

# ORIGINAL

LAW OFFICES

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MARTIN S. FRIEDMAN, P.A.

VALERIE L. LORD, OF COUNSEL  
(LICENSED IN TEXAS ONLY)

COMMISSION  
CLERK

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November 17, 2003

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Ms. Blanca Bayo

Commission Clerk and Administrative Services Director

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, FL 32399

Re: Docket No. 030444-WS; Application of Bayside Utility Services, Inc., for Increase in Rates in Bay County, Florida

Our File No.: 30057.57

MAP/TARIFFS  
TO ECR

Dear Ms. Bayo:

Enclosed are the following for filing in the above-referenced docket:

- 11489-03 • Original and sixteen (16) copies of the Application for Increase in Rates
- 11490-03 • Sixteen (16) copies of the Minimum Filing Requirements (Exhibit "1")
- 11491-03 • Affidavit of Utility CEO in Compliance with Rule 25-32.0407, F.A.C.,(Exhibit "2")
- 11492-03 • Two (2) copies of the Billing Analysis Schedules (Exhibit "3")
- 11493-03 • Two (2) copies of the Additional Engineering Information (Exhibit "4")
- One (1) copy of Detailed Map (Exhibit "5")
- 11494-03 • Costs or charges to Utility from an affiliate or related party (Exhibit "6")

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded check:

Soe

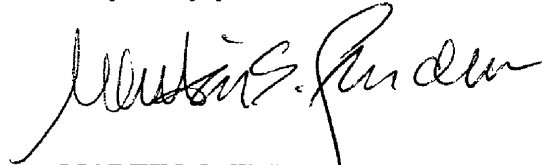
Ms. Blanca Bayo  
November 17, 2003  
Page 2

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- 11495-03 • Original and three (3) copies of the proposed Interim Rate Tariff Sheets (Exhibit "7")
- 11496-03 • Original and three (3) copies of the proposed Final Rate Tariff Sheets (Exhibit "8")
- Our check in the amount of \$2,000.00 representing the appropriate filing fee.

Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



**MARTIN S. FRIEDMAN**  
For the Firm

MSF/tlc  
Enclosures

cc: Mr. Steve Lubertozzi (w/enclosures)  
Mr. Patrick Flynn (w/enclosures)  
Mr. Frank Seidman (w/enclosures)

Utilities\Bayside\(.57)Bayside 2003 Rate Case\PSC Clerk 01 (filing App)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of  
BAYSIDE UTILITY SERVICES, INC.,  
for an increase in water and wastewater  
rates in Bay County, Florida

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DOCKET NO. 030444-WS

**APPLICATION FOR INCREASE IN RATES**

Applicant, BAYSIDE UTILITY SERVICES, INC. (hereinafter the "Utility"), by and through its undersigned attorneys and pursuant to Section 367.081 and 367.082, Florida Statutes, and Chapter 25-30, Florida Administrative Code, files this Application for an increase in water and wastewater rates in Bay County, Florida.

I.

The following information is provided pursuant to Rule 25-30.436, Florida Administrative Code:

1. (a) The name of the Utility and its principal place of business is:

Bayside Utility Services, Inc.  
2335 Sanders Road  
Northbrook, IL 60062

- (b) The address of the Florida office is:

Bayside Utility Services, Inc.  
200 Weathersfield Avenue  
Altamonte Springs, FL 32714-4099

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

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
600 S. North Lake Boulevard, Suite 160  
Altamonte Springs, Florida 32701  
PHONE: (407) 830-6331  
FAX: (407) 830-8522

DOCUMENT NUMBER: DATE  
11489 NOV 17 8  
FPSC-COMMISSION CLERK

E-MAIL: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)

(b) Bayside Utility Services, Inc., is a Florida corporation incorporated in Florida on November 6, 1998. The names and addresses of the persons owning more than 5% of the Utility's stock are:

Utilities, Inc.	100%
2335 Sanders Road	
Northbrook, IL 60062	

(c) Water and wastewater rates have not been set since the Utility was acquired by Utilities, Inc. The current rates were approved on September 24, 1998 in Docket No. 971401-WS by Order No. PSC-98-1269-FOF-WS.

(d) The address where the Application is available for customer inspection during the time the rate application is pending is:

Bayside Utility Services, Inc.  
200 Weathersfield Avenue  
Altamonte Springs, FL 32714-4099

(e) The Utility is requesting rates which would allow it to recover all expenses that the Utility will incur on a going-forward basis, and generate a fair rate of return on its investment. The Utility is seeking rate relief in order to allow it to recover its expenses and earn a fair rate of return on its investment all property used and useful in the public service.

