of possible overearnings in Volusia County by North Peninsula Utilities Corporation.

---

By proposed agency action on February 18, 1997, the Commission voted to, among other things, require North Peninsula Utilities Corporation to refund certain price index and pass-through rate adjustments. In accordance with Section 367.081(4)(d), Florida Statutes, the Commission's allotted term for ordering those refunds is July 23, 1997. Therefore, in the event that the Commission's decision is protested, we would like to request that the Chairman:

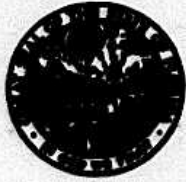
- 1) reschedule the prehearing conference from September 30, 1997, to May 12, 1997, and
- 2) reschedule the formal hearing from October 16 - 17, 1997, to May 21 - 22, 1997.

I have attached a memo from you to Chairman Johnson requesting rescheduling of the prehearing conference and formal hearing. If you have any questions, please call me. Thank you.

RGC/mw

Attachment

cc: Division of Water and Wastewater (Bethea, Casey, Rieger)  
Division of Records and Reporting  
Nanette Fisher



## Public Service Commission

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** February 21, 1997  
**TO:** Chairman Julia L. Johnson  
**FROM:** Commissioner J. Terry Deason, Prehearing Officer  
**RE:** Docket No. 960984-SU - Investigation of possible overearnings in Volusia County by North Peninsula Utilities Corporation.

---

By proposed agency action on February 18, 1997, the Commission voted to, among other things, require North Peninsula Utilities Corporation to refund certain price index and pass-through rate adjustments. In accordance with Section 367.081(4)(d), Florida Statutes, the Commission's allotted term for ordering those refunds is July 23, 1997. Therefore, in the event that the Commission's decision is protested, please:

- 1) reschedule the prehearing conference from September 30, 1997, to May 12, 1997, and
- 2) reschedule the formal hearing from October 16 - 17, 1997, to May 21 - 22, 1997.

Thank you.

cc: Division of Water and Wastewater (Bethea, Casey, Rieger)  
Division of Records and Reporting  
Nanette Fisher