

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 18, 2000

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. (Deferred from the 11/16/99 Commission Conference.)

Issue 1: Did the utility improperly notice its application for water and wastewater certificates, and rates approved in Docket No. 940653-WS?

Recommendation: No. Therefore, no further noticing should be required regarding Docket No. 940653-WS.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Susan J. Clark
Joe Garcia
J. Tompkins

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
00741 JAN 198
FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: Should the customers' request that the Commission issue an injunction against the utility to cease and desist from charging for water and wastewater service be granted?

Recommendation: No.

APPROVED

Issue 3: Should the customers' request that the Commission revoke the utility's water and wastewater certificates be granted?

Recommendation: No.

APPROVED

Issue 4: Did the utility improperly bill its customers?

Recommendation: No.

APPROVED

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(Continued from previous page)

Issue 5: What is the quality of service rendered to the customers of the utility?

Recommendation: The quality of service provided to the customers should be considered satisfactory.

APPROVED

Issue 6: Should the utility's rate base established by Order No. PSC-96-0062-FOF-WS be modified?

Recommendation: Yes. To correct known errors that were made in the original calculations, rate base should be established as \$52,454 for water and \$45,563 for wastewater as of June 30, 1994.

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(Continued from previous page)

Issue 7: Should the rates approved by Order No. PSC-96-0062-FOF-WS be modified?

Recommendation: Yes. The rates set forth in the staff analysis are appropriate for all metered customers of the utility. The utility should file revised tariff sheets reflecting the approved rates within thirty days of the effective date of the order. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), Florida Administrative Code, provided the customers have received notice. The rates may not be implemented until proper notice has been received by the customers. The utility should provide proof of the date notice was given within 10 days after the date of the notice.

APPROVED

Issue 8: Should a vacation rate be established for this utility?

Recommendation: No.

APPROVED

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(Continued from previous page)

Issue 9: Should a new class of service for residential irrigation service be established for this utility?

Recommendation: Yes. A new class of service for residential irrigation service for the mobile home park should be established. The appropriate rate should be the utility's water gallonage charge. The utility should file a tariff sheet reflecting the approved rate within thirty days of the effective date of the order. The approved rate should be effective for service rendered on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), Florida Administrative Code, provided the customers have received notice. The rate should not be implemented until notice has been received by the customers. The utility should provide proof of the date notice was given within 10 days after the date of the notice. The utility should be allowed to notice the new class of service in conjunction with the notice of rates required in Issue 7. Additionally, the utility should be authorized to charge its approved meter installation fee to customers who request installation of a separate irrigation meter.

APPROVED

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.

APPROVED