

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Marion Utilities, Inc. for approval of revised service availability charges for Spruce Creek service area and new service availability policy for water division in Marion County.

DOCKET NO. 981243-WU
ORDER NO. PSC-98-1562-PCO-WU
ISSUED: November 23, 1998

The following Commissioners participated in the disposition of this matter:

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

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

BACKGROUND

Marion Utilities, Inc. (Marion or utility) is a Class A utility providing water and wastewater service for approximately 4,382 water and 118 wastewater equivalent residential connections (ERCs) in Marion County. According to its 1997 annual report for the twelve months ending December 31, 1997, the utility recorded operating revenues of \$963,249 and \$21,311 for water and wastewater, respectively. The utility's service areas are located in the St. Johns River Water Management District Water Conservation Area as designated by the Governing Board of the Water Management District.

On September 30, 1998, the utility filed this application for approval of revised service availability charges for its Spruce Creek service area and new service availability policy for its water division. The utility's present service availability fees for its Spruce Creek service area were established in Order No. 25563, issued January 21, 1992.

DOCUMENT NUMBER-DATE

13196 NOV 23 88

FPSC-RECORDS/REPORTING

ORDER NO. PSC-98-1562-PCO-WU
DOCKET NO. 981243-WU
PAGE 2

SUSPENSION

Pursuant to Section 367.091(5), Florida Statutes, the tariff sheets proposed by the utility shall become effective within 60 days after filing, unless the Commission votes to withhold consent of the request.

Section 367.091(5), Florida Statutes, states that the Commission may withhold consent to the operation of any or all portions of new rate schedules, by a vote to that effect within 60 days giving a reason or statement of good cause for withholding that consent. If the Commission does not withhold consent, the proposed tariff may be assumed in effect after 60 days.

In the instant case, the utility has requested the following changes in its service availability fees for Spruce Creek service area. The first of which is the extinguishment of its system capacity charge of \$445 per ERC. Second, the utility proposes the prospective commencement of a plant capacity charge and a main installation charge which are \$150 and \$500, respectfully, for residential per ERC (554 gallons per day) and \$.4286 and \$1.4286, respectfully, for all others per gallon. With regard to meter installation fees, the utility requests an increase from \$100 to \$210 for each 5/8 x 3/4-inch meter, an increase from \$130 to \$247 for each 1-inch meter, and an increase from \$180 to \$427 for each 1 1/2-inch meter. No other service availability charges have been requested.

We have reviewed the filing and considered the utility's proposed charges, and the information filed in support of the application. We believe it is reasonable and necessary to require further amplification and explanation of this data and to require production of corroborative information, if necessary. Our review of the application will include further examination by our staff engineers and rate analysts. Therefore, we hereby find that the proposed tariff sheets to revise the utility's service availability charges for its Spruce Creek service area and to implement a new service availability policy for its water division be suspended pending further discovery by our staff.

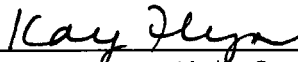
Based on the foregoing, it is, therefore

ORDERED by the Florida Public Service Commission that the service availability charges proposed by Marion Utilities, Inc.,

ORDER NO. PSC-98-1562-PCO-WU
DOCKET NO. 981243-WU
PAGE 3

are hereby suspended pursuant to Section 367.091(5), Florida Statutes, pending further Order of the Commission.

By ORDER of the Florida Public Service Commission this 23rd day of November, 1998.



KAY FLYNN, Chief
Bureau of Records

(S E A L)

CF

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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

ORDER NO. PSC-98-1562-PCO-WU
DOCKET NO. 981243-WU
PAGE 4

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.

M E M O R A N D U M

November ²⁶ 17, 1998

RECEIVED-PPSC

98 NOV 20 PM 3:24

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FERGUSON) *CFH YAJ*

RE: DOCKET NO. 981243-WU - APPLICATION BY MARION UTILITIES,
INC. FOR APPROVAL OF REVISED SERVICE AVAILABILITY CHARGES
FOR SPRUCE CREEK SERVICE AREA AND NEW SERVICE
AVAILABILITY POLICY FOR WATER DIVISION IN MARION COUNTY.

98-1562-~~FDE~~ PCD-WU

Attached is an ORDER SUSPENDING TARIFF, to be issued in the
above-referenced docket.

(Number of pages in order - 4)

CF/dr

Attachment

cc: Division of Water and Wastewater (Fletcher, Munroe)

I:\981243OR.CF

faxed - 2/0
mailed - 2/0

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 4 Date 11, 25, 98 Copies Per Original 16

Requested By Ruth

Item Presented _____
 Agenda For (Date) _____ Order No. 98-1562 In Docket No. 981043
 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>16</u>	<u>Commission Offices</u>		
	<u>Docket Mailing List - Mailed</u>		
<u>(2)</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 31 Verified By Michael
 Date and time Completed 12/2 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification

Date Mailed _____ Verified By _____