

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for establishment of allowance for funds used during construction (AFUDC) rate in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties, by Aqua Utilities Florida, Inc.

DOCKET NO. 060819-WS  
ORDER NO. PSC-07-0276-PAA-WS  
ISSUED: April 2, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
MATTHEW M. CARTER II  
KATRINA J. McMURRIAN

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING UNIFORM AFUDC RATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

Background

Aqua Utilities Florida, Inc. (Aqua or utility) is a wholly owned subsidiary of Aqua Utilities, Inc., formerly AquaSource Utility, Inc. Aqua Utilities, Inc., a Texas corporation, is a wholly owned subsidiary of Aqua America Inc. Aqua America Inc., directly or indirectly through subsidiaries, owns and operates water and wastewater systems in thirteen states. In Florida, Aqua furnishes regulated water and wastewater service in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties.

On September 25, 2006, Aqua's six regulated Florida subsidiaries filed a joint application for acknowledgement of corporate reorganization and approval of name change. By Order No. PSC-06-0973-FOF-WS, issued November 22, 2006, in Docket No. 060643-WS, this Commission approved Aqua's corporate reorganization and request for name change, effective the date of the order. Per that order, all applicants are owned and operated under the name Aqua Utilities Florida, Inc.

DOCUMENT NUMBER-DATE

02825 APR-26

FPSC-COMMISSION CLERK

On December 21, 2006, Aqua filed the instant petition, requesting a uniform AFUDC rate. In accordance with Rule 25-30.116(4), F.A.C., Aqua filed the following schedules: (a) a schedule showing the capital structure, cost rates and weighted average cost of capital that are the basis for the AFUDC rate requested; (b) a schedule showing capital structure; and, (c) a schedule showing the calculation of the monthly AFUDC rate using the methodology set out in Rule 25-30.116(4), F.A.C. As proposed, the uniform rate would be effective for eligible projects as of October 13, 2006, forward.

Further, by letter dated October 19, 2006, Aqua filed a petition for establishment of an AFUDC rate for each of the six separate Aqua America-owned entities. We addressed that petition in Docket No. 060693-WS. This Order addresses the establishment of a uniform AFUDC rate for Aqua. We have jurisdiction pursuant to Section 367.121, Florida Statutes.

Appropriate AFUDC Rate for Aqua Utilities Florida, Inc.

Rule 25-30.116, F.A.C., provides that Construction Work in Progress (CWIP) that is not included in rate base may accrue AFUDC. Rule 25-30.116(2)(a), F.A.C., provides that an AFUDC rate shall be determined using the utility's most recent 12-month average embedded cost of capital. Aqua's average cost of capital was calculated using the 12-month period ended September 30, 2006. Rule 25-30.116(5), F.A.C., states that the new AFUDC rate shall be effective the month following the end of the 12-month period used to establish that rate and may not be retroactively applied to a previous fiscal year unless authorized by this Commission. Therefore, the approved rates shall be applicable for eligible construction projects beginning October 13, 2006.

Projects may be included in CWIP and accrue AFUDC if the projects involve gross additions to plant in excess of \$5,000 and are expected to be completed in excess of sixty days after commencement of construction or were originally expected to be completed in sixty days or less but are not ready for service after sixty days.

Aqua's application includes a calculation to discount the simple interest rate of each AFUDC rate to reflect the effects of compounding monthly. Our staff reviewed this calculation and determined that the utility incorrectly used the formula. As such, our staff recalculated the monthly discounted rates to reflect the appropriate effects of compounding monthly.

Based on this review and recalculation, we find that the appropriate uniform AFUDC rate is 7.90%, and the appropriate discounted monthly rate is 0.635634. This rate shall be effective for eligible projects as of October 13, 2006.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the appropriate uniform AFUDC rate for Aqua Utilities Florida, Inc. is 7.90% with a discounted monthly rate of 0.635634, and shall be effective for eligible projects as of October 13, 2006. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that if no timely protest from a substantially affected person on the approved AFUDC rate is received within 21 days of the issuance of the PAA Order, the AFUDC rate shall become final upon issuance of a Consummating Order, and the docket shall be closed.

By ORDER of the Florida Public Service Commission this 2nd day of April, 2007.



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ANN COLE  
Commission Clerk

( S E A L )

RRJ

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 that is available under Section 120.57, 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 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.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This

ORDER NO. PSC-07-0276-PAA-WS

DOCKET NO. 060819-WS

PAGE 4

petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 23, 2007.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.