

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in  
Lee County by Useppa Island Utility, Inc.

DOCKET NO. 060575-WS  
ORDER NO. PSC-07-0385-SC-WS  
ISSUED: May 1, 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 INCREASE IN RATES AND CHARGES  
AND  
FINAL ORDER GRANTING TEMPORARY RATES IN THE EVENT OF A PROTEST AND  
ORDER INITIATING A SHOW CAUSE PROCEEDING

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that this action, except for setting temporary rates in the event of protest, the statutory four-year rate reduction, the initiation of a show cause proceeding, and the requirement to adjust its primary accounts in accordance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA), 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.).

I. Background

Useppa Island Utility, Inc. (Useppa or utility) is a Class C water and wastewater utility currently providing service to approximately 151 water and 145 wastewater customers on Useppa Island in Lee County off the coast of North Fort Myers. There is no bridge to the island and the island covers approximately 100 acres. The utility serves a selective membership of clients known as the Useppa Island Club. Members of the Useppa Island Club create a seasonal customer base that visit the island for vacations, holidays and special events. Only ten of the utility's customers are year-round residents. Useppa is located in the South Florida Water Management District (SFWMD) in a critical use county on environmentally sensitive land. The utility's 2005 annual report shows combined operating revenues of \$250,040, operating expenses of \$270,613, and a net operating loss of \$20,573. The utility is a 100% owned subsidiary of the Useppa Inn and Dock Company.

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The utility began operations in 1981. Rates were last established for Useppa in 1997 for water<sup>1</sup> and in 2000 for wastewater.<sup>2</sup> Rate base for water and wastewater was also established in the 2000 docket by Order No. PSC-00-2117-PAA-WS, supra. The utility received rate adjustments in 2006 through the application of a 2006 price index and pass through. On August 25, 2006, the utility filed an application for a staff-assisted rate case (SARC) and paid the appropriate filing fee on October 25, 2006.

Our staff audited the utility's records for compliance with Commission rules and orders and determined the components necessary for rate setting. The staff engineer also conducted a field investigation of the utility's plant and service area. A review of the utility's operation expenses, maps, files, and rate application was also performed to obtain information about the physical plant operating cost. A historical test year ended June 30, 2006 is being used for this rate case.

We have jurisdiction to consider this rate case pursuant to Section 367.0814, Florida Statutes (F.S.).

## II. Quality of Service

Pursuant to Rule 25-30.433(1), F.A.C., in every water and wastewater rate case, this Commission shall determine the overall quality of service provided by a utility by evaluating three separate components of water operations. The components are: (1) the quality of the utility's product; (2) the operating conditions of the utility's plant and facilities; and, (3) the utility's attempt to address customers' satisfaction. The Rule further states that sanitary surveys, outstanding citations, violations, and consent orders on file with the Department of Environmental Protection (DEP) and the County Health Department over the preceding three-year period shall be considered, along with input from the DEP and health department officials and consideration of customer comments or complaints. Below, we address each of these three components.

### A. Quality of the Utility's Product

In Lee County, the potable water program is regulated by the Environmental Engineering Division of the Lee County Public Health Unit (LCPH). According to the LCPH, the utility is currently up-to-date with all chemical analysis and all test results are satisfactory. On February 28, 2007, the utility's annual sanitation survey was preformed by the LCPH inspector. The result of the survey indicates the water treatment facilities are in compliance with the regulatory requirements.

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<sup>1</sup> Order No. PSC-97-0930-FOF-WS, issued August 5, 1997, in Docket No. 960975-WS, In re: Application for staff-assisted rate case in Lee County by Useppa Island Utility, Inc.

<sup>2</sup> Order No. PSC-00-2117-PAA-SU, issued November 7, 2000, in Docket No. 000090-SU, In re: Application for limited proceeding rate increase in Lee County by Useppa Island Utility, Inc.

DEP has jurisdiction over wastewater facilities in Lee County. Currently, DEP has no violations or corrective orders pending against the utility. Based on the above, both the water product and the quality of the wastewater effluent shall be considered satisfactory.

#### B. Operating Condition of the Plant

Based on inspections by LCPH, our staff, and other investigations, the operating condition of the water treatment facility is not an issue as it complies with LCPH regulatory standards. With respect to the wastewater treatment plant, no violation or corrective orders are pending against the utility. Therefore, the condition of the utility's water and wastewater treatment facilities shall be considered satisfactory.

#### C. Utility's Attempt to Address Customer Satisfaction

On February 28, 2007, our staff conducted a customer meeting on Useppa Island. Approximately ten customers attended the meeting, and three customers spoke. During the customer meeting, residents expressed their concerns regarding: lift stations, salaries, pressure, and water usage. Our staff informed the customers that in this rate proceeding the utility was requesting funds to refurbish all of its lift stations. Our staff also addressed the customers' concerns regarding salaries and pressure.

#### D. Summary

Based on review of the water and wastewater treatment, distribution, and collection systems, it appears that all systems are operating properly and are in compliance with DEP and LCPH standards. Also, it appears that the utility is attempting to address customers' concerns. Therefore, we find the quality of service provided by Useppa shall be considered satisfactory.

### III. Used and Useful Percentages

Our staff performed an analysis of the utility's facilities, which is discussed below:

#### A. Water Treatment Plant – Used and Useful (U&U)

There has been one significant change made to this system since the last two rate cases, when the water treatment plant was determined to be 100% U&U. Since the last rate case, the utility added a 100,000 gallon storage tank which increased the chlorine contact time. When the U&U formula is applied, the addition of the new storage tank reduces the U&U percentage. According to the utility, the purpose of adding the storage tank was to allow the chlorine additional time to mix with the water before it is distributed to customers. During the last rate case it was determined that all available lots had been sold and metered. Because the storage tank was added to allow additional chlorine contact time for the water provided to existing customers and the service area is built out, the water treatment plant shall still be considered 100% U&U.

#### B. Wastewater Treatment Plant-U&U

There has been no significant changes made to this system since the last rate case, when the wastewater treatment plant was determined to be 100% U&U. The logic used in the last rate case was the utility is located on a small island which is built out; therefore, the U&U percentage for the wastewater plant was considered 100% U&U. Based on this reasoning, the U&U percentage shall again be considered 100%.

#### C. Water Distribution and Wastewater Collection Systems

As stated above, there has been no significant change to the water distribution and wastewater collection systems since the last two rate cases, when it was determined to be 100% U&U. By the same logic used in the last two rate cases, the water distribution and wastewater collection systems shall be considered 100% U&U.

### IV. Rate Base

The utility's rate base was established by Order No. PSC-00-2117-PAA-WS, supra. For the test year in this rate case, the rate base components established in Order No. PSC-00-2117-PAA-WS have been updated through June 30, 2006, using information obtained from our staff's audit and engineering reports. A summary of each component and the adjustments follow:

#### A. Utility Plant in Service (UPIS)

The utility recorded UPIS of \$568,259 for water and \$462,500 for wastewater for the test year ending June 30, 2006. According to Audit Finding No. 3, the utility did not record retirements appropriately when it added plant to replace existing plant. Therefore, UPIS shall be decreased by \$21,358 for water and by \$18,555 for wastewater for retirements. In addition, Audit Finding No. 3 identified plant for which the utility was unable to provide supporting documentation, and plant is decreased by \$1,065 for water and by \$1,547 for wastewater for unsupported plant. Audit Finding No. 3 also identified plant additions which were not recorded by the utility, and wastewater plant is increased by \$4,878 for unrecorded plant additions. The \$4,878 includes \$606 for a storage shed. The utility recorded \$606 in Account 620 and \$606 in Account 720, Materials and Supplies, to allocate the cost of a storage shed used by both water and wastewater operations. Audit Finding No. 6 identified the shed as a capital item and recommended reclassification to Accounts 304 and 354, Structures and Improvements. Therefore, Account 304 shall be increased by \$606, and Accounts 620 and 720 shall be decreased by \$606 to reclassify the shed.

Useppa requested pro forma capital costs of \$81,512 to upgrade its lift stations in order to comply with DEP standards requiring two pumps in every pump station that serves more than one home site. Due to surface elevation (just above 35 feet at the highest point on the island), the utility requires 25 lift stations to move the wastewater influent to the plant for treatment. The utility submitted estimates for the following additions: 23 new pumps; new duplex and simplex control panels; replumbing all pump stations; electrical material and labor to install new control

panels; three new lift station basins to replace three broken stations; and three new lift station lids and float hangers to be compatible to new control panel floats. The lift station upgrades have not begun, pending completion of the loan process to fund the project. However, the projected completion date for all upgrades is September 30, 2007. Our staff reviewed the estimates and believes they are reasonable. Therefore, the estimated capital costs of \$81,512 shall be included in wastewater plant for lift station upgrades. The utility shall complete the pro forma upgrades within nine months of the issuance date of the Consummating Order.

Consistent with prior Commission practice where no original cost documentation was available, the retirement of pro forma additions is estimated based on 75% of the replacement cost.<sup>3</sup> Based on these estimates, Plant is decreased as follows: \$5,454 for the replacement of three lift station basins; \$1,746 to replace three lift station lids; and \$819 to replace float hangers – for a total decrease of \$8,019 for pro forma retirements.