(f) The Utility is also seeking interim rates based upon the historic test year ended December 31, 2002. The Utility has demonstrated through the supporting schedules within the attached **Exhibit "1"** that it is earning outside its range of reasonable returns, calculated in accordance with Section 367.082(5), Florida

Statutes. Submitted as part of **Exhibit "1"** are schedules of rate base (Schedule A-2), cost of capital (Schedule D-1) and net operating income (Schedule B-2), as applicable, pursuant to Commission Rule 25-30.437(5), F.A.C.

(g) An Affidavit signed by the Chief Executive Officer of the Utility that the Utility will comply with Rule 25-22.0407, F.A.C., is provided herewith as **Exhibit "2"**.

(h) The Utility requests that this case be processed utilizing the proposed Agency Action Procedure outlined in Section 367.081(8), F.S..

2. There has been no new land recorded on the Utility's books since the Utility's rate base was last established in the Orders referenced in Paragraph 1(c) above.

## II.

Sixteen copies of the Utility's Financial, Rate and Engineering Minimum Filing Requirements (Form PSC/WAW 20) are provided herewith as **Exhibit "1"**.

## III.

Two copies of the Billing Analysis Schedules as required by Rule 25-30.437(4) are provided herewith as **Exhibit "3"**.

## IV.

Two copies of the Additional Engineering Information required by Rule 25-30.440(2)-(10), F.A.C. are provided herewith as **Exhibit "4"**.

## V.

One copy of a detailed system map as required by Section 25-30.440(1)(a) and (b) are provided herewith as **Exhibit "5"**.

VI.

The Utility's system has costs or charges to it from an affiliate or related party which costs are reported in **Exhibit "6"**.

VII.

The original and three copies of the Revised Tariff Sheets reflecting the proposed interim rates are attached hereto as Composite **Exhibit "7"**.

VIII.

The original and three copies of the Revised Tariff Sheets reflecting the proposed final rates are attached hereto as Composite **Exhibit "8"**.

IX.

The Utility requests that the Commission grant interim rates pursuant to Section 367.082, F.S. in accordance with the schedules contained in **Exhibit "1"** and the tariffs contained in **Exhibit "7"**.

X.

The Utility is not requesting any changes in its service availability policy or charges in this proceeding.

XI.

The filing fee required by Rule 25-30.020(1)(e), F.A.C., is \$2,000 (\$1,000 for water and \$1,000 for wastewater) since the Utility has the existing capacity to serve

less than 300 water ERCs and less than 300 wastewater ERCs. A check in that amount is included with this filing.

WHEREFORE, the Utility requests that the Florida Public Service Commission do the following:

1. Accept jurisdiction of this Application to grant an increase in water and wastewater rates utilizing the Proposed Agency Action procedure outlined in Section 367.081(8), F.S.
2. Grant the interim rates as requested herein and contained in the tariffs included as Exhibit "7".
3. Grant final rates as requested herein and contained in the tariffs included in Exhibit "8".
4. Provide such other and further relief as is fair, just and equitable.

Respectfully submitted this 17<sup>th</sup> day of November, 2003, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
600 S. North Lake Boulevard, Suite 160  
Altamonte Springs, Florida 32701  
(407) 830- 6331  
(407) 830-8522 (fax)



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MARTIN S. FRIEDMAN  
For the Firm

**NOTE:**

**IN ACCORDANCE WITH PUBLIC SERVICE COMMISSION  
RULE 25-22.0407(2), THE MFRs, WHEN ACCEPTED BY THE  
COMMISSION, CAN BE OBTAINED FROM THE UTILITY  
UPON REQUEST.**



**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 1**

**Sixteen (16) Copies of the Utility's  
Financial, Rate and Engineering Minimum Filing**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 2**

**AFFIDAVIT OF UTILITY CEO  
(COMPLIANCE WITH RULE 25-32.0407, F.A.C.)**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 3  
BILLING ANALYSIS SCHEDULES**

**TWO (2) COPIES**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 4**

**ADDITIONAL ENGINEERING INFORMATION**

**TWO (2) COPIES**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 5**

**DETAILED MAP**

**ONE (1) COPY**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 6**

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 7**

**INTERIM RATE TARIFF SHEETS**

**ORIGINAL AND THREE COPIES**

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

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>	<u>Gallonge Charge</u>
5/8" x 3/4"	\$ 25.29	\$4.03 per 1,000
3/4"	\$ 37.91	\$4.03 per 1,000
1"	\$ 63.24	\$4.03 per 1,000
1 1/2"	\$ 126.46	\$4.03 per 1,000
2"	\$ 202.32	\$4.03 per 1,000
3"	\$ 404.65	\$4.03 per 1,000
4"	\$ 632.25	\$4.03 per 1,000
6"	\$1,264.47	\$4.03 per 1,000

- MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

Lawrence N. Schumacher  
Issuing Officer

PRESIDENT  
Title



RESIDENTIAL SERVICE

RATE SCHEDULE RS

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For water 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

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$25.29
3/4"	\$37.91
1"	\$63.24
Gallage Charge	\$ 4.03 per 1,000

- MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

Lawrence N. Schumacher  
Issuing Officer

PRESIDENT  
Title

MULTI-RESIDENTIAL SERVICE

RATE SCHEDULE MS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water service to all master-metered residential customers including, 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 -

RATE - N/A

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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

Lawrence N. Schumacher  
Issuing Officer

PRESIDENT  
Title

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

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>	<u>Gallorage Charge</u>
5/8" x 3/4"	\$ 28.47	\$8.42 per 1,000
3/4"	\$ 42.73	\$8.42 per 1,000
1"	\$ 71.20	\$8.42 per 1,000
1 1/2"	\$ 142.38	\$8.42 per 1,000
2"	\$ 227.83	\$8.42 per 1,000
3"	\$ 459.34	\$8.42 per 1,000
4"	\$ 711.95	\$8.42 per 1,000
6"	\$1,423.93	\$8.42 per 1,000

- MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

Lawrence N. Schumacher  
Issuing Officer

PRESIDENT  
Title

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 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

RATES -

Base Facility Charge

\$28.47

Gallonage Charge

\$7.04 per 1,000  
(Maximum 6, 000 Gallons)

MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

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- BILLING PERIOD -
- RATE - N/A

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: \_\_\_\_\_

TYPE OF FILING: Interim Rates

Lawrence N. Schumacher  
Issuing Officer

PRESIDENT  
Title

**DOCKET NO. 030444-WS**

**APPLICATION OF BAYSIDE UTILITY SERVICES, INC.  
FOR A RATE INCREASE IN BAY COUNTY**

**EXHIBIT 8**

**FINAL RATE TARIFF SHEETS**

**ORIGINAL AND THREE COPIES**

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

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>	<u>Gallorage Charge</u>
5/8" x 3/4"	\$ 28.92	\$4.61 per 1,000
3/4"	\$ 43.35	\$4.61 per 1,000
1"	\$ 72.32	\$4.61 per 1,000
1 1/2"	\$ 144.61	\$4.61 per 1,000
2"	\$ 231.36	\$4.61 per 1,000
3"	\$ 462.74	\$4.61 per 1,000
4"	\$ 722.99	\$4.61 per 1,000
6"	\$1,445.96	\$4.61 per 1,000

MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Final Rates

Lawrence N. Schumacher  
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RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water 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

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$28.92
3/4"	\$43.35
1"	\$72.32
Gallonge Charge	\$4.61 per 1,000

MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Final Rates

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MULTI-RESIDENTIAL SERVICE

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- BILLING PERIOD -
- RATE - N/A
- 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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GENERAL SERVICE

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- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly

RATES -

<u>Meter Size</u>	<u>Base Facility Charge</u>	<u>Gallonage Charge</u>
5/8" x 3/4"	\$ 31.68	\$9.37 per 1,000
3/4"	\$ 47.55	\$9.37 per 1,000
1"	\$ 79.22	\$9.37 per 1,000
1 1/2"	\$ 158.41	\$9.37 per 1,000
2"	\$ 253.48	\$9.37 per 1,000
3"	\$ 511.07	\$9.37 per 1,000
4"	\$ 792.12	\$9.37 per 1,000
6"	\$1,584.28	\$9.37 per 1,000

- MINIMUM CHARGE - The applicable 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: \_\_\_\_\_

TYPE OF FILING: Final Rates

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- APPLICABILITY - For wastewater service for all purposes in private residences and 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
- RATES -
- | <u>Base Facility Charge</u> | <u>Gallonge Charge</u>                       |
|-----------------------------|--|
| \$31.68                     | \$7.83 per 1,000<br>(Maximum 6, 000 Gallons) |
- MINIMUM CHARGE - The applicable 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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- TYPE OF FILING: Final Rates

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- BILLING PERIOD -
- RATE - N/A

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: \_\_\_\_\_

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Title