

000584 - WS

FLORIDA PUBLIC SERVICE COMMISSION

APPLICATION FOR A STAFF ASSISTED RATE CASE

CO MAY 15 AM 8:52

I. General Data

A. Name of utility Laniger Enterprises of America, Inc.

B. Address 2340 NE Dixie Hwy.
Jensen Beach, FL 34957

1. Telephone Nos. (5d) 334-3433

2. County Martin Nearest city Stuart

3. General area served Beacon 21 / Palm Circle Park / River Club

C. Authority:

1. Water Certificate No. 362-W Date received 12/82

2. Sewer Certificate No. 317-S Date received 12/82

3. Date utility started operations: Water 1972 Sewer 1972

D. How system was acquired Bought utility from Chicago Title

If utility was purchased, give date _____ Amount Paid _____

1. Name of Seller Chicago Title

2. Was seller affiliated with present owners? No

3. Did you purchase: Stock _____ or assets only

E. Type of legal entity: Corporation, Partnership or Sole Proprietorship _____

F. Ownership & Officers:

	Name	Title	Percent Ownership
1.	<u>Mr. Reginald Burge</u>	<u>President</u>	<u>50%</u>
2.	<u>Mrs. Lois Burge</u>	<u>Secretary</u>	<u>50%</u>
3.	_____	_____	_____
4.	_____	_____	_____

PSC/WAS 2 (Rev. 11/86)

G. List of Associated Companies and Addresses:

1. N/A

2. _____

3. _____

H. If you have retained an attorney and/or a consultant to represent the utility for this application, furnish the name(s) _____

DOCUMENT NUMBER-DATE

05971 MAY 15 8

II. Accounting Data

A. Outside Accountant

1. Name _____
2. Firm N/A
3. Address _____
4. Telephone (____) _____

B. Individual to contact on accounting matters:

1. Name Mr. Keith Burge
2. Telephone (561) 334-3433

C. Location of books and records 2340 NE Dixie Hwy Jensen Beach, FL 34957

D. Have you filed an Annual Report with the Commission? yes
Date last filed 1999

E. Has your latest semiannual regulatory assessment fee payment been made (January 30 or July 30 whichever is applicable)? yes.

F. Basic Rate Base Data (Most recent two years)

1. Water	1998	1999
Cost of Plant In Service:	\$ <u>414,410</u>	\$ <u>438,600</u>
Less Accumulated Depreciation:	<u>115,757</u>	<u>141,675</u>
Less Contributed Plant:	<u>471</u>	<u>2,217</u>
Net Owner's Investment:	\$ <u>298,182</u>	\$ <u>294,708</u>

2. Sewer	19 <u>98</u>	19 <u>99</u>
Cost of Plant In Service:	\$ <u>630,345</u>	\$ <u>670,493</u>
Less Accumulated Depreciation:	<u>231,434</u>	<u>279,465</u>
Less Contributed Plant:	<u>101,530</u>	<u>89,328</u>
Net Owner's Investment:	\$ <u>297,381</u>	\$ <u>301,700</u>

G. Basic Income Statement (Most recent two years):

1. Water	19 <u>98</u>	19 <u>99</u>
Revenues (By Class):		
a. <u>Multiple Family</u>	\$ <u>115,951</u>	\$ <u>117,672</u>
b. _____	_____	_____
c. _____	_____	_____
Total Operating Revenues:	\$ <u>115,951</u>	\$ <u>117,672</u>
Less Expenses:		
a. Salaries & Wages - Employees	\$ _____	\$ _____
b. Salaries & Wages - Officers, Directors, & Majority Stockholders	_____	_____
c. Employee Pensions & Benefits	_____	_____
d. Purchased Water	_____	_____
e. Purchased Power	<u>5,015</u>	<u>5,220</u>
f. Fuel for Power Production	<u>223</u>	_____
g. Chemicals	_____	<u>64</u>
h. Materials & Supplies	<u>2,749</u>	<u>1,895</u>
i. Contractual Services	<u>45,521</u>	<u>43,768</u>
j. Rents	<u>3,306</u>	<u>1,495</u>
k. Transportation Expenses	<u>1,199</u>	<u>1,004</u>
l. Insurance Expense	<u>2,658</u>	<u>4,977</u>
m. Regulatory Commission Expense	<u>250</u>	<u>4,061</u>
n. Bad Debt Expense	_____	_____
o. Miscellaneous Expense	<u>5,951</u>	<u>1,999</u>
p. Depreciation Expense	<u>15,479</u>	<u>17,661</u>
q. Property Taxes	<u>5,361</u>	<u>3,734</u>
r. Other Taxes	_____	_____
s. Income Taxes	_____	_____
Operating Income (Loss)	\$ <u>28,239</u>	\$ <u>31,794</u>