The utility expensed \$1,060 for a blower control panel in Account 720, Materials and Supplies. This item shall be capitalized. Therefore, wastewater plant shall be increased by \$1,060 and Account 720 shall be decreased by \$1,060 to reclassify this item. Also, wastewater UPIS shall be decreased by \$795 to record the retirement of the blower control panel that was replaced.

Finally, we decreased UPIS by \$303 for water and \$1,982 for wastewater for an averaging adjustment. Based on the above, we calculate a UPIS balance of \$546,139 for water and \$519,052 for wastewater.

#### B. Non-used and Useful Plant

As determined earlier, the utility's water and wastewater treatment plants and the water distribution and wastewater collection systems are considered 100% used and useful. Therefore, no adjustments are necessary for non-used and useful plant.

#### C. Accumulated Depreciation

The utility recorded accumulated depreciation balances of \$264,226 for water and \$257,902 for wastewater for the test year. Using the prescribed depreciation rates in Rule 25-30.140, F.A.C., the correct accumulated depreciation on June 30, 2006, is \$285,655 for water and \$254,609 for wastewater. Therefore, water accumulated depreciation is increased by \$21,429 and wastewater accumulated depreciation is reduced by \$3,293. In addition, we have increased wastewater by \$1,508 to reflect accumulated depreciation on pro forma plant and decreased wastewater by \$8,019 for the retirement of plant replaced by pro forma additions. Further, we have decreased accumulated depreciation by \$12,559 for water and \$7,465 for wastewater for averaging adjustments. These adjustments result in accumulated depreciation balances of \$273,096 for water and \$240,633 for wastewater.

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<sup>3</sup> Order No. PSC-01-2511-PAA-WS, issued December 24, 2001, in Docket No. 010396-WS, In re: Application for staff-assisted rate case in Brevard County by Burkim Enterprises, Inc.

#### D. Accumulated Amortization of CIAC

The utility recorded accumulated amortization of CIAC balances of \$151,532 for water and \$210,616 for wastewater for the test year. Using the rates prescribed in Rule 25-30.140, F.A.C., for the CIAC that can be specifically identified by account and composite rates for the remainder, we calculate the balance to be \$174,279 for water and \$214,349 for wastewater. This reflects an increase of \$22,747 for water and \$3,733 for wastewater. In addition, we have decreased this account by \$4,217 for water and by \$3,603 for wastewater to reflect averaging adjustments. Based on the above, we calculate accumulated amortization of CIAC of \$170,062 for water and \$210,746 for wastewater.

#### E. Working Capital Allowance

Working capital is defined as the investor-supplied funds necessary to meet operating expenses or going-concern requirements of the utility. Consistent with Rule 25-30.433(2), F.A.C., we used the one-eighth of the O&M expense formula approach for calculating working capital allowance. Applying this formula, we calculate the working capital allowance to be \$14,721 for water (based on O&M of \$117,766) and \$13,513 for wastewater (based on O&M of \$108,102), and working capital is increased by these amounts.

#### F. Rate Base Summary

Based on the forgoing, we calculate test year rate base to be \$242,619 for water and \$275,978 for wastewater.

Our calculation of the appropriate rate bases is shown on Schedule Nos. 1-A and 1-B, with adjustments shown on Schedule 1-C.

#### V. Cost of Capital

According to our staff's audit, the utility recorded the following items in capital structure: common stock of \$1,000; paid in capital of \$149,000; retained earnings of \$311,135; and long term debt of \$837,242. The long term debt consists of three debt instruments. The first is a promissory note with SouthTrust Bank for \$50,780 for water plant with an interest rate of 8.00%. The second is a promissory note with Wachovia Bank for \$79,768 for wastewater plant with an interest rate of 7.62%. The third is an interest only note payable to stockholders for \$706,694. Although there is no debt instrument for this note, the utility pays 5.50% interest annually. Therefore, we find the note payable is properly treated as long term debt.

We have reconciled the utility's capital structure with our approved rate base. Using the leverage formula approved by Order No. PSC-06-0476-PAA-WS, issued June 5, 2006, in Docket No. 060006-WS, In Re: Water and Wastewater industry annual establishment of authorized range of return on common equity for water and wastewater utilities pursuant to Section 367.081(4)(f), F.S., we calculate the appropriate rate of return on equity to be 11.54% with a range of 10.54% - 12.54%. Also, we calculate the overall rate of return to be 7.87%. Our calculations are shown on Schedule No. 2.N

## VI. Net Operating Income

### A. Test Year Revenues

The utility recorded revenues of \$173,424 for water and \$92,014 for wastewater for the test year. Useppa received a rate increase through the operation of a 2006 price index and pass through adjustment effective August 1, 2006. Our staff calculated annualized revenue for the test period using the current rates times the number of bills and consumption provided in the billing analysis. Therefore, we have increased test year revenues by \$13,443 for water and decreased them by \$5,368 for wastewater to reflect annualized revenue based on the existing rates. Although we are approving an increase in miscellaneous service charges, based on the utility's response to Data Request No. 3, the increase to revenues related to increased miscellaneous service charges is immaterial. Therefore, we find the appropriate test year revenues to be \$186,867 for water and \$86,646 for wastewater.

Our calculations of test year revenue are shown on Schedule No. 3-A and 3-B. The related adjustments are shown on Schedule No. 3-C.

### B. Pre-Repression Operating Expenses

The utility recorded operating expenses of \$163,314 for water and \$148,938 for wastewater for the test year ending June 30, 2006. The test year O&M expenses have been reviewed, and invoices, canceled checks and other supporting documentation have been examined. Based on this review, we have made several adjustments to the utility's operating expenses as follows:

#### 1. Operation and Maintenance Expenses (O&M)

a. Salaries and Wages – Employees – (601/701) - The utility recorded \$67,784 for water and \$65,605 for wastewater in this account. To reclassify contracted operator fees to Contractual Services – Other, in accordance with Audit Finding 6, Accounts 601 and 701 are decreased by \$3,340 for water and by \$1,160 for wastewater, and Accounts 636 and 736 are increased, respectively, by these amounts. The contracted operator is necessary to relieve Useppa's operator during his vacation and days off.

According to the Audit, there are five employees whose time is charged to the utility. The Utility Manager and Operator is the water and wastewater operator and is also responsible for record keeping, chemical analysis and monitoring, sampling, repairs and maintenance, Discharge Monitoring Reports, Monthly Operating Reports, PSC Annual Reports and reports to the South Florida Water Management District, ground water reports, chemical monitoring reports, ordering, expense control, pond maintenance, plant upkeep, etc. The Trainee/Operator Assistant is responsible for repairs and maintenance, chemical analysis, sampling, meter reading and plant up keep. The Secretary is responsible for answering telephones, expense tracking, filing, ordering, record keeping, accounts payable and receivable, etc. The President and the Accounting Supervisor allocate ten percent of their time to the utility.

We note that the utility serves 151 water and 145 wastewater customers, and the salary expense is 46 percent of total O&M expenses for water and 49 percent for wastewater. The total O&M expense for the utility is far above this Commission's-approved O&M expenses indexed to 2006 of like-size utilities. Useppa recorded O&M expense of \$139,377 for water and \$131,362 for wastewater. Like-size Class C utilities' indexed O&M expenses ranged from \$33,000 to \$71,800. Because Useppa is an island utility only accessible by ferry, and special arrangements must be made to deliver materials and supplies, it is not entirely comparable with other utilities. However, we find that adjustments are necessary to achieve a reasonable salary expense.

One hundred percent of the Utility Manager, the Secretary, and the Trainee's salaries are charged to the utility. Based on our staff's observations, it appears that these employees spend a portion of their time on activities for the Useppa Inn and Dock Company. Based on recommendations of our staff, we find that 90 percent is a more reasonable percentage to charge to the utility for the Utility Manager and the Trainee's salaries. In the past, we have rarely approved a full time secretary for utilities the size of Useppa,<sup>4</sup> and find that 75 percent is a more reasonable amount for the Secretary's salary. The following schedule shows our calculation of the approved salary expense.

