



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

September 13, 2000

ORIGINAL

RECORDS AND
REPORTING

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Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 991437-WU

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizen's Petition Requesting Section 120.57 Hearing and Protest of Proposed Agency Action.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Charles J. Beck
Deputy Public Counsel

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Done 9/14/00

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase)
In water rates in Orange County)
By Wedgefield Utilities, Inc.)
_____)

Docket no. 991437-WU
Filed September 13, 2000

**PETITION REQUESTING SECTION 120.57 HEARING AND
PROTEST OF PROPOSED AGENCY ACTION**

Pursuant to Rules 25-22.029 and 28-106.201, Florida Administrative Code, the Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, file this petition to protest proposed agency action order no. PSC-00-1528-PAA-WU issued August 23, 2000, and request an evidentiary hearing under section 120.57, Florida Statutes (2000).

1. Section 350.0611, Florida Statutes (2000) provides that it shall be the duty of the Public Counsel to provide legal representation for the people of the state in proceedings before the Commission. It specifically provides the Public Counsel the power to appear, in the name of the state or its citizens, in any proceeding or action before the Commission and urge therein any position which he or she deems to be in the public interest.

2. The name, address and telephone numbers of petitioner are as follows:
Jack Shreve, Public Counsel, Charles J. Beck, Deputy Public Counsel, c/o Florida Legislature, 111 West Madison Street, room 812, Tallahassee, FL 32399-1400,

DOCUMENT NUMBER-DATE

11432 SEP 13 8

FPSC-RECORDS/REPORTING

telephone 850-488-9330, fax 850-488-4491. Petitioner received notice of the Commission's decision by downloading a copy of order no. PSC-00-1528-PAA-TL from the Commission's web site on or about August 24, 2000.

3. Wedgefield Utilities, Inc., is a utility as defined by §367.021(12), Florida Statutes (2000), subject to the jurisdiction of the Commission under §367.011(2), Florida Statutes (2000).

4. The action taken by the Florida Public Service Commission (Commission) in its proposed agency action order no. PSC-00-1528-PAA-WU affects the substantial interests of petitioner because the order uses an excessive rate base amount. This excessive rate base leads to the imposition of excessive rates on the citizens served by Wedgefield Utilities, Inc. The Commission should have used the actual purchase price paid by Wedgefield Utilities, Inc., for the utility in calculating the rate base, instead of the amount on the books of the selling utility Econ Utilities. Had the Commission done so, the proposed agency action order would have reduced the rates paid by the citizens in Wedgefield instead of increasing the rates.

5. Petitioner submits the following disputed issues of material fact, policy, and law for resolution in a hearing conducted under section 120.57, Florida Statutes (2000):

a. Should the utility's rate base include a negative acquisition adjustment?

b. What other changes, such as changes to depreciation expense, should be made to reflect a negative acquisition adjustment?

WHEREFORE, the Citizens protest the Commission's proposed agency action order no. PSC-00-1528-PAA-WU issued August 23, 2000, and request an evidentiary hearing to be held pursuant to §120.57, Florida Statutes (2000), as described in this petition.

Respectfully submitted,

JACK SHREVE
Public Counsel
Fla. Bar No. 73622



Charles J. Beck
Deputy Public Counsel
Fla. Bar No. 217281

Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

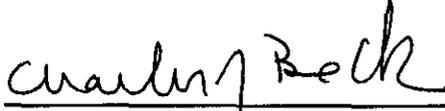
(850) 488-9330

Attorneys for Florida's Citizens

**DOCKET NO. 991437-WU
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail or hand-delivery to the following parties on this 13th day of September, 2000.



Charles J. Beck

Patricia Christensen
Division of Legal Services
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Ben Girtman, Esq.
1020 E. Lafayette St., #207
Tallahassee, FL 32301-4552

991437.paa