

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval
to implement monthly late
payment charge on delinquent
accounts in Highlands County by
Highlands Utilities Corporation.

DOCKET NO. 971471-SU
ORDER NO. PSC-98-0142-PCO-SU
ISSUED: January 26, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS
JOE GARCIA

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Highlands Utilities Corporation (Highlands or utility) is a
Class B wastewater utility that provides wastewater services to
approximately 1,274 customers in Highlands County. According to
its 1996 annual report, for the calendar year ending December 31,
1996, the utility recorded revenues of \$505,532 and expenses of
\$500,080, resulting in the net income of \$5,452.

On November 7, 1997, the utility filed an application
requesting the approval of a \$5.00 late payment charge in order to
meet the costs associated with carrying and collecting past due
accounts. Section 367.091(5), Florida Statutes, authorizes the
utility to establish, increase, or change a rate or charge other
than monthly rates for service or service availability charges.
However, an application filed must be accompanied by cost
justification. Highlands has not submitted a cost justification,
pursuant to Section 367.091(5), Florida Statutes.

Pursuant to Section 367.091(5), Florida Statutes, the tariff
sheets proposed by the utility shall become effective within sixty
days after filing, unless the Commission votes to withhold consent
to implementation of the request. We have considered the proposed
late payment charge and the information filed in support of the

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application. Upon consideration, we find it necessary to require further amplification and explanation of this request. Therefore, we find it appropriate to suspend Highlands Utilities Corporation's proposed tariff to implement a \$5.00 late payment charge.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Highlands Utilities Corporation's tariff filing to implement a monthly late payment charge of \$5.00 be suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 26th day of January, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

SRF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.