2. Sewer

1998

1999

Revenues (By Class):

a. <u>Multiple Family</u>	\$ <u>107,980</u>	\$ <u>113,839</u>
b. _____	_____	_____
c. _____	_____	_____
Total Operating Revenues:	\$ _____	\$ _____

Less Expenses:

a. Salaries & Wages - Employees	\$ _____	\$ _____
b. Salaries & Wages - Officers, Directors, & Majority Stockholders	_____	_____
c. Employee Pensions & Benefits	_____	_____
d. Purchased Sewage Treatment	_____	_____
e. Sludge Removal Expense	_____	<u>1760</u>
f. Purchased Power	<u>7523</u>	<u>8075</u>
g. Fuel for Power Production	<u>335</u>	_____
h. Chemicals	_____	<u>315</u>
i. Materials & Supplies	<u>4365</u>	<u>3430</u>
j. Contractual Services	<u>77094</u>	<u>85366</u>
k. Rents	<u>9958</u>	<u>2428</u>
l. Transportation Expenses	<u>1774</u>	<u>1447</u>
m. Insurance Expense	<u>3986</u>	<u>7466</u>
n. Regulatory Commission Expense	<u>300</u>	<u>6091</u>
o. Bad Debt Expense	_____	_____
p. Miscellaneous Expense	<u>8240</u>	<u>4006</u>
q. Depreciation Expense	<u>15158</u>	<u>4061</u>
r. Property Taxes	_____	_____
s. Other Taxes	<u>8598</u>	<u>8474</u>
t. Income Taxes	_____	_____
Operating Income (Loss)	\$ <u><24,351></u>	\$ <u><19,080></u>

H. Outstanding Debt:

	<u>Creditor</u>	<u>Date Borrowed</u>	<u>Balance Due</u>	<u>Interest Rate</u>	<u>Expiration Date</u>
1.	<u>Fidelity Federal Bank</u>	<u>7/99</u>	<u>\$600,000</u>	<u>9.875</u>	<u>2019</u>
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

I. Indicate Type of Tax Return Filed:

<u>Form 1120</u>	Form 1120 - Corporation
_____	Form 1120S - Subchapter S Corporation
_____	Form 1065 - Partnership
_____	Form 1040 - Schedule C - Individual (Proprietorship)

III. Engineering D

- A. Outside Engineering Consultant:
1. Name Mr. Jon Whitmer
 2. Firm Conklin, Porter, & Holmes
 3. Address _____
 4. Telephone (Tel) 283-8704

- B. Individual to contact on engineering matters:
1. Name Mr. Reginald Burge
 2. Telephone (Tel) 334-3433

C. Is the utility under citation by the Department of Environmental Regulation (DER) or county health department? If yes, explain. No

D. List any known service deficiencies and steps taken to remedy problems. N/A

E. Name of plant operator(s) and DER operator certificate number(s) held. Mr. David Whiteside - Accurate Utilities

F. Is the utility serving customers outside of its certificated area? No If yes, explain. _____

G. Wastewater:

1. Gallons per day capacity of treatment facilities existing 99,000 gpd
_____ under construction _____ proposed _____
2. Type and make of present treatment facilities Concrete
3. Approximate average daily flow of treatment plant effluent _____
90,000 gpd
4. Approximate length of sewer mains:
Size (diameter) 8" 6" 4" 4" 2.5"
Linear feet 8821' 1108' 1508' 120' 1196'
5. Number of manholes 29
6. Number of liftstations 5
7. How do you measure treatment plant effluent? meter
8. Is the treatment plant effluent chlorinated? yes If yes, what is the normal dosage rate? _____

9. Tap in fees - Sewer \$ 798.00
10. Service availability fees - Sewer \$ 626.00
11. Note DER Treatment Plant Certificate Number and date of expiration: Number PL# 013819-002 Expiration Date 08/25/2004
12. Total gallons treated during most recent twelve months 36,352
13. Sewage treatment purchased during most recent twelve months None