<u>Title</u>	<u>Hourly Rate</u>	<u>Hours Per Week</u>	<u>Percent Utility Related</u>	<u>Annual Utility Salary</u>	<u>Allocated 50% to Water</u>	<u>Allocated 50 % to Wastewater</u>
Manager/Operator	\$24.71	40	90%	\$46,257	\$23,128	\$23,128
Trainee	\$13.00	40	90%	\$24,336	\$12,168	\$12,168
Secretary	\$13.00	40	75%	\$20,280	\$10,140	\$10,140
Accounting Supervisor	\$27.70	4 (10%)	No change	\$ 5,762	\$ 2,881	\$ 2,881
President	\$40.61	4(10%)	No change	\$ 8,447	\$ 4,223	\$ 4,223
Total Salaries				\$105,082	\$52,541	\$52,541

Based on the above, we have decreased this account by \$11,903 for water (\$67,784 - \$3,340 - \$52,541) and \$11,904 for wastewater (\$65,605 - \$1,160 - \$52,541), for salaries and wages expenses of \$52,541 for water and \$52,541 for wastewater.

b. Employee Pensions and Benefits – (604/704) – The utility recorded \$10,563 for water and \$10,905 for wastewater in these accounts. These amounts included \$2,937 each for health insurance, \$1,801 each for workers comp insurance, and \$5,825 for water and \$6,167 for wastewater for payroll taxes. We have decreased this account by \$1,801 for both water and wastewater to reclassify workers comp insurance to Account 655/755, Insurance Expense. We have further decreased this account by \$5,825 for water and by \$6,167 for wastewater to

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<sup>4</sup> Order No. PSC-03-1342-PAA-WS, issued November 24, 2003, in Docket No. 021228-WS, In re: Application for staff-assisted rate case in Brevard County by Service Management Systems, Inc.



reclassify payroll taxes to Account 408, Taxes Other Than Income. Therefore, the appropriate employee pensions and benefits expense is \$2,937 for both water and wastewater.

c. Purchased Power – (615/715) – The utility recorded \$26,491 for water and \$14,236 for wastewater in this account for the test year. In accordance with Audit Finding 6, this account shall be increased by \$1,970 for water to include a power bill for the test year that was not recorded by the utility. With this adjustment, purchased power expense is \$28,461 for water and \$14,236 for wastewater.

d. Chemicals – (618/718) – The utility recorded \$4,514 in this account for water and \$4,440 for wastewater for the test year. Audit Finding 6 identified \$448, recorded in Account 620, Materials and Supplies, as an expenditure for water chemicals. Therefore, we have increased this account by \$448 and decreased Account 620 by the same amount to reclassify chemical expense. In addition, we decreased this account by \$856 to remove an unsupported wastewater expense. The resulting expense is \$4,962 for water and \$3,584 for wastewater.

e. Materials and Supplies – (620/720) – The utility recorded \$8,370 for water and \$7,762 for wastewater in this account for the test year. In accordance with Audit Finding 6, we have reclassified the following items: decreased both water and wastewater by \$606 to reclassify costs for a storage shed to Structures (304/354); decreased water by \$448 to reclassify costs for chemicals to Chemicals (618); decreased both water and wastewater by \$876 to reclassify van lease payments to Transportation (650/750); and increased wastewater by \$4,882 to reclassify the cost of materials and supplies from Contractual Services – Other (736). In addition, we decreased this account by \$1,731 for water to remove unsupported expenses. Finally, we decreased wastewater by \$1,060 to reclassify a blower control panel, which was expensed in error, to Account 380, Treatment Disposal Equipment. Based on these adjustments, materials and supplies expense is calculated to be \$4,709 for water and \$10,102 for wastewater.

f. Contractual Services – Testing – (635/735) – The utility recorded \$0 for water and \$0 for wastewater in this account for the test year. We increase this account by \$3,342 for water to include invoice amounts for testing that were not recorded by the utility. We also increase wastewater by \$5,528 to reclassify testing expenses from Account 736, Contractual Services - Other. Further, we increase water by \$252 and decrease wastewater by \$200 to include the appropriate DEP-required amounts as reflected in the chart below.

State and local authorities require that several analyses be submitted in accordance with Rule 62-550, F.A.C. The list below includes monthly monitoring and other less frequent tests required by DEP and the Lee County Health Department.

Water

Description	Frequency	Cost per year
Total Coliform	5/month	\$720
TDS	2/ month	\$336
Chloride	2/quarter	\$112
Spec. Cond.	2/year	\$24
Ph	2/year	\$24
TDS	2/year	\$28
Turbidity	2/year	\$28
Sulfate	2/year	\$28
Chloride	2/year	\$28
Sodium	2/year	\$36
Gross Alpha	1/quarter	\$220
Radium 226/228	1/quarter	\$864
Uranium	1/quarter	\$300
Nitrate	1/year	\$18
Nitrite	1/year	\$18
TDS	1/year	\$18
Lead/Copper	Every 3 years	\$120
HAA3	1/year	\$150
TTHM	1/year	\$95
Primary Inorganics	Every 3 years	\$70
Secondary Inorganics	Every 3 years	\$62
SOC	Every 3 years	\$250
VOC	Every 3 years	\$45
<b>Total</b>		<b>\$3,594</b>

Wastewater

Description	Frequency	Cost per year
TSS	3/week	\$2,184
Fecal	3/week	\$1,872
Nitrite	1/month	\$216
CBOD	2/month	\$432
Ph	4/year	\$48
TDS	4/year	\$56
Nitrate	4/year	\$72
Sulfate	4/year	\$56
Chloride	4/year	\$56
Fecal	4/year	\$48
Arsenic	4/year	\$72
Cadmium	4/year	\$72
Chromium	4/year	\$72
Lead	4/year	\$72
<b>Total</b>		<b>\$5,328</b>

Based on the above, we find contractual services – testing expense shall be \$3,594 for water and \$5,328 for wastewater.

g. Contractual Services – Other (636/736) – The utility recorded \$6,236 for water and \$11,958 for wastewater in these accounts for the test year. In accordance with Audit Finding 6, we increase these accounts by \$3,340 for water and by \$1,160 for wastewater to reclassify contracted operator fees from Salaries and Wages (601/701). Again, pursuant to Audit Finding 6, we decreased wastewater by \$4,882, to reclassify materials and supplies to Account 720. Water and wastewater were further decreased by \$4,202 and by \$393, respectively, for unsupported expenses. Finally, wastewater was decreased by \$5,528 to reclassify testing expenses to Account 735. In summary, the correct expenses are \$5,374 for water and \$2,315 for wastewater for contractual services – other expense.

h. Rents – (640/740) – Useppa recorded \$7,800 in both water and wastewater accounts for the test year. The island management company shares its office building, which encompasses 2,880 square feet, with the utility. In its 1999 rate case, the utility was allowed rent expense of \$300 per month, or \$1,800 for water and \$1,800 for wastewater. In its response to Data Request No. 1, the utility stated that the rent increase was a result of increases in the office space, property taxes, insurance, electricity, etc. The utility leases 264 square feet at \$1,300 per month. Based on the annual rent, this equates to \$59.00 per square foot (\$15,600/ 264 square feet). In the 1999 rate case, the rate per square foot was \$9.23 (\$3,600 annually/an estimated 390 square feet). We find a more reasonable rent expense to be \$800 per month or \$9,600 annually, and have decreased these accounts by \$3,000 each (\$7,800 - \$4,800), for a rental expense of \$4,800 for both water and wastewater.

i. Transportation Expense – (650/750) – The utility recorded \$2,120 for water and \$3,172 for wastewater for these accounts for the test year. Consistent with Audit Finding 6, we make the following adjustments: increased both water and wastewater by \$876 to reclassify van lease payments from Materials and Supplies (620/720); decreased water by \$70 for an unsupported item; and increased wastewater by \$764 for transportation expense the utility failed to record. Therefore, we find the appropriate expense for transportation to be \$2,926 for water and \$4,812 for wastewater.

j. Insurance Expense – (655/755) – The utility recorded \$1,204 in this account for both water and wastewater. We increase this account by \$1,801 for both water and wastewater to reclassify workers comp insurance from Accounts 604/704.

k. Regulatory Commission Expense – 665/765 - The utility recorded \$0 for water and \$0 for wastewater in these accounts for the test year. The utility paid a \$1,000 filing fee in this rate case. Pursuant to Section 367.0816, F.S., rate case expense is amortized over a four-year period. Therefore, we have increased this account by \$125 for water and \$125 for wastewater (\$1,000/4/2).

Further, the utility is required by Rule 25-22.0407(9)(b), F.A.C., to mail notices of the customer meeting to its customers, and by Rule 25-30.475(1)(a), F.A.C., to mail notices of any rate increase to its customers. Based on the number of customers, for additional mailing and copying expenses associated with this rate case (151 customers x \$0.39 postage + 6 pages x 151 customers x \$0.10 paper and envelopes = \$149.49 x 2 mailings = \$299), we find that \$299 is a reasonable amount to be recovered,. Amortizing this amount over four years, and allocating 50% to water and 50% to wastewater, we increased this account by \$37 for water and \$37 for wastewater. Based on the above, Account Nos. 665 and 765 are increased by \$162 each.

1. O&M Expense Summary – The total O&M adjustment is a decrease of \$21,611 for water and of \$23,260 for wastewater, for total O&M expenses of \$117,766 for water and \$108,102 for wastewater. Our calculation of O&M expenses is shown on Schedules 3-D and 3-E.

2. Depreciation Expense (Net of Amortization of CIAC)

The utility recorded depreciation expense of \$21,838 for water and \$18,859 for wastewater, and CIAC amortization of \$9,037 for water and \$8,998 for wastewater for the test year. Amortization of CIAC has a negative impact on depreciation expense. Therefore, the utility recorded net depreciation expense of \$12,801 for water and \$9,861 for wastewater.

