

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of Forest)
Utilities, Inc. for approval)
of a new class of service for)
bulk wastewater service)
_____)

Docket No. 030748-WS

APPLICATION OF FOREST UTILITIES, INC. FOR
APPROVAL OF A NEW CLASS OF SERVICE FOR
BULK WASTEWATER SERVICE

COMES NOW Forest Utilities, Inc. ("Forest" or "Applicant"), by and through its undersigned attorneys, and pursuant to Section 367.091, Florida Statutes, and Rule 25-9.004, Florida Administrative Code, files this Application for Approval of a New Class of Service for Bulk Wastewater Service, and in support thereof states:

1. The exact name of the Company and the address of its principal business office is:

FOREST UTILITIES, INC.
6000 Forest Blvd.
Ft. Myers FL 33908-4318

2. The name and address of the person authorized to receive notices and communications in respect to this application is:

F. Marshall Deterding
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
(850)877-6555
(850)656-4029 fax

DOCUMENT NUMBER DATE

07026 AUG-18

FPSC-COMMISSION CLERK

3. The Applicant and the Jamaica Bay Mobile Home Park ("Customer"), have agreed to enter into a written agreement pursuant to which the Applicant will provide bulk wastewater service to the Customer, an exempt entity providing service to their tenants without specific compensation for such service under Section 367.022(5), Florida Statutes.

4. The point of connection between the Customer and Forest will be within the existing certificated service territory of Forest Utilities, Inc. Forest will not provide the individual or retail service within the Customer's property and as such, no extension of service territory for Forest Utilities, Inc. is required under Commission statute, rules and precedent. In order to satisfy the DEP and the County permitting agencies, Forest requests that the Commission issue their Order specifically stating that no such extension of service territory is necessary under these circumstances.

5. The Agreement between the Applicant and the Customer will provide for the provision of immediate temporary and possibly permanent service for a part of the sewage flows generated by Customer. Approximately one-half of such flows will continue to be treated at the Customer's own onsite sewage treatment plant. The Agreement will provide the Customer the opportunity to periodically

shift all flows to the Applicant in order to allow it to continue repairs to its sewage treatment plant and ponds. The purpose of this Application is merely to implement an agreement for service and a request for approval of a new class of bulk wastewater service.

6. This arrangement is being undertaken to assist the Customer in meeting requirements being imposed upon it by the Florida Department of Environmental Protection ("FDEP") to upgrade its wastewater treatment facility without any interruption in service to the individual tenants within the Customer's property. The Applicant herein has the additional wastewater capacity and is willing to provide that service on a temporary and perhaps permanent basis.

7. Time is of the essence in providing this service, as FDEP believes continued operation of the Customer's onsite sewage treatment facilities, treating the entire flows from the Customer's property is potentially, if not actually, detrimental to the environment. As residents' return for the "season" this fall (and as a result flows increase dramatically in the next 90 days), the danger of environmental accidents is magnified substantially.

8. The Agreement will provide that the Customer will pay for the cost of extending a line from the Customer's existing facility

to the facilities of the Applicant, including all necessary piping, lift stations, and bulk service meters. The Customer currently receives water service from Lee County under separate agreement. Because the Customer will only be sending part of its sewage flows to the Applicant for treatment, charges for such bulk wastewater service must be based upon actual sewer flows, as opposed to water consumed within the Customer's property. A sewer flow meter is being installed for that purpose.

9. The rate proposed to be paid by the Customer to the Utility is \$3.14 per 1,000 gallons of wastewater flow through the flow meter. The Utility has adjusted the currently authorized rate for other classes of wastewater treatment service, in order to recognize the distinction between water used and actual sewage flows, as well as to recognize the cost savings providing service to a bulk as opposed to an individual customer. Pursuant to Section 367.091(6), Florida Administrative Code, a schedule showing a cost justification for the proposed rate is attached to this Application as Exhibit "A."

10. The Customer will immediately begin sending an average of approximately 100,000 gallons per day to the Utility for treatment and disposal, upon interconnection of the Customer's system to that of the Utility. The Utility has ample excess capacity to supply

the requirements of the Customer at this rate of flow and to meet the needs as outlined in Paragraph 4 hereof.

11. Interconnection and service by the Utility to the Customer will not require curtailment or disruption of wastewater service to the Utility's existing customers and in fact, will have no effect on them. The cost of connection will be borne by the Customer and there will be no material impact on the Utility's capital structure.