H. Water

1. Gallons per day capacity of treatment facilities existing 150,000 ~~4m~~ ^{gpd} under construction _____ proposed _____
2. Type of treatment chlorination + Storage
3. Approximate average daily flow of treated water 85,000gpd
4. Source of water supply groundwater from 2 wells
5. Types of chemicals used and their normal dosage rates chlorine
6. Number of wells in service 2 Total capacity in gallons per minute (gpm) _____
 Diameter/Depth 6" / 85' 6" / 85' _____ / _____
 Motor horsepower 10hp 10hp _____
 Pump capacity (gpm) 150 150 _____
7. Reservoirs and/or hydropneumatic tanks:
 Description Steel Tank Steel Tank _____
 Capacity 88,000 10,000 _____
8. High service pumping:
 Motor horsepower 15hp 15hp 20hp _____
 Pump capacity (gpm) 250 250 250 _____
9. How do you measure treatment plant production? meter
10. Approximate feet of water mains:
 Size (diameter) 6" 4" 8" 2" 1.5"
 Linear feet 4701 361 200 300 405

- 11. Note any fire flow requirements and imposing government agency _____
- 12. Number of fire hydrants in service 13
- 13. Do you have a meter change out program? No
- 14. Meter installation or tap in fees - Water \$ 994.00
- 15. Service availability fees - Water \$ 779.00
- 16. Has the existing treatment facility been approved by DER?
yes
- 17. Total gallons pumped during most recent twelve months 24,778
- 18. Total gallons sold during most recent twelve months 24,778
- 19. Gallons unaccounted for during most recent twelve months N/A
- 20. Gallons purchased during most recent twelve months None

IV. Rate Data

A. Individual to contact on tariff matters:

- 1. Name Mr. Keith Burge
- 2. Telephone Number (601) 334-3433

B. Schedule of present rates (Attach additional sheet if more space is needed):

1. Water:

- a. Residential Water
- b. General Service
- c. Special Contract
- d. Other

See Attached Rate Sheets

2. Sewer:

- a. Residential Sewer
- b. General Service
- c. Special Contract
- d. Other

See Attached Rate Sheets

C. Number of Customers (Most recent two years):

	1998	1999
1. Water Metered		
a. Residential	276	277
b. General Service		
c. Special Contract		
d. Other - specify		
2. Water Unmetered		
a. Residential		
b. General Service		
c. Special Contract		
d. Other - specify		
3. Sewer		
a. Residential	524	524
b. General Service		
c. Special Contract		
d. Other - specify		

V Affirmation

I, Reginald J. Burge the undersigned owner, officer, or partner of the above named public utility, doing business in the State of Florida and subject to the control and jurisdiction of the Florida Public Service Commission, certify that the statements set forth herein are true and correct to the best of my information, knowledge and belief.

Signed

Title

President

Notice: Section 837.06, Florida Statutes, provides that any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree.

25-30.455 Staff Assistance in Rate Cases.

(1) Water and wastewater utilities whose total gross annual operating revenues are \$150,000 or less for water service or \$150,000 or less for wastewater service, or \$300,000 or less on a combined basis, may petition the Commission for staff assistance in rate applications by submitting a completed staff assisted rate case application. In accordance with section 367.0814(4), F.S., a utility that requests staff assistance waives its right to protest by agreeing to accept the final rates and charges approved by the Commission unless the final rates and charges would produce less revenue than the existing rates and charges. If a utility that chooses to utilize the staff assistance option employs outside experts to assist in developing information for staff or to assist in evaluating staff's schedules and conclusions, the reasonable and prudent expense will be recoverable through the rates developed by staff. A utility that chooses not to exercise the option of staff assistance may file for a rate increase under the provisions of Rule 25-30.443, F.A.C.

(2) Upon request, the Division of Water and Wastewater shall provide the potential applicant with the appropriate application form, Commission Form PSC/WAS 2 (Rev. 11/86), "Application for Staff Assisted Rate Case", which is incorporated by reference in this rule, and a copy of Rule 25-30.455, F.A.C., governing staff assisted rate cases. The form may be obtained from the Commission's Division of Water and Wastewater, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

(3) Upon completion of the form, the petitioner may return it to the Director of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32301-0870.

