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November 17, 2003

HAND DELIVERY

RECEIVED FPSC
03 NOV 17 AM 10:15
COMMISSION
CLERK

Ms. Blanca Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 030445-WS; Application of Utilities, Inc. of Eagle Ridge, for Increase
in Rates in Lee County, Florida
Our File No.: 30057.43

Dear Ms. Bayo:

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

- 11503-03 • Original and sixteen (16) copies of the Application for Increase in Rates
- 11504-03 • Sixteen (16) copies of the Minimum Filing Requirements (Exhibit "1")
- 11505-03 • Affidavit of Utility CEO in Compliance with Rule 25-32.0407, F.A.C., (Exhibit "2")
- 11506-03 • Two (2) copies of the Billing Analysis Schedules (Exhibit "3")
- 11507-03 • Two (2) copies of the Additional Engineering Information (Exhibit "4")
- 11508-03 • One (1) copy of Detailed Map (Exhibit "5")
[CA note: MAP FORWARDED TO ECR]
- 11508-03 • Costs or charges to Utility from an affiliate or related party (Exhibit "6")

AUS _____
CAF _____
CMP _____
COM 5
CTR _____
ECR _____
GCL 1
OPC 1
MMS _____
SEC 1
OTH _____

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

Initials of person who forwarded check:

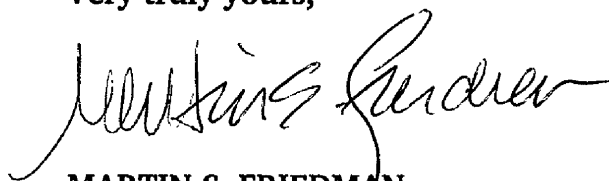
See

Ms. Blanca Bayo
November 17, 2003
Page 2

- 11509-03 • Original and three (3) copies of the proposed Interim Rate Tariff Sheets (Exhibit "7")
- 11510-03 • Original and three (3) copies of the proposed Final Rate Tariff Sheets (Exhibit "8")
- Our check in the amount of \$3,500.00 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\Eagle Ridge\(.43)Eagle Ridge 2003 Rate Case\PSC Clerk 01 (filing App)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
UTILITIES, INC. OF EAGLE RIDGE for
an increase in wastewater rates
In Lee, County, Florida

DOCKET NO. 030445-SU

APPLICATION FOR INCREASE IN RATES

Applicant, UTILITIES, INC. OF EAGLE RIDGE (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 wastewater rates in Lee 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:

Utilities, Inc. of Eagle Ridge
200 Weathersfield Avenue
Altamonte Springs, Florida 32714-4099

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

Utilities, Inc. of Eagle Ridge
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

11503 NOV 17 8

FPSC-COMMISSION CLERK

E-MAIL: mfriedman@rsbattorneys.com

(b) Utilities, Inc. of Eagle Ridge is a Florida corporation incorporated in Florida on August 8, 1995. 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) Wastewater rates have not been set since the Utility was acquired by Utilities, Inc. Rate base for the portion of the wastewater system formerly owned by Eagle Ridge Utilities, Inc. was confirmed and the current rates were authorized in February, 1985, at the time the Commission approved the transfer of the facilities and certificate of Eagle Ridge Utilities, Inc. to the Utility in Docket No. 840-320-SU in Order No. 14133. Rate base and rates were established for the portion of the wastewater system formerly owned by Cross Creek of Fort Myers Community Association, Inc. in Docket No. 001820 when the Commission approved the transfer of the facilities as of December 31, 2000 in Order No. PSC-01-1792-PAA-SU.

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

Utilities, Inc. of Eagle Ridge
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 two copies of the Revised Tariff Sheets reflecting the proposed interim rates are attached hereto as Composite **Exhibit "7"**.

VIII.

The original and two 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 \$3,500 since the Utility has the existing capacity to serve less than 4,000 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 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 17th 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)


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. 020408-SU

**APPLICATION OF ALAFAYA UTILITIES, INC.
FOR A RATE INCREASE IN SEMINOLE 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 - To any customer 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.

