

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of  
tariff filing to apply service  
availability charge uniformly in  
Marion County by Sunshine  
Utilities of Central Florida,  
Inc.

DOCKET NO. 000046-WU  
ORDER NO. PSC-00-0578-TRF-WU  
ISSUED: March 22, 2000

The following Commissioners participated in the disposition of  
this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER

ORDER APPROVING UNIFORM SERVICE AVAILABILITY CHARGES

BY THE COMMISSION:

Sunshine Utilities of Central Florida, Inc. (Sunshine or utility) is a class B utility which provided water service to approximately 2,752 customers in 1998. Wastewater is treated by septic tanks. The utility's 1998 annual report shows an annual operating revenue of \$779,298, and a net operating income of \$57,925.

On January 14, 2000, the utility filed a request to apply its service availability charges uniformly in Marion County. Specifically, the utility requested to apply Sixth Revised Tariff Sheet No. 28.0 - Service Availability Schedule of Fees and Charges uniformly in Marion County; thereby canceling First Revised Tariff Sheet No. 28.1 - Service Availability Schedule of Fees and Charges which applies only to Whispering Sands and Lakeview Hills.

Rule 25-9.044(1), Florida Administrative Code, governs rates and charges of a regulated utility when its ownership or control changes. That rule provides that the former rates and charges must be adopted and used by the new owner unless changes are authorized by this Commission.

DOCUMENT NUMBER-DATE

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-PSC-RECORDS/REPORTING

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Whispering Sands was transferred to Sunshine by Order No. 17733, issued June 22, 1987, in Docket No. 870181-WU. The water rate and service availability charges were grandfathered in during the transfer and ordered to remain effective until Sunshine's next rate case.

Lakeview Hills was transferred to Sunshine by Order No. 207077, issued February 6, 1989, in Docket No. 880907-WU. Lakeview Hills' rates and service availability charges were grandfathered in during the transfer.

By Order No. PSC-99-0044-FOF-WU, issued January 5, 1999, in Docket No. 981456-WU, we approved an increase to the service availability charge in the form of a jack and bore charge at actual cost uniformly for all the systems including Whispering Sands and Lakeview Hills.

Currently, Whispering Sands' service availability charge includes a customer connection charge of \$300 per quadraplex, which includes meter and service line connection, and jack and bore charge at actual cost; Lakeview Hills service availability charge includes a customer connection charge of \$400 per ERC (Equivalent Residential Connection), which includes meter and service line connection, and jack and bore charge at actual cost. The utility's Fifth Revised Tariff Sheet No. 28.0, which currently applies to all systems except Whispering Sands and Lakeview Hills, contains a jack and bore charge at actual cost, meter installation fee, and system capacity charge. The meter installation fee is \$100 for 5/8 x 3/4" meter and actual cost for meters over 1". The system capacity charge is \$420 per ERC for residential customers, and \$1.20 per gallons for all other customers.

Sunshine's last rate case was finalized by Order No. 25722, issued February 13, 1992, in Docket No. 900386-WU. In that Order, we found that the Lakeview Hills and Whispering Sands systems shall be included in the overall revenue requirement calculation and that uniform service rates be established for all systems served by the Utility in Marion County.

However, the service availability tariff sheets were left separate. The utility had requested an increase in the service availability charge based on agreements with the developers, but we denied the request and ordered that:

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Based on the discussion herein, we find that no change is appropriate for the Utility's service availability charges. The Utility shall file all developer agreements that require the Utility to pay developers each time it collects a service availability charge from those certain customers. This information is essential so that we may properly evaluate the overall prospective service availability policy.

Therefore, there was no change to the tariff sheets for service availability charges, and the service availability charges remained separate for Lakeview Hills and Whispering Sands.

Accordingly, we find that since all the systems of the utility are included in the overall calculation of the revenue requirement and rates, uniform service availability charges shall be approved. Approving uniform service availability charges will also enable the utility's tariff to be fully in compliance with our decision of the uniform service rates in the utility's last rate case in 1992.

Approving uniform service availability charges is consistent with our past practice as well. See Order No. PSC-99-0635-FOF-WU, issued April 5, 1999, in Docket No. 960444-WU, (approving uniform service availability charges for Lake Utility Services, Inc.); Order No. PSC-96-1320-FOF-WS, issued October 30, 1996, in Docket No. 950495-WS, (approving uniform service availability charges for Southern States Utilities, Inc.).

Based on the foregoing, we find that the utility's proposed Sixth Revised Tariff Sheet No. 28.0 shall be approved. Therefore, the Fifth Revised Tariff Sheet No. 28.0 and the First Revised Tariff Sheet No. 28.1 shall be canceled. Pursuant to Rule 25.30-475(2), Florida Administrative Code, the tariff sheet shall be effective for service rendered on or after the stamped approval date on the tariff sheet, provided customers have received notice.

Our staff discussed the customer notice with the utility. The utility stated that currently there is only one developer who is building in the service area. The utility has agreed to send a written notice to the developer.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff to implement service availability charges uniformly

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for Sunshine Utilities of Central Florida, Inc., is hereby approved as filed. It is further

ORDERED that the tariff shall become effective in accordance with Rule 25-30.475(2), Florida Administrative Code. It is further

ORDERED that the Fifth Revised Tariff Sheet No. 28.0 and the First Revised Tariff Sheet No. 28.1 shall be canceled.

ORDERED that if a protest is filed by a substantially affected person within 21 days of the issuance of this Order, this tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed administratively upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 22nd day of March, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

JKF

NOTICE OF FURTHER PROCEEDINGS

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

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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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 12, 2000.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

MEMORANDUM

RECEIVED-FPSC

MAR 22 AM 10:32

March 22, 2000

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FUDGE) *grf ps*

RE: DOCKET NO. 000046-WU - REQUEST FOR APPROVAL OF TARIFF  
FILING TO APPLY SERVICE AVAILABILITY CHARGE UNIFORMLY IN  
MARION COUNTY BY SUNSHINE UTILITIES OF CENTRAL FLORIDA,  
INC.

*0578 TRF*

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Attached is an ORDER APPROVING UNIFORM SERVICE AVAILABILITY CHARGES, to be issued in the above-referenced docket.

(Number of pages in order - 5)

JKF/lw

Attachment

cc: Division of Water and Wastewater (Chu, Rendell)

I:000046OR.JKF

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