(4) Upon receipt of a completed application, the Director of Records and Reporting shall acknowledge its receipt, assign a docket number for identification, and shall forward the application to a committee comprised of one member each of the Commission's Divisions of Water and Wastewater, Auditing and Financial Analysis, and Legal Services.

(5) Within 30 days of receipt of the completed application, the committee shall evaluate the application and determine the petitioner's eligibility for staff assistance.

(a) If the Commission has received four or more applications in the previous 30 days; or, if the Commission has 20 or more docketed staff assisted rate cases in active status on the date the application is received, the Commission shall deny initial evaluation of an application for staff assistance and close the docket. When an application is denied under the provisions of this subsection, the applicant shall be notified of the date on which the application may be resubmitted.

(b) Initially, determinations of eligibility may be conditional, pending an actual examination of the condition of petitioner's books and records. After an initial determination of eligibility, the Division of Auditing and Financial Analysis committee shall examine the books and records of the utility before making a final determination of eligibility.

(c) All recommendations of ineligibility shall be in writing and shall state the deficiencies in the application with reference to guidelines set out in subsection (8) of this rule or with reference to subsection (11) of this rule.

(6) Upon reaching a decision to officially accept or deny the application, the Director of the Division of Water and Wastewater shall notify the petitioner by letter and initiate staff assistance for the accepted applicant.

(7) The official date of filing will be 30 days after the date of the letter notifying the applicant of the official acceptance of the application by the Commission.

(8) In arriving at a recommendation whether to grant or deny the petition, the following shall be considered:

(a) Whether the petitioner qualifies for staff assistance pursuant to subsection (1) of this rule;

(b) Whether the petitioner's books and records are organized consistent with Rule 25-30.110, F.A.C., so as to allow commission personnel to verify costs and other relevant factors within the 30-day time frame set out in this rule;

(c) Whether the petitioner has filed annual reports;

(d) Whether the petitioner has paid applicable regulatory assessment fees;

(e) Whether the petitioner has at least 1 year's actual experience in utility operation;

(f) Whether the petitioner has filed additional relevant information in support of eligibility, together with reasons why the information should be considered;

(g) Whether the petitioner has complied in a timely manner with all Commission decisions

and requests affecting water and wastewater utilities for 2 years prior to the filing of the application under review;

(h) Whether the utility has applied for a staff assisted rate case within the 2-year period prior to the receipt of the application under review.

(9) The Commission will deny the application if a utility does not remit the fee as provided by section 367.145, Florida Statutes, and Rule 25-30.020(2)(f), F.A.C., within 30 days after official acceptance.

(10) An aggrieved petitioner may request reconsideration which shall be decided by the full Commission.

(11) A petitioner may request a waiver of any of the guidelines set out in subsection (8) of this rule.

(12) A substantially affected person may file a petition to protest the Commission's proposed agency action in a staff assisted rate case within 21 days of issuance of the Notice of Proposed Agency Action as set forth in Rule 25-22.036, F.A.C.

(13) In the event of protest of the Commission's Notice of Proposed Agency Action (PAA Order) in a Staff assisted rate case, the utility shall:

(a) Provide prefiled direct testimony in accordance with the procedural order in the case. At a minimum, that testimony shall adopt the Commission's PAA Order in the case;

(b) Sponsor a witness to support source documentation provided to the Commission staff in its preparation of the staff audit, the staff engineering and accounting report and the staff PAA recommendation in the case;

(c) Include in its testimony the necessary factual information to support its position on any issue that it chooses to take a position different than that contained in the Commission's PAA Order;

(d) Meet all other requirements of the order establishing procedures.

(14) Failure to comply with the dates established in the procedural order, or to file timely a request for extension of time for good cause shown, may result in dismissal of the staff assisted rate case and closure of the docket.

(15) In the event of a protest of the Commission's PAA Order in a staff assisted rate case the Commission staff shall:

(a) File prefiled direct testimony to explain its analysis in the PAA recommendation. In the event the staff wishes to alter its PAA position on any issue, it shall provide factual testimony to support its changed position;

(b) Meet all other requirements of the order establishing procedures;

(c) Provide to the utility materials to assist the utility in the preparation of its testimony and exhibits. This material shall consist of an example of testimony filed by a utility in another case, an example of testimony that would support the PAA Order in this case, an example of an exhibit filed in another case, and examples of prehearing statements and briefs filed in other cases.