RATES Monthly.

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 16.07
3/4"	24.11
1"	40.17
1 1/2"	80.33
2"	128.61
3"	257.05
4"	401.68
6"	803.35

Gallorage Charge per 1,000 \$ 3.96

MINIMUM CHARGE - Base Facility Charge Per Month.

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 in accordance with Rule 25-30.320, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING - Interim Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - Available to Cross Creek of Fort Myers Community Association, Inc.

APPLICABILITY - For wastewater service to member condominium 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 - \$14,045.60 (905 x \$15.52)

MINIMUM CHARGE - \$14,045.60.45 (905) x \$15.52)

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code. If a customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING - Interim Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE

RECLAIM WATER SERVICE

- AVAILABILITY - Available to the Cross Creek Golf Club and the Eagle Ridge Golf and Tennis Club, Ltd., only.
- APPLICABILITY - For irrigation purposes only.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - None.
- RATE - \$0.00
- MINIMUM CHARGE - None.
- TERMS OF PAYMENT - None.
- EFFECTIVE DATE -
- TYPE OF FILING - Facilities Transfer.

Lawrence M. 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 individually metered apartment units.

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

RATES - Monthly.

Meter Size	Base Facility Charge	Gallonge Charge (Per 1,000 gallons)
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All meter sizes	\$16.07	\$3.96
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(Maximum charge at
10,000 gallons)

MINIMUM CHARGE - Base Facility Charge Per Month.

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 with Rule 25-30.320, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING - Interim Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE

DOCKET NO. 020408-SU

**APPLICATION OF ALAFAYA UTILITIES, INC.
FOR A RATE INCREASE IN SEMINOLE 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 - To any customer 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.
- RATES - Monthly.

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 17.34
3/4"	26.01
1"	43.35
1 1/2"	86.70
2"	138.72
3"	260.10
4"	433.50
6"	867.00

Gallage Charge per 1,000 \$ 4.27

MINIMUM CHARGE - Base Facility Charge Per Month.

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 with Rule 25-30.320, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING - Final Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE

GENERAL SERVICE

RATE SCHEDULE GS

<u>AVAILABILITY</u> -	Available to Cross Creek of Fort Myers Community Association, Inc.
<u>APPLICABILITY</u> -	For wastewater service to member condominium units.
<u>LIMITATIONS</u> -	Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
<u>BILLING PERIOD</u> -	Monthly.
<u>RATE</u> -	\$15,149.70 (905 x \$16.74)
<u>MINIMUM CHARGE</u> -	\$15,149.70 (905 x \$16.74)
<u>TERMS OF PAYMENT</u> -	Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.
<u>EFFECTIVE DATE</u> -	
<u>TYPE OF FILING</u> -	Final Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE

RECLAIM WATER SERVICE

<u>AVAILABILITY</u> -	Available to the Cross Creek Golf Club and the Eagle Ridge Golf and Tennis Club, Ltd., only.
<u>APPLICABILITY</u> -	For irrigation purposes only.
<u>LIMITATIONS</u> -	Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
<u>BILLING PERIOD</u> -	None.
<u>RATE</u> -	\$0.00
<u>MINIMUM CHARGE</u> -	None.
<u>TERMS OF PAYMENT</u> -	None.
<u>EFFECTIVE DATE</u> -	
<u>TYPE OF FILING</u> -	Final Rates.

Lawrence M. 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 individually metered apartment units.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- RATES - Monthly.
- | Meter Size | Base Facility Charge | Gallonge Charge
(Per 1,000 gallons) |
|-----------------|----------------------|--|
| All meter sizes | \$17.34 | \$4.27 |
- (Maximum charge at 10,000 gallons)
- MINIMUM CHARGE - Base Facility Charge Per Month.
- 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 with Rule 25-30.320, Florida Administrative Code.
- EFFECTIVE DATE -
- TYPE OF FILING - Final Rates.

Lawrence M. Schumacher
ISSUING OFFICER

PRESIDENT
TITLE