

State of Florida



ORIGINAL

# Public Service Commission

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## M-E-M-O-R-A-N-D-U-M

**DATE:** February 9, 2007

**TO:** Ann Cole, Chief of Records, Division of the Commission Clerk & Administrative Services

**FROM:** Rosanne Gervasi, Senior Attorney, Office of the General Counsel *RG*

**RE:** Docket Number 060122-WU - Joint petition for approval of stipulation on procedure by Aloha Utilities, Inc. and Office of Public Counsel.

Please file the attached Joint Petition to Approve Stipulation on Service Availability Charges and Stipulation to Increase Service Availability Charges in the above-referenced docket. Thank you.

RG/PE

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- COM \_\_\_\_\_
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DOCUMENT NUMBER DATE

01360 FEB-9 07

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint Petition by Aloha Utilities, ) Docket No. 060122-WU  
Inc. and Office of Public Counsel to )  
Approve Stipulation )

JOINT PETITION TO APPROVE STIPULATION ON SERVICE AVAILABILITY CHARGES

Aloha Utilities, Inc. ("Aloha"), by and through its undersigned counsel, and the Citizens of the State of Florida, through the Office of Public Counsel ("OPC"), jointly petition the Florida Public Service Commission ("Commission") for entry of an order approving the Stipulation on Service Availability Charges ("Stipulation") attached hereto as Exhibit A.

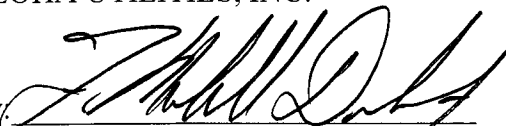
The Stipulation specifies the proposal to increase service availability charges assessed by Aloha Utilities, Inc. for water service to its Seven Springs' customers.

By its terms, the Stipulation will be effective only if approved by the Commission.

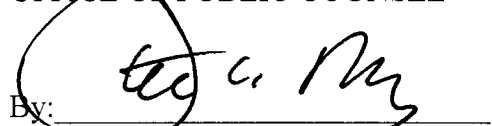
WHEREFORE, the undersigned parties respectfully request that the Florida Public Service Commission approve the attached Stipulation in all respects.

EXECUTED this 7<sup>th</sup> day of February, 2007.

ALOHA UTILITIES, INC.

By:   
John L. Wharton  
F. Marshall Deterding  
Rose, Sundstrom, & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301  
(850) 877-6555

OFFICE OF PUBLIC COUNSEL

By:   
Stephen C. Reilly  
Associate Public Counsel  
111 W. Madison Street, Rm. 812  
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STIPULATION TO INCREASE SERVICE AVAILABILITY CHARGES

~~This STIPULATION TO INCREASE WATER SERVICE AVAILABILITY CHARGES~~ is entered into this 7<sup>th</sup> day of February, 2007, by and between Aloha Utilities, Inc. ("Aloha") and the Office of Public Counsel on behalf of the Citizens of the State of Florida ("OPC") (collectively, "Parties").

WHEREAS, Aloha has had to recently construct, or will have to construct in the future: (1) facilities to implement chloramination of water as a disinfectant; and (2) facilities to implement anion exchange water treatment at several plants; and (3) facilities on Aloha's side of the point of delivery of bulk water from the Pasco County to facilitate the delivery of bulk water to the Seven Springs System; and

WHEREAS, Aloha has had to recently invest or will have to invest in the future, monies to: (1) pay impact fees to Pasco County in order to receive bulk water from the County; and (2) reimburse Pasco County for additional costs to build facilities to enable the County to deliver bulk water to Aloha; and

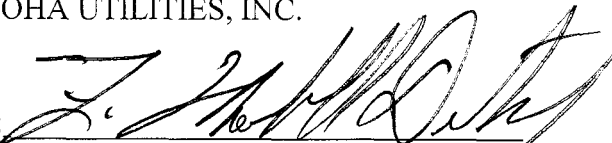
WHEREAS, the "Better Water Now" customer group has proposed that Aloha's water service availability charges, for its Seven Springs system, should be increased to \$3,000.00 per ERC, in order to defray the cost to construct the above described Aloha water facilities and to make the above described payments to the County, and to help mitigate future rate increases to pay for the construction and investment in these new facilities. Aloha and OPC are agreeable to this increase.

NOW THEREFORE, Aloha and OPC hereby stipulate and agree to the following:

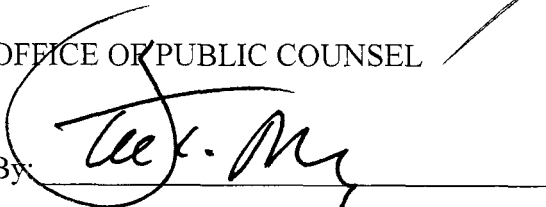
1. Aloha and OPC shall file a Joint Motion seeking an order from the Florida Public Service Commission ("Commission") authorizing Aloha to increase, as quickly as possible, its water service availability fees for its Seven Springs system to \$3,000.00 per ERC.
2. Aloha shall begin collecting the higher water service availability fees as soon as it is authorized to do so by the Commission.
3. This Stipulation shall bind the parties only if it is approved by the Commission without change and is incorporated by reference in an Order of the Commission.

EXECUTED this 7<sup>th</sup> day of February, 2007.

ALOHA UTILITIES, INC.

By: 

OFFICE OF PUBLIC COUNSEL

By: 

STATEMENT BY COMMISSION STAFF

The staff of the Commission participated in the negotiation of this stipulation. Based on that participation, staff will recommend to the Commission that it issue an order consistent with this stipulation.

  
GENERAL COUNSEL

  
DIRECTOR OF ECONOMIC REGULATION