Specific Authority 367.0814, 367.121 FS.

Law Implemented 367.0814 FS.

History--New 12-8-80, Formerly 25-10.180, Amended 11-10-86, 8-26-91, 11-30-93.

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WASTEWATER TARIFF

MULTI-RESIDENTIAL SERVICE

RATE SCHEDULE MS

AVAILABILITY -

Available throughout the area served by the company.

APPLICABILITY -

For wastewater service to all metered residential customers but not limited to Condominiums, Apartments, and Mobile Home Parks.

LIMITATIONS -

Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD -

Monthly

RATE -

Base Facility Charge

Meter Size

5/8" * 3/4"	\$10.80
3/4"	16.22
1"	27.02
1 1/2"	54.03
2"	86.44
3"	172.89
4"	270.14
6"	540.02

GALLONAGE CHARGE-

Per 1,000 gallons (all metered connections) 2.70

MINIMUM CHARGE -

Base Facility Charge

TERMS OF PAYMENT -

Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

EFFECTIVE DATE:

February 1, 2000

Reginald J. Burge
Issuing Officer

TYPE OF FILING:

1999 Pass Through
Rate Adjustment

President
Title

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WASTEWATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the company.

APPLICABILITY - For wastewater service for all purposes in private residences and individually metered apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD - Monthly

RATE - Flat Rate \$17.52

MINIMUM CHARGE - Flat rate

TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

EFFECTIVE DATE: February 1, 2000

Reginald J. Burge
Issuing Officer

TYPE OF FILING: 1999 Pass Through
Rate Adjustment

President
Title

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the company.

APPLICABILITY - For wastewater service to all customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD - Monthly

RATE - Flat Rate \$96.60

MINIMUM BILL - Flat rate charge

TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

EFFECTIVE DATE: February 1, 2000

Reginald J. Burge
ISSUING OFFICER

TYPE OF FILING: 1999 Pass Through

President
TITLE

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the company.

APPLICABILITY - For wastewater service to all customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD - Monthly

<u>RATE -</u>	<u>Base Facility Charge</u>	<u>Meter Size</u>
	5/8" * 3/4"	\$10.80
	3/4"	16.22
	1"	27.02
	1 1/2"	54.03
	2"	86.44
	3"	172.89
	4"	270.14
	6"	540.02

GALLONAGE CHARGE- Per 1,000 gallons (all metered connections) 2.70

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

EFFECTIVE DATE: February 1, 2000

Reginald J. Burge
Issuing Officer

TYPE OF FILING: 1999 Pass Through
Rate Adjustment

President
Title

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WATER TARIFF

MULTI-RESIDENTIAL SERVICE

RATE SCHEDULE MS

AVAILABILITY - Available throughout the area served by the company.

APPLICABILITY - For water service to all mastered-metered residential customers but not limited to Condominiums, Apartments, and Mobile Home Parks.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD - Monthly

RATE -

<u>Base Facility Charge</u>	<u>Meter Size</u>
5/8" * 3/4"	\$10.86
3/4"	16.28
1"	27.14
1 1/2"	54.27
2"	86.83
3"	173.66
4"	271.33
6"	542.67

GALLONAGE CHARGE- Per 1,000 gallons (all metered connections) 3.58

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

EFFECTIVE DATE: February 1, 2000

Reginald J. Burge
Issuing Officer

TYPE OF FILING: 1999 Pass Through
Rate Adjustment

President
Title

NAME OF COMPANY: LANIGER ENTERPRISES OF AMERICA, INC.

WATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available throughout the area served by the company.

APPLICABILITY - For water service to all customers for which no other schedule applies.

LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the commission.

BILLING PERIOD - Monthly

<u>RATE -</u>	<u>Base Facility Charge</u>	<u>Meter Size</u>
	5/8" * 3/4"	\$10.86
	3/4"	16.28
	1"	27.14
	1 1/2"	54.27
	2"	86.83
	3"	173.66
	4"	271.33
	6"	542.67

GALLONAGE CHARGE- Per 1,000 gallons (all metered connections) 3.58

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After five (5) working days' written notice is mailed to the customer separate and apart from any other bill, service may then be discontinued.

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President
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