

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval to increase meter installation fees to conform to the current cost in Marion County by Windstream Utilities Company.

DOCKET NO. 020248-WU
ORDER NO. PSC-02-0653-PCO-WU
ISSUED: May 13, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Windstream Utilities Company (Windstream or utility) is a Class B utility which provides water service to approximately 742 customers in three separate service areas in Marion County. These areas include the Windstream-Carriage Hills system, the Majestic Oaks-Pigeon Park system, and the Paddock Downs-Sun Country Estates system. All systems have separate water treatment plants and distribution systems. The wastewater service to these areas is provided by septic tanks. The utility's 2000 annual report shows an annual operating revenue of \$291,144 and a net operating income of \$23,497.

On March 14, 2002, the utility filed an application to increase meter installation fees. This Order addresses the suspension of the utility's proposed tariff sheets. We have jurisdiction pursuant to Section 367.091, Florida Statutes.

Pursuant to Section 367.091(6), Florida Statutes, the tariff sheets proposed by the utility shall become effective within sixty (60) days after filing, unless we vote to withhold consent of the request. Further, we may withhold consent to the operation of any

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or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding that consent.

We have reviewed the filing and have considered the utility's proposed charge, and information filed in support of the application. We find it necessary to require further explanation of this data. Our review of the application will include further examination. Therefore, the proposed tariff sheets to increase meter installation fees to conform to current cost shall be suspended pending further investigation. This docket shall remain open pending the completion of our investigation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Windstream Utilities Company's proposed tariff to increase meter installation fees is suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 13th day of May, 2002.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

RG

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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 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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.