12. The Customer will be responsible for construction and maintenance of the interconnect facilities. The Utility will be responsible for reading and maintaining the meter by which service is measured.

13. The provision of this service to the Customer will not cause any material impact on the Utility's monthly rates or service availability charges.

14. Attached hereto as "**Exhibit B**" to this Application are the original and two copies of revised tariff sheets reflecting the proposed new class of service for bulk wastewater service to the Customer.

15. Attached hereto as "**Exhibit C**" is an affidavit that the notice of actual application was given in accordance with Section 367.091(2), Florida Statutes by regular mail to the Chief Executive

Officer of the governing body of each County within the service area included in this request.

Respectfully submitted on this
15th day of August, 2003, by:

ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301
Tel.: (850) 877-6555
Fax: (850) 656-4029

BY: 
F. MARSHALL DETERDING

Cost Justification Schedule

Exhibit "A"

FOREST UTILITIES, INC.
 CALCULATION OF BULK WASTEWATER RATE
 YEAR ENDED DECEMBER 31, 2002

COSTS UNRELATED TO BULK SERVICE

CUSTOMER ACCOUNTS EXPENSE

SALARIES & WAGES - CUSTOMER ACCOUNTS	\$ 24,510
BAD DEBT EXPENSE	687
POSTAGE, SUPPLIES & MISCELLANEOUS EXPENSE	<u>21,808</u>

COSTS UNRELATED TO BULK RATE SERVICE

47,005

DIVIDE BY REGULATORY ASSESSMENT FEE EXPANSION FACTOR

0.955

REVENUE UNRELATED TO BULK RATE SERVICE

\$ 49,220

DIVIDE BY TOTAL GALLONS TREATED (000)

85,729

REVENUE PER 1,000 GALLONS UNRELATED TO BULK SERVICE

\$ 0.57

PROPOSED BULK RATE

PRESENT RETAIL RATE PER 1,000 GALLONS (PER INDEX FILING)

\$ 3.71

LESS REVENUE PER 1,000 GALLONS UNRELATED TO BULK SERVICE

(0.57)

PROPOSED BULK RATE

\$ 3.14

PROPOSED BULK RATE AS A PERCENTAGE OF THE RETAIL RATE

85%

Revised Tariffs

Exhibit "B"

BULK WASTEWATER SERVICE (BWS)

AVAILABILITY - Available to Jamaica Bay Mobile Home Park and others who contract for bulk wastewater service.

APPLICABILITY- For bulk wastewater service.

LIMITATIONS - Subject to contract, all of the Rules and Regulations of this Tariff and the General Rules and Regulations of the Commission.

RATE

<u>Meter Size</u>	<u>Rate</u>
Not Applicable	
Gallonage Charge: per 1,000 gallons	\$3.14

BASE FACILITY CHARGE - Not Applicable

TERMS OF PAYMENT - Same as General Service

EFFECTIVE DATE:

David W. Swor
ISSUING OFFICER

TYPE OF FILING: New Class of Service

President
TITLE

Affidavit

Exhibit "C"

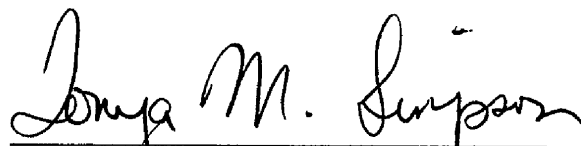
AFFIDAVIT OF MAILING

STATE OF FLORIDA

COUNTY OF LEON

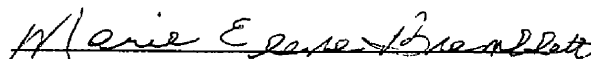
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared TONYA SIMPSON, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of F. Marshall Deterding, attorney for Forest Utilities, Inc. and that on August 1, 2003, she did send by regular U.S. mail, a copy of the Application attached to this Affidavit to the governmental bodies required by Section 367.091(2), Florida Statutes.

FURTHER AFFIANT SAYETH NAUGHT.



Tonya M. Simpson

Sworn to and subscribed before me this 1st day of August, 2003, by Tonya M. Simpson, who is personally known to me.



Print Name
NOTARY PUBLIC
My Commission Expires:



Marie Elena Bramblett
MY COMMISSION # DD194641 EXPIRES
March 30, 2007
BONDED THRU TROY FAIN INSURANCE, INC