

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Complaint of)
The Christian and Missionary)
Alliance Foundation, Inc., d/b/a)
Shell Point Village against)
Florida Cities Water Company)
regarding service availability)
charges.)

DOCKET NO. 970027-WS

SUPPLEMENTAL INFORMATION BY
CHRISTIAN MISSIONARY ALLIANCE FOUNDATION, INC.

The Christian and Missionary Alliance Foundation, Inc. d/b/a Shell Point Village ("Foundation"), by and through its undersigned attorneys, files this supplemental information to its Complaint against Florida Cities Water Company ("FCWC") filed in this docket.

1. In FCWC's Answer to the Foundation's Complaint, it states without explanation that the Foundation owes FCWC for 161.6 ERCs. FCWC had previously advised the Foundation that service availability charges were due on 123.2 ERCs. See Exhibit "A" attached hereto. This amount does not take into consideration that 7 units at Sundial were demolished in order to construct the new 40 unit

building, thus the net charge is only 33 units. However, FCWC's methodology, based on the ERC fiction instead of reality, will result in an over collection of CIAC by the magnitude of two.

2. In 1967, when the Foundation began construction of Shell Point Village, the Foundation entered into an agreement with Florida Cities Water Company to provide water service to Shell Point Village. At that time, there was a fee paid to Florida Cities which was to be recovered after a certain level of usage was attained. This arrangement applied to all of the Foundation's

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garden court apartments and never came into question until after the Public Service Commission entered Order No. 5822 on August 8, 1973 which authorized FCWC to collect \$250 per multiple dwelling unit for plant capacity charges. The only units constructed at Shell Point Village after that time were the 210 units constructed in 1975 and 1976 and were paid for as a result of the previous ruling, 40 units in King's Crown which were constructed and paid for in 1986 and the 97 net units currently constructed. Therefore, the only units in question are the 97 net units from Harbor Court and Sundial. (Sundial is actually 40 units; however, in order to construct the building, the Foundation demolished a building that contained 7 units for which service availability charges had already been paid).

Respectfully submitted on this
16th day of April, 1997, by:

ROSE, SUNDBSTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(904) 877-6555

By:


MARTIN S. FRIEDMAN
For the Firm

shellpoint\supplemental

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to B. Kenneth Gatlin, Esquire, Gatlin, Schiefelbein & Cowdery, P.A., 1709-D Mahan Drive, Tallahassee, Florida 32308 this 16th day of April, 1997.


MARTIN S. FRIEDMAN

FLORIDA CITIES WATER COMPANY

WATER AND/OR WASTEWATER ESTIMATE REQUEST

TO BE COMPLETED BY CUSTOMER: (include Plot or Site Plan)

READ BEFORE COMPLETION

1. If Commercial Service, give estimated consumption, fully describe type of business, i.e. number of seats for restaurant, etc. If Condominium/Apartment Complex, indicate Master Meter or Individual Meters.
2. Customer agrees to take water and/or wastewater service from Florida Cities Water Company in accordance with the appropriate rate schedule and in accordance with Company Rules and Regulations, or any superseding rate schedule and/or Rules and Regulations.
3. Service Agreement and/or Customer Request for New Service must be executed and all appropriate fees shall be paid prior to commitment by the Company.
4. Company approved, inspected and certified backflow prevention device must be furnished and installed by Customer prior to meter installation.
5. Sewer Service Connection must be inspected by Company.
6. Company approved & inspected water service and/or meter vault must be furnished and installed by Customer in vehicular travel areas.
7. Fees are calculated on an estimated usage. The Company reserves the right to evaluate actual usage after one year and to adjust the fees accordingly.

PROJECT NAME
ADDRESS

Shell Point Village - additional ERC's
15000 Shell Point Boulevard
Fort Myers FL 33908

BLOCK _____ LOTS _____ PROPERTY FRONT FOOTAGE _____
(Remaining Property Measurements)

Total multifamily units
Kings Crown 20
Harbor Court 64
Sundial 40

SERVICE CLASS
Residential
Commercial (Gen. Service)
Condominium/Apartment (Gen. Service)
Other

NUMBER OF UNITS	
WATER	WASTEWATER
_____	_____
<u>123.2</u>	_____
_____	_____

$104 \times 0.8 = 83.2 + 40 = 123.2$

METER SIZE REQUESTED _____ IF FIRE LINE REQUESTED, STATE SIZE _____ (inches)
NUMBER OF METERS REQUESTED _____ DATE _____

COMMENTS _____ CUSTOMER SIGNATURE _____
MAILING ADDRESS Shell Point Village
15000 Shell Point Blvd.
PHONE Fort Myers FL 33908
(941) - 466-1111

TO BE COMPLETED BY COMPANY:

CUSTOMER CHARGES

	WATER	WASTEWATER	TOTAL
CAPACITY FEE Units <u>123.2</u> (ERU)	\$ <u>77,000</u>	\$ _____	\$ <u>77,000</u>
EXTENSION FEE	\$ _____	\$ _____	\$ _____
PROCESSING FEE	\$ _____	\$ _____	\$ _____
TAX	\$ _____	\$ _____	\$ _____
EXCESS CAPACITY CHG. <u>123.2</u>	\$ <u>28,425.94</u>	\$ _____	\$ <u>28,425.94</u>
TOTAL	\$ <u>105,425.94</u>	\$ _____	\$ <u>105,425.94</u>

COMMENTS _____

ESTIMATED BY Shay Key



DATE 10/23/96