Depreciation was recalculated by our staff using the prescribed rates in Rule 25-30.140, F.A.C., and found to be \$25,129 for water and \$15,806 for wastewater. Therefore, we have increased water by \$3,291 and decreased wastewater by \$3,053 to reflect the recalculation of depreciation expense. In addition, we increased this account by \$1,360, net of a decrease for retirements, to reflect wastewater depreciation expense on pro forma plant. Our staff also recalculated amortization of CIAC based on rates prescribed in Rule 25-30.140, F.A.C. Based on this recalculation, these accounts were further decreased by \$604 for water and by \$1,792 for wastewater to reflect the correct amortization of CIAC of \$8,433 for water and \$7,206 for wastewater. Amortization of CIAC has a negative impact on depreciation expense. Therefore, the appropriate annual net depreciation expense is calculated to be \$16,696 for water and \$9,960 for wastewater.

### 3. Taxes Other Than Income

The utility recorded taxes other than income of \$11,136 for water and \$7,715 for wastewater for the test year. These amounts include property taxes of \$3,716 and state annual report filing fees of \$79 for both water and wastewater, and regulatory assessment fees (RAFs) of \$7,341 for water and \$3,920 for wastewater. We increased this account by \$605 for water and decreased this account by \$242 for wastewater to include the appropriate RAFs on our annualized revenue adjustment. In addition, we increased this account by \$5,825 for water and \$6,167 for wastewater to reclassify payroll taxes from Accounts 604/704. Further, we decreased this account by \$911 for both water and wastewater to reflect the taxes on our adjustment decreasing Salaries and Wages discussed above.

### 4. Income Tax

The utility is a part of Useppa Inn and Dock Company which is an 1120 corporation. Because of continuing net operating losses on a consolidated company basis, no income taxes have been paid by the utility and no income tax liability is anticipated in the future. Therefore, no income taxes have been included.

### 5. Operating Revenues

Revenues have been decreased by \$17,432 for water and increased by \$68,979 for wastewater to reflect the change in revenue required to cover expenses and allow the approved return on investment.

### 6. Taxes Other Than Income

Taxes other than income has been decreased by \$784 for water and increased by \$3,104 for wastewater to reflect RAF of 4.5% on the change in revenues.

### 7. Operating Expenses Summary

The application of our adjustments to the audit test year operating expenses results in calculated pre-repression operating expenses of \$150,333 for water and \$133,896 for wastewater. Our calculation of Operating Expenses is shown on Schedules 3-A through 3E.

## VII. Revenue Requirement

Based on our calculations, the utility earned in excess of the approved rate of return on its water system. The utility was overearning by \$17,432 (9.33%) on its water system and a revenue decrease and/or an offset to the wastewater increase is appropriate. According to our calculations, the appropriate annual revenue decrease is \$17,432 (-9.33%) for water and an annual increase of \$68,979 (79.61%) for wastewater, for an allowed return on its investment of 7.87%. The calculations are as follows:

	<u>Water</u>	<u>Wastewater</u>
Adjusted Rate Base	\$242,619	\$275,978
Rate of Return	x .0787	x .0787
Return on Rate Base	\$19,102	\$21,728
Adjusted O & M expense	\$117,766	\$108,102
Depreciation expense (Net)	\$16,696	\$9,960
Amortization	\$0	\$0
Taxes Other Than Income	\$15,871	\$15,834
Income Taxes	\$0	\$0
Revenue Requirement	<u>\$169,435</u>	<u>\$155,624</u>
Adjusted Test Year Revenues	<u>\$186,867</u>	<u>\$86,646</u>
Percent Increase/(Decrease)	<u>-9.33%</u>	<u>79.61%</u>

Based on the foregoing, the appropriate revenue requirement is \$169,435 for water and \$155,624 for wastewater. Our calculation of the appropriate revenue requirements is shown on Schedule Nos. 3-A and 3-B.

### VIII. Rates and Charges

#### A. Water and Wastewater Rate Structure

The current rate structures for the utility's respective water and wastewater systems were approved in the utility's last rate case. The utility's current water rates are a base facility charge (BFC) of \$39.26 for a 5/8" x 3/4" meter, with a uniform gallonage charge of \$7.05. The current wastewater rates are a \$28.96 for a 5/8" x 3/4" meter. The residential gallonage charge is \$7.39 per thousand gallons (kgal) of usage, capped at 6 kgal per month. The general service gallonage charge is \$8.87 for all kgal sold.

Our staff performed a detailed analysis of the utility's billing data in order to evaluate various BFC cost recovery percentages, usage blocks, and usage block rate factors for the residential rate class. The goals of the evaluation was to select the rate design parameters that: 1) allow the utility to recover its revenue requirement; 2) equitably distribute cost recovery among the utility's customers; and 3) implement, where appropriate, water conserving rate structures consistent with the Commission's Memorandum of Understanding with the state's five Water Management Districts.

Based on our staff's analysis, the average monthly residential water consumption is 5.9 kgal. This figure is misleading, however, as the utility's customer base is very seasonal – over half of the bills represent consumption at 1 kgal or less, and approximately two-thirds of the bills are for consumption of 3 kgal or less. When customers are in residence, the average monthly consumption figures are dramatically different. For those customers using greater than 3 kgal per month, the average usage is 16.3 kgal, and for the 10% of the bills captured at monthly consumption of 17 kgal or greater, average monthly usage more than doubles to 33.4 kgal.

The utility is located in the South Florida Water Management District (SFWMD or District). Typically, when a Water Management District (WMD) is aware of high average consumption per customer, that WMD will require the implementation of, at a minimum, an inclining-block rate structure. However, the issues and concerns regarding water conservation of utilities located on barrier islands are, at times, different compared to those of utilities located on the mainland. Based on our staff's review of the utility's water use permit and discussions with officials at the SFWMD, the utility does not draw from the Floridan Aquifer. Instead, it draws from the Mid-Hawthorn aquifer, whose water quality is not considered fresh but saline. As a result, despite the high average monthly consumption while customers are in residence, the District does not require an inclining-block rate structure. Therefore, we find that the current BFC/uniform gallonage charge rate structure shall be continued for the water system.

As discussed above, the water system's revenue requirement shall be decreased by 9.33%. Ordinarily, based on the consumption patterns discussed above, all of the decrease would be applied to the BFC. However, as discussed above, the utility's customer base is seasonal. Therefore, our staff recommends and we find it is appropriate that all customers receive equal percentage decreases to their water bills. This results in reductions to the current BFC of \$4.02, and the current gallonage charge of \$0.72.

We have found that a 79.61% increase to the wastewater system's revenue requirement is appropriate. We typically set BFC cost recovery at 50% or greater to recognize the capital intensive nature of wastewater systems. Based on our staff's initial accounting allocations, the BFC would recover 55% of the fixed costs of service, and we find this percentage is appropriate. The residential wastewater usage charge is currently capped at 6 kgal per month. Because the vast majority of water consumption by the customers of this utility represents outdoor usage, we find it is appropriate to maintain the 6 kgal cap. Finally, consistent with how this Commission typically sets general service and residential service wastewater gallonage charges, we find that the current general service to residential service wastewater gallonage charge differential of 1.2 shall be maintained.

Based on the foregoing, the appropriate rate structure for the water system is a continuation of the current BFC/uniform gallonage charge rate structure. The water system's BFC shall be set to recover 47% of the cost to provide service. The traditional BFC/gallonage charge rate structure shall be continued for the wastewater customers. The BFC shall be set to recover 55% of the cost to provide service, and the general service gallonage charge be set at 1.2 times the corresponding residential charge. The monthly usage charge on residential wastewater bills shall be capped at 6 kgal.

### B. Repression Adjustment

As discussed above, based on our finding of a decreased water system revenue requirement, price decreases will result at all levels of consumption. Therefore, a repression adjustment is not appropriate. However, consistent with our decisions in similar prior cases,<sup>5</sup> monthly reports shall be prepared to monitor the effects of the changes in revenues to both the water and wastewater systems. These reports shall reflect the number of bills rendered, the consumption billed, and the revenues billed. These reports shall be provided to our staff. In addition, these reports shall be prepared by customer class and meter size, on a quarterly basis for a period of two years, beginning the first billing period after the approved rates go into effect.

### C. Water and Wastewater Rates

As discussed above, the appropriate revenue requirements are \$169,435 for the water system and \$155,624 for the wastewater system. Excluding miscellaneous service revenues of \$1,747 for the water system and \$342 for the wastewater system, the resulting revenues from monthly service are \$167,689 for the water system and \$155,283 for the wastewater system.

Currently, Useppa does not have a private fire protection rate or tariff. The utility has two private fire protection customers. In accordance with Rule 25-30.465, F.A.C., private fire protection tariffed rates shall be calculated and set equivalent to one-twelfth of the tariffed general service base facility charge for the meter size. The private fire protection rates are reflected on Schedule No. 4-A.

Approximately 46.9% of the monthly service revenues for the water system (or \$78,695) and 54.9% of the corresponding wastewater system revenues (or \$85,205) are recovered through the base facility charges. Approximately 53.1% of the monthly service revenues for the water system (or \$88,994) and 45.1% of the corresponding wastewater system revenues (or \$70,078) represents revenue recovery through the consumption charges. The appropriate water and wastewater monthly rates are shown on Schedule Nos. 4-A and 4-B, respectively.

