



Public Service Commission

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

DATE: January 14, 2000
TO: Dr. Mary Bane, Deputy Executive Director
FROM: Tim Vaccaro, Senior Attorney, Division of Legal Services
Martha Golden, Division of Water and Wastewater
RE: Docket No. 990080-WS - Complaint and request for hearing by Linda J. McKenna and 54 petitioners regarding unfair rates and charges of Shangri-La by the Lake Utilities, Inc. in Lake County.

A recommendation addressing the above docket has been filed for consideration by the Commissioners at the January 18, 2000 agenda conference. This recommendation is Item Number 29.

Staff's recommendation, in part, recommends adjustments to the utility's rate base which will effect rates. Staff has determined that the recommendation makes no provision for approval of rates, subject to refund, in the event of a protest.

Therefore, staff wished to modify the recommendation as set forth below:

ISSUE 10: Should this docket be closed?

RECOMMENDATION: Yes, because no further action is necessary, this docket should be closed if no person, whose interests are substantially affected by the proposed actions, files a protest within the 21 day protest period. In the event of a protest, however, staff recommends that Shangri-La continue collecting the rates authorized by Order No. PSC-96-0062-FOF-WS. Shangri-La should collect the difference between these rates and the rates approved by the Commission in this current docket subject to refund. In the event of a protest, staff will file a recommendation regarding the appropriate security for any potential refund. (VACCARO)

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