The utility shall file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates shall be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved rates shall not be implemented until our staff has approved the proposed customer notice and the notice has been received by the customers. The utility shall provide proof of the date notice was given no less than ten days after the date of the notice.

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<sup>5</sup> Order No. PSC-99-0513-FOF-WS, issued March 12, 1999 in Docket No. 980214-WS, In re: Application for rate increase in Duval, St. Johns and Nassau Counties by United Water Florida Inc., pp. 58-59; Order No. PSC-03-1250-PAA-WU, issued November 6, 2003 in Docket No. 030250-WU, In re: Application for staff-assisted rate case in Pasco County, by Floralino Properties, Inc., p. 31; Order No. PSC-04-0356-PAA-WU, issued April 5, 2004 in Docket No. 030423-WU, In re: Investigation into 2002 earnings of Residential Water Systems, Inc., in Marion County, p. 34; Order No. PSC-06-0170-PAA-WS, issued March 1, 2006 in Docket No. 050281-WS, In re: Application for increase in water and wastewater rates in Volusia County by Plantation Bay Utility Company, p. 50; Order No. PSC-06-0378-PAA-WU, issued May 8, 2006 in Docket No. 050449-WU, In re: Application for staff-assisted rate case in Pasco County by Dixie Groves Utility Company, p. 13.



If the effective date of the new rates falls within a regular billing cycle, the initial bills at the new rate may be prorated. The old charge shall be prorated based on the number of days in the billing cycle before the effective date of the new rates. The new charge shall be prorated based on the number of days in the billing cycle on and after the effective date of the new rates. In no event shall the rates be effective for service rendered prior to the stamped approval date.

#### D. Miscellaneous Service Charges

The current miscellaneous service charges were approved for Useppa on July 19, 1993, and have not changed since that date. The approved charges have been the standard charge since at least 1990 – a period of 17 years. We find these charges shall be updated to reflect current costs. The utility agrees with this update.

Since the last update of the miscellaneous service charges, costs for fuel and labor have risen substantially. Further, our price index has increased approximately 60% in that period of time. By Order No. PSC-96-1320-FOF-WS, issued October 30, 1996, involving Southern States Utilities Inc.,<sup>6</sup> this Commission expressed “concern that the rates [miscellaneous service charges] are eight years old and cannot possibly cover current costs” and directed our staff to “examine whether miscellaneous service charges should be indexed in the future and included in index applications.” Currently, miscellaneous service charges may be indexed if requested in price index applications pursuant to Rule 25-30.420, F.A.C. However, few utilities request their miscellaneous service charges be indexed. By Order No. PSC-06-0684-PAA-WS, issued August 8, 2006,<sup>7</sup> and by Order No. PSC-05-0776-TRF-WS, issued July 26, 2005,<sup>8</sup> this Commission approved a \$20 charge for connection and reconnections during normal hours and a \$40 after hours charge for MSM Utilities, LLC, and Mad Hatter Utilities, Inc. Our staff applied the approved price indices from 1990 through 2007 to Useppa’s \$15 miscellaneous service charge and the result was a charge of \$22. Therefore, we find a \$22 charge is reasonable and is cost based.

Useppa’s current tariff includes a Premises Visit (in lieu of disconnection) charge. This charge is levied when a service representative visits a premises for the purpose of discontinuing service for non-payment of a due and collectible bill and does not discontinue service, because the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill. Our staff recommends the “Premises Visit In Lieu of Disconnection” charge be replaced with what will be called a “Premises Visit.” In addition to those situations described in the definition of the current Premises Visit In Lieu of Disconnection, the new Premises Visit charge will also be levied when a service representative visits a premises at a customer’s request for a complaint resolution or for other purposes and the problem is found to be the customer’s

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<sup>6</sup> Docket No. 950495-WS, In Re: Application for rate increase and increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

<sup>7</sup> Docket No. 050587-WS, In re: Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

<sup>8</sup> Docket No. 050369-TRF-WS, In re: Request for approval of change in meter installation fees and proposed changes in miscellaneous services charges in Pasco County by Mad Hatter Utility, Inc.

responsibility. This charge is consistent with Rule 25-30.460(1)(d), F.A.C. In addition, by Order No. PSC-05-0397-TRF-WS, issued April 18, 2005,<sup>9</sup> this Commission approved a Premises Visit Charge to be levied when a service representative visits a premises at the customer's request for complaint and the problem is found to be the customer's responsibility. Based on the foregoing, we find the Premises Visit (in lieu of disconnection) shall be eliminated and the Premises Visit charge is reasonable and is approved.

Based on the above, Useppa shall be allowed to increase its water and wastewater miscellaneous service charges from \$15 to \$22 and to \$44 for after hours, and to modify its Premises Visit (in lieu of disconnection) charge. If both water and wastewater services are provided, a single charge is appropriate unless circumstances beyond the control of the utility requires multiple actions. The current and approved charges are shown below.

Water Miscellaneous Service Charges

	<u>Current Charges</u>		<u>Commission Approved</u>	
	<u>Normal Hrs</u>	<u>After Hrs</u>	<u>Normal Hrs</u>	<u>After Hrs</u>
Initial Connection	\$15	N/A	\$22	N/A
Normal Reconnection	\$15	N/A	\$22	\$44
Violation Reconnection	\$15	N/A	\$22	\$44
Premises Visit (in lieu of disconnection)	\$10	N/A	N/A	N/A
Premises Visit	N/A	N/A	\$22	\$44

Wastewater Miscellaneous Service Charges

	<u>Current Charges</u>		<u>Commission Approved</u>	
	<u>Normal Hrs</u>	<u>After Hrs</u>	<u>Normal Hrs</u>	<u>After Hrs</u>
Initial Connection	\$15	N/A	\$22	N/A
Normal Reconnection	\$15	N/A	\$22	\$44
Violation Reconnection	Actual Cost	N/A	Actual Cost	Actual Cost
Premises Visit (in lieu of disconnection)	\$10	N/A	N/A	N/A
Premises Visit	N/A	N/A	\$22	\$44

In summary, the utility's miscellaneous service charges of \$22 and after hours charges of \$44, shall be approved because the increased charges are cost-based, reasonable, and consistent with fees this Commission has approved for other utilities. The utility shall file a proposed customer notice to reflect the Commission-approved charges. The approved charges shall be effective for service rendered on or after the stamped approval date of the tariff, pursuant to Rule

<sup>9</sup> Docket No. 050096-WS, In re: Request for revision of Tariff Sheets 14.0 and 15.1 to change request for meter test by customer and premise visit charge, by Marion Utilities, Inc.

25-30.475(1), F.A.C., provided the notice has been approved by our staff. Within ten days of the date the order is final, the utility shall be required to provide notice of the tariff changes to all customers. The utility shall provide proof the customers have received notice within ten days after the date the notice was sent.

#### IX. Temporary Rates in the Event of Protest

This Proposed Agency Action Order proposes a decrease in water rates and an increase in wastewater rates. A timely protest might delay what may be a justified rate increase resulting in an unrecoverable loss of revenue to the utility. Therefore, pursuant to Section 367.0814(7), F.S., in the event of a protest filed by a party other than the utility, the rates shall be approved as temporary rates, and any increased revenues collected by the utility shall be subject to the refund provisions discussed below.

The utility shall be authorized to collect the temporary rates upon our staff's approval of appropriate security for the potential refund and the proposed customer notice. Security shall be in the form of a bond or letter of credit in the amount of \$47,598. Alternatively, the utility could establish an escrow agreement with an independent financial institution.

If the utility chooses a bond as security, the bond shall contain wording to the effect that it will be terminated only under the following conditions:

- 1) The Commission approves the rate increase; or
- 2) If the Commission denies the increase, the utility shall refund the amount collected that is attributable to the increase.

If the utility chooses a letter of credit as a security, it shall contain the following conditions:

- 1) The letter of credit is irrevocable for the period it is in effect; and
- 2) The letter of credit will be in effect until a final Commission order is rendered, either approving or denying the rate increase.

If security is provided through an escrow agreement, the following conditions shall be part of the agreement:

- 1) No refunds in the escrow account may be withdrawn by the utility without the express approval of the Commission;
- 2) The escrow account shall be an interest bearing account;
- 3) If a refund to the customers is required, all interest earned by the escrow account shall be distributed to the customers;

- 4) If a refund to the customers is not required, the interest earned by the escrow account shall revert to the utility;
- 5) All information on the escrow account shall be available from the holder of the escrow account to a Commission representative at all times;
- 6) The amount of revenue subject to refund shall be deposited in the escrow account within seven days of receipt;
- 7) This escrow account is established by the direction of the Florida Public Service Commission for the purpose(s) set forth in its order requiring such account. Pursuant to Cosentino v. Elson, 263 So. 2d 253 (Fla. 3d DCA 1972), escrow accounts are not subject to garnishments;
- 8) The Office of Commission Clerk must be a signatory to the escrow agreement; and
- 9) This account must specify by whom and on whose behalf such monies were paid.

In no instance shall the maintenance and administrative costs associated with the refund be borne by the customers. These costs are the responsibility of, and shall be borne by, the utility. Irrespective of the form of security chosen by the utility, an account of all monies received as a result of the rate increase shall be maintained by the utility. If a refund is ultimately required, it shall be paid with interest calculated pursuant to Rule 25-30.360(4), F.A.C.

The utility shall maintain a record of the amount of the bond, and the amount of revenues that are subject to refund. In addition, after the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the utility shall file reports with the Commission's Division of Economic Regulation no later than the 20th of each month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed shall also indicate the status of the security being used to guarantee repayment of any potential refund.

The utility shall file revised tariff sheets which are consistent with our decision. Our staff shall have administrative authority to approve the revised tariff sheets upon staff's verification the tariffs are consistent with our decision. If revised tariff sheets are filed and approved, the customer deposit shall become effective for connections made on or after the stamped approval date of the revised tariff sheets.

#### X. Statutory Four-Year Rate Reduction

Section 367.0816, F.S., requires that the rates be reduced immediately following the expiration of the four-year period by the amount of the rate case expense previously included in

the rates. The reduction will reflect the removal of revenues associated with the amortization of rate case expense and the gross-up for regulatory assessment fees which is \$170 annually for water and \$170 for wastewater. Using the utility's current revenues, expenses, capital structure and customer base the reduction in revenues will result in the rate decreases as shown on Schedule Nos. 4-A and 4-B.

The utility shall file revised tariff sheets no later than one month prior to the actual date of the required rate reduction. At the same time, the utility also shall file a proposed customer notice setting forth the lower rates and the reason for the reduction.

If the utility files this reduction in conjunction with a price index or pass-through rate adjustment, separate data shall be filed for the price index and/or pass-through increase or decrease and the reduction in the rates due to the amortized rate case expense.

### XI. Other Issues

#### A. Show Cause Proceeding for Apparent Violation of an Order and Rule 25-30.115, F.A.C.

In Order No. PSC-97-0930-FOF-WS, issued August 5, 1997, in Docket No. 960975-WS,<sup>10</sup> Useppa was warned to maintain its accounts and records in conformance with the NARUC USOA. Moreover, in Order No. PSC-00-2117-PAA-SU, issued November 7, 2000,<sup>11</sup> the Commission discussed whether Useppa should be made to show cause for its failure to maintain its books in accordance with the NARUC USOA, as required by Rule 25-30.115, F.A.C. The Commission noted that the utility had not posted adjustments from prior Commission orders and was using its own account numbers in apparent violation of Rule 25-30.115, F.A.C. However, this Commission further noted that there were mitigating circumstances in that the auditors could still complete their audit. Under the above-noted circumstances, this Commission determined that the apparent violations did not rise to the level warranting the initiation of a show cause proceeding. Therefore, no show cause proceeding was initiated, but this Commission did order the utility to maintain its accounts and records in conformance with the 1996 NARUC USOA.

Our staff has again determined that Useppa has not kept its books and records in compliance with Rule 25-30.115, F.A.C., and has not made timely adjustments to its books and records in accordance with adjustments made in Order No. PSC-00-2117-PAA-SU, the Order issued in the utility's last rate case. Because the utility has previously been warned about the need to post adjustments from prior Commission orders and was ordered to maintain its records in conformance with the NARUC USOA, we find that more than a warning is warranted.

Utilities are charged with the knowledge of the Commission's rules and statutes. Additionally, "[i]t is a common maxim, familiar to all minds, that 'ignorance of the law' will not excuse any person, either civilly or criminally." Barlow v. United States, 32 U.S. 404, 411

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<sup>10</sup> In re: Application for staff-assisted rate case in Lee County by Useppa Island Utility, Inc.

<sup>11</sup> Order issued in Docket No. 000090-SU, In re: Application for limited proceeding rate increase in Lee County by Useppa Island Utility, Inc.

(1833). Section 367.161(1), F.S., authorizes the Commission to assess a penalty of not more than \$5,000 for each offense if a utility is found to have knowingly refused to comply with, or to have willfully violated, any provision of Chapter 367, F.S., or any lawful order of the Commission. By failing to comply with the above-noted requirements of the above-noted Orders in a timely manner and Rule 25-30.115, F.A.C., the utility's acts were "willful" in the sense intended by Section 367.161, F.S. In Commission Order No. 24306, issued April 1, 1991, in Docket No. 890216-TL, titled In Re: Investigation Into The Proper Application of Rule 25-14.003, F.A.C., Relating To Tax Savings Refund for 1988 and 1989 For GTE Florida, Inc., the Commission, having found that the company had not intended to violate the rule, nevertheless found it appropriate to order it to show cause why it should not be fined, stating that "willful" implies an intent to do an act, and this is distinct from an intent to violate a statute or rule. Id. at 6.

The circumstances in this case are such that a show cause proceeding is warranted. In Order No. PSC-07-0129-SC-WS, issued February 14, 2007, in Docket No. 060262-WS, In re: Application for increase in water and wastewater rates in Pasco County by Labrador Utilities, Inc., and Order No. PSC-07-0130-SC-SU, issued February 15, 2007, in Docket No. 060256-SU, In re: Application for increase in wastewater rates in Seminole County by Alafaya Utilities, Inc., we required two Utilities, Inc. subsidiaries to show cause why they should not be fined \$3,000 each for failure to properly adjust their books and records as required by Rule 25-30.115, F.A.C. However, because of the size of this utility (a Class C bordering on a Class B), the proposed fine shall not be as high. In addition, the utility stated in response to Staff's First Data Request that as of January 1, 2007, it is maintaining its accounts and records in accordance with the NARUC USOA. Therefore, we find that Useppa shall be made to show cause in writing, within 21 days, why it should not be fined \$1,000 for its apparent failure to comply with the requirements of Rule 25-30.115, F.A.C., and to adjust its books to conform with the NARUC USOA, and to adjust its books to reflect the adjustments to all the applicable primary accounts as required by Order No. PSC-00-2117-PAA-SU. Based on the above, the following conditions shall apply:

1. The utility's response to the show cause order shall contain specific allegations of fact and law;
2. Should Useppa file a timely written response that raises material questions of fact and makes a request for a hearing pursuant to Sections 120.569 and 120.57(1), F.S., a further proceeding will be scheduled before a final determination of this matter is made;
3. A failure to file a timely written response to the show cause order shall constitute an admission of the facts herein alleged and a waiver of the right to a hearing on this issue;
4. In the event that Useppa fails to file a timely response to the show cause order, the fine shall be deemed assessed with no further action required by the Commission;

5. If the utility responds timely but does not request a hearing, a recommendation shall be presented to the Commission regarding the disposition of the show cause order; and
6. If the utility responds to the show cause order by remitting the fine, this show cause matter shall be considered resolved.

Further, the utility shall be put on notice that failure to comply with Commission orders, rules, or statutes will again subject the utility to show cause proceedings and fines of up to \$5,000 per day per violation for each day the violation continues as set forth in Section 367.161, F.S.

#### B. Proof of Adjustments

To ensure that the utility adjusts its books in accordance with our decision, Useppa shall provide proof within 90 days of the final order issued in this docket, that the adjustments for all the applicable NARUC USOA primary accounts have been made.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application for increased water and wastewater rates of Useppa Island Utility, Inc. is approved as set forth in the body of this Order. It is further

ORDERED that each of the findings made in the body of this Order is hereby approved in every respect. It is further

ORDERED that the schedules and attachments to this Order are incorporated by reference herein. It is further

ORDERED that Useppa Island Utility, Inc. shall file revised water and wastewater tariff sheets and a proposed customer notice to reflect the approved water and wastewater rates shown on Schedules Nos. 4-A and 4-B. It is further

ORDERED that the tariffs shall be approved upon our staff's verification that the tariffs are consistent with our decision herein. It is further

ORDERED that the approved rates shall be effective for service rendered on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(1), F.A.C. It is further

ORDERED that the approved water and wastewater rates shall not be implemented until our staff has approved the proposed customer notice and the notice has been received by the customers. It is further

ORDERED that Useppa Island Utility, Inc. shall provide proof of the date notice was given no less than ten days after the date of the notice. It is further

ORDERED that Useppa Island Utility, Inc. shall be authorized to revise its miscellaneous service charges as set forth in the body of this Order. It is further

ORDERED that Useppa Island Utility, Inc. shall file a proposed customer notice to reflect the approved miscellaneous service charges. It is further

ORDERED that the approved miscellaneous service charges shall be effective for service rendered on or after the stamped approval date of the tariff, pursuant to Rule 25-30.475(1), F.A.C., provided the notice has been approved by our staff. It is further

ORDERED that within ten days of the date the order is final, Useppa Island Utility, Inc. shall provide notice of the tariff changes regarding its miscellaneous service charges to all customers. The utility shall provide proof the customers have received notice within ten days after the date that the notice was sent. It is further

ORDERED that the water and wastewater rates shall be reduced as shown on Schedules Nos. 4-A and 4-B to remove rate case expense, grossed-up for regulatory assessment fees, which is being amortized over a four-year period. It is further

ORDERED that the decrease in rates shall become effective immediately following the expiration of the four-year rate case expense recovery period, pursuant to Section 367.0816, F.S. The utility shall file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than one month prior to the actual date of the required rate reduction. It is further

ORDERED that if the utility files this reduction in conjunction with a price index or pass-through rate adjustment, separate data shall be filed for the price index and/or pass-through increase or decrease, and for the reduction in the rates due to the amortized rate case expense. It is further

ORDERED that, pursuant to Section 367.0814(7), F.S., the rates approved herein shall be approved for the utility on a temporary basis, subject to the refund provisions set forth in the body of this Order, in the event of a protest filed by a party other than the utility. It is further

ORDERED that prior to implementation of any temporary rates, the utility shall provide appropriate security for the potential refund and the proposed customer notice. Security shall be in the form of a bond or letter of credit in the amount of \$47,5981. Alternatively, the utility may establish an escrow agreement with an independent financial institution. It is further

ORDERED that irrespective of the form of security chosen by the utility, an account of all monies received as a result of the rate increase shall be maintained by the utility. If a refund



is ultimately required, it shall be paid with interest calculated pursuant to Rule 25-30.360(4), F.A.C. It is further

ORDERED that Useppa Island Utility, Inc. shall maintain a record of the amount of the bond, and the amount of revenues that are subject to refund. It is further

ORDERED that after any temporary rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the utility shall file reports with the Commission's Division of Economic Regulation no later than the 20th of each month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The reports shall also indicate the status of the security being used to guarantee repayment of any potential refund. It is further

ORDERED that Useppa Island Utility Company shall prepare monthly reports to monitor the effects of the changes in revenues to both the water and wastewater systems. These reports shall reflect the number of bills rendered, the consumption billed, and the revenues billed. These reports shall be provided to our staff. It is further

ORDERED that these reports shall be prepared by customer class and meter size, on a quarterly basis for a period of two years, beginning the first billing period after the approved rates go into effect. It is further

ORDERED that Useppa Island Utility, Inc. shall provide proof, within 90 days of the final order issued in this docket, that the adjustments for all the applicable NARUC USOA primary accounts have been made. It is further

ORDERED that Useppa Island Utility, Inc. shall be ordered to show cause in writing, within 21 days, why it should not be fined a total of \$1,000 for its apparent failure to timely comply with the requirements of Order No. PSC-00-2117-PAA-SU, and for its apparent violation of Rule 25-30.110(2), F.A.C. It is further

ORDERED that any response shall comply with the conditions as set forth in the body of this Order and shall be filed with the Office of Commission Clerk within 21 days of the date of issuance of this Order. It is further

ORDERED that the provisions of this Order, except for the setting of temporary rates in the event of a protest by a party other than the utility, the statutory four-year rate reduction, the show cause proceeding, and the requirement to adjust its primary accounts in accordance with the NARUC USOA, are issued as proposed agency action, and 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, F.A.C., is received by the Office of the 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 person whose substantial interests are affected by the Proposed Agency Action issues files a protest within twenty-one days of the issuance of the Order, a Consummating Order will be issued. It is further

ORDERED that the docket shall remain open for nine months after the Consummating Order for our staff's verification that the revised tariff sheets and customer notice have been filed by the utility and approved by staff, and the pro forma lift station upgrades have been completed. It is further

ORDERED that if the utility timely responds to the Order to show cause, the docket shall remain open to allow for the appropriate processing of the response. It is further

ORDERED that if Useppa Island Utility, Inc. pays the \$1,000 fine, and complies with the other requirements of this Order to include completion of the pro forma items, the docket shall be closed administratively.

By ORDER of the Florida Public Service Commission this 1st day of May, 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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review will be granted or result in the relief sought.

As identified in the body of this order, our action, except for the setting of temporary rates in the event of protest, the statutory four-year rate reduction, the initiation of a show cause proceeding, and the requirement to adjust its primary accounts in accordance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts

(USOA), 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 petition must be received by the Office of Commission Clerk, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 22, 2007. If such a petition is filed, 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. In the absence of such a petition, this order shall become effective and final 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.

Any party adversely affected by the Commission's final action in this matter concerning the temporary rates in the event of protest, the statutory four-year rate reduction, and the requirement to adjust its primary accounts in accordance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts (USOA) may request: (1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

The part of the order initiating a show cause proceeding is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by this show cause order may file a response within 21 days of issuance of the show cause order as set forth herein. This response must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 22, 2007.

Failure to respond within the time set forth above shall constitute an admission of all facts and a waiver of the right to a hearing and a default pursuant to Rule 28-106.111(4), Florida Administrative Code. Such default shall be effective on the day subsequent to the above date.

If an adversely affected person fails to respond to the show cause portion of this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure.

USEPPA ISLAND UTILITY, INC. TEST YEAR ENDING 6/30/06 SCHEDULE OF WATER RATE BASE		SCHEDULE NO. 1-A DOCKET NO. 060575-WS	
DESCRIPTION	BALANCE PER UTILITY	COMM'N ADJUST. TO UTIL. BAL.	BALANCE PER COMM'N
1. UTILITY PLANT IN SERVICE	\$568,259	(\$22,120)	\$546,139
2. LAND & LAND RIGHTS	10,463	0	\$10,463
3. NON-USED AND USEFUL COMPONENTS	0	0	\$0
4. CIAC	(225,670)	0	(\$225,670)
5. ACQUISITION ADJUSTMENT	0	0	\$0
6. ACCUMULATED DEPRECIATION	(264,226)	(8,870)	(\$273,096)
7. AMORTIZATION OF CIAC	151,532	18,530	\$170,062
8. AMORTIZATION OF ACQUISITION ADJ.	0	0	\$0
9. WORKING CAPITAL ALLOWANCE	<u>0</u>	<u>14,721</u>	<u>\$14,721</u>
10. WATER RATE BASE	\$240,358	\$2,261	\$242,619

USEPPA ISLAND UTILITY, INC.  
 TEST YEAR ENDING 6/30/06  
 SCHEDULE OF WASTEWATER RATE BASE

SCHEDULE NO. 1-B  
 DOCKET NO. 060575-WS

DESCRIPTION	BALANCE PER UTILITY	COMMISSION ADJUST. TO UTIL. BAL.	BALANCE PER COMM'N
1. UTILITY PLANT IN SERVICE	\$462,500	\$56,552	\$519,052
2. LAND & LAND RIGHTS	3,487	0	\$3,487
3. NON-USED AND USEFUL COMPONENTS	0	0	\$0
4. CIAC	(230,187)	0	(\$230,187)
5. ACQUISITION ADJUSTMENT	0	0	\$0
6. ACCUMULATED DEPRECIATION	(257,902)	17,269	(\$240,633)
7. AMORTIZATION OF CIAC	210,616	130	\$210,746
8. AMORTIZATION OF ACQUISITION ADJ.	0	0	\$0
9. WORKING CAPITAL ALLOWANCE	<u>0</u>	<u>13,513</u>	<u>\$13,513</u>
10. WASTEWATER RATE BASE	\$188,514	\$87,464	\$275,978

USEPPA ISLAND UTILITY, INC.		SCHEDULE 1-C	
TEST YEAR ENDING 6/30/06		DOCKET NO. 060575-WS	
ADJUSTMENTS TO RATE BASE			
<u>UTILITY PLANT IN SERVICE</u>		<u>WATER</u>	<u>WASTEWATER</u>
1	Decrease to record retirements (AF-3)	(\$21,358)	(\$18,555)
2	Decrease for unsupported plant (AF-3)	(1,065)	(1,547)
3	Increase for unrecorded plant (AF-3) and Reclass \$606 from M&S 720 (AF-6)		4,878
4	Reclassify storage building from M&S, 620 (AF-6)	606	
5	Increase for pro forma plant (upgrade lift stations)		81,512
6	Decrease for pro forma retirements		(8,019)
7	Increase to reclassify blower control panel from M&S, 720		1,060
8	Decrease to record retirement on blower control panel		(795)
9	Averaging adjustment	(303)	(1,982)
	Total	<u>(\$22,120)</u>	<u>\$56,552</u>
<b>LAND AND LAND RIGHTS</b>			<u>\$0</u>
		<u>\$0</u>	
<b>NON-USED AND USEFUL PLANT</b>			<u>\$0</u>
		<u>\$0</u>	
<b>CIAC</b>		<u>\$0</u>	<u>\$0</u>
<b>ACCUMULATED DEPRECIATION</b>			
1	Accumulated depreciation per Rule 25-30.140, FAC	(\$21,429)	\$3,293
2	Increase for accumulated depreciation on pro forma plant		(1,508)
3	Decrease for accumulated depreciation on pro forma retirements		8,019
4	Averaging adjustment	12,559	7,465
	Total	<u>(\$8,870)</u>	<u>\$17,269</u>
<b>AMORTIZATION OF CIAC</b>			
1	To adjust Amortization of CIAC	\$22,747	\$3,733
2	Averaging adjustment	(4,217)	(3,603)
	Total	<u>\$18,530</u>	<u>\$130</u>
<b>WORKING CAPITAL ALLOWANCE</b>			
1	To reflect 1/8 of test year O & M expenses	<u>\$14,721</u>	<u>\$13,513</u>

USEPPA ISLAND UTILITY, INC.  
TEST YEAR ENDING 6/30/06  
SCHEDULE OF CAPITAL STRUCTURE

SCHEDULE NO. 2  
DOCKET NO. 060575-WS

CAPITAL COMPONENT	PER UTILITY	SPECIFIC ADJUSTMENTS	BALANCE BEFORE PRO RATA ADJUSTMENTS	PRO RATA ADJUSTMENTS	BALANCE PER COMM'N	PERCENT OF TOTAL	COST	WEIGHTED COST
1. COMMON STOCK	\$1,000	\$0	\$1,000	(601)	399			
2. RETAINED EARNINGS	311,135		311,135	(186,862)	124,273			
3. PAID IN CAPITAL	149,000	0	149,000	(89,486)	59,514			
4. OTHER COMMON EQUITY	<u>0</u>	<u>0</u>	<u>0</u>	0	0			
TOTAL COMMON EQUITY	\$461,135	\$0	\$461,135	(276,949)	184,186	35.52%	11.54%	4.10%
LONG TERM DEBT								
5. SouthTrust - W Plant	50,780		50,780	(30,497)	20,283	3.91%	8.00%	0.31%
6. Wachovia - WW Plant	79,768		79,768	(47,907)	31,861	6.14%	7.62%	0.47%
7. Stockholders-Useppa Inn	<u>706,694</u>		<u>706,694</u>	<u>(424,426)</u>	<u>282,268</u>	<u>54.43%</u>	<u>5.50%</u>	<u>2.99%</u>
TOTAL LONG TERM DEBT	837,242	0	837,242	(502,831)	334,411	64.48%		
8. CUSTOMER DEPOSITS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	0	<u>0.00%</u>	6.00%	<u>0.00%</u>
9. TOTAL	<u>\$1,298,377</u>	<u>\$0</u>	<u>\$1,298,377</u>	<u>(\$779,780)</u>	<u>\$518,597</u>	100.00%		<u>7.87%</u>
<b>RANGE OF REASONABLENESS</b>						<b>LOW</b>	<b>HIGH</b>	
RETURN ON EQUITY						10.54%	12.54%	
OVERALL RATE OF RETURN						7.52%	8.23%	

USEPPA ISLAND UTILITY, INC.  
 TEST YEAR ENDING 6/30/06  
 SCHEDULE OF WATER OPERATING INCOME

SCHEDULE 3-A  
 DOCKET NO. 060575-WS

	TEST YEAR PER UTILITY	COMMISSION ADJUSTMENTS	COMMISSION ADJUSTED TEST YEAR	ADJUST. FOR INCREASE	REVENUE REQUIREMENT
1. OPERATING REVENUES	<u>\$173,424</u>	<u>\$13,443</u>	<u>\$186,867</u>	<u>(\$17,432)</u> -9.33%	<u>\$169,435</u>
<b>OPERATING EXPENSES:</b>					
2. OPERATION & MAINTENANCE	139,377	(21,611)	117,766	0	117,766
3. DEPRECIATION (NET)	12,801	3,895	16,696	0	16,696
4. AMORTIZATION	0	0	0	0	0
5. TAXES OTHER THAN INCOME	11,136	5,519	16,655	(784)	15,871
6. INCOME TAXES	0	0	0	0	0
7. TOTAL OPERATING EXPENSES	<u>\$163,314</u>	<u>(\$12,197)</u>	<u>\$151,117</u>	<u>(\$784)</u>	<u>\$150,333</u>
8. OPERATING INCOME/(LOSS)	<u>\$10,110</u>		<u>\$35,750</u>		<u>\$19,102</u>
9. WATER RATE BASE	<u>\$240,358</u>		<u>\$242,619</u>		<u>\$242,619</u>
10. RATE OF RETURN	<u>4.21%</u>		<u>14.73%</u>		<u>7.87%</u>



USEPPA ISLAND UTILITY, INC.  
 TEST YEAR ENDING 6/30/06  
 SCHEDULE OF WASTEWATER OPERATING INCOME

SCHEDULE 3-B  
 DOCKET NO. 060575-WS

	TEST YEAR PER UTILITY	COMMISSION ADJUSTMENTS	COMMISSION ADJUSTED TEST YEAR	ADJUST. FOR INCREASE	REVENUE REQUIREMENT
1. OPERATING REVENUES	<u>\$92,014</u>	<u>(\$5,368)</u>	<u>\$86,646</u>	<u>\$68,979</u> 79.61%	<u>\$155,624</u>
<b>OPERATING EXPENSES:</b>					
2. OPERATION & MAINTENANCE	131,362	(23,260)	108,102	0	108,102
3. DEPRECIATION (NET)	9,861	99	9,960	0	9,960
4. AMORTIZATION	0	0	0	0	0
5. TAXES OTHER THAN INCOME	7,715	5,015	12,730	3,104	15,834
6. INCOME TAXES	0	0	0	0	0
7. TOTAL OPERATING EXPENSES	<u>\$148,938</u>	<u>(\$18,146)</u>	<u>\$130,792</u>	<u>\$3,104</u>	<u>\$133,896</u>
8. OPERATING INCOME/(LOSS)	<u>(\$56,924)</u>		<u>(\$44,146)</u>		<u>\$21,728</u>
9. WASTEWATER RATE BASE	<u>\$188,514</u>		<u>\$275,978</u>		<u>\$275,978</u>
10. RATE OF RETURN	<u>-30.20%</u>		<u>-16.00%</u>		<u>7.87%</u>

USEPPA ISLAND UTILITY, INC.  
TEST YEAR ENDING 6/30/06  
ADJUSTMENTS TO OPERATING INCOME

Schedule No. 3-C  
DOCKET NO. 060575-WS  
Page 1 of 2

	<u>WATER</u>	<u>WASTEWATER</u>
<b>OPERATING REVENUES</b>		
1. To adjust utility revenues to annualized test year amount.	<u>\$13,443</u>	<u>(\$5,368)</u>
<b>OPERATION AND MAINTENANCE EXPENSES</b>		
1. Salaries and Wages - Employees (601/701)		
Decrease to reclassify contracted operator fees to Acct. No. 636/736 (AF-6)	(\$3,340)	(\$1,160)
Decrease salaries	<u>(11,903)</u>	<u>(11,904)</u>
Subtotal	<u>(\$15,243)</u>	<u>(\$13,064)</u>
2. Employee Pensions and Benefits (604/704)		
Decrease to reclassify workers comp insurance to Insurance (655/755)	(\$1,801)	(\$1,801)
Decrease to reclassify payroll taxes to Taxes Other (408)	(5,825)	(6,167)
Subtotal	<u>(\$7,626)</u>	<u>(\$7,968)</u>
3. Purchased Power (615/ 715)		
Increase for unrecorded power bill (AF-6)	<u>\$1,970</u>	<u>\$0</u>
4. Chemicals (618/718)		
Increase to reclassify from M&S 620 (AF-6)	\$448	\$0
Decrease for unsupported items		(856)
Subtotal	<u>\$448</u>	<u>(\$856)</u>
5. Materials and Supplies (620/720)		
Decrease to reclassify to Structures 304 (AF-6)	(\$606)	(\$606)
Decrease to reclassify to chemicals 618 (AF-6)	(448)	
Decrease to reclassify to Transportation 650/750 (AF-6)	(876)	(876)
Reclassify from Contractual Services-Other 736 (AF-6)		4,882
Decrease for unsupported items	(1,731)	
Decrease to reclassify blower control panel to Acct. 380		(1,060)
Subtotal	<u>(\$3,661)</u>	<u>\$2,340</u>
6. Contractual Services - Billing (630/ 730)	<u>\$0</u>	<u>\$0</u>
7. Contractual Services - Professional (631/ 731)	<u>\$0</u>	<u>\$0</u>
8. Contractual Services - Testing (635/ 735)		
Increase for unrecorded invoices	3,342	0
Increase to reclassify from 736		5,528
Increase/(decrease) to DEP required amounts	252	(200)
Subtotal	<u>\$3,594</u>	<u>\$5,328</u>
9. Contractual Services - Other (636/ 736)		
Increase to reclassify contracted operator fees from Acct. No. 601/701 (AF-6)	\$3,340	\$1,160
Decrease to reclassify materials & supplies to 720 (AF-6)		(4,882)
Decrease for unsupported items (AF-6)	(4,202)	(393)
Decrease to reclassify testing expenses to 735	0	(5,528)
Subtotal	<u>(\$862)</u>	<u>(\$9,643)</u>

(O & M EXPENSES CONTINUED ON NEXT PAGE)

USEPPA ISLAND UTILITY, INC.  
TEST YEAR ENDING 6/30/06  
ADJUSTMENTS TO OPERATING INCOME

<b>(O &amp; M EXPENSES CONTINUED)</b>		<u>WATER</u>	<u>WASTEWATER</u>
10	Rents (640/740) Decrease to \$800 per month	<u>(\$3,000)</u>	<u>(\$3,000)</u>
11	Transportation Expense (650/750) Increase to reclassify from M&S 620/720 (AF-6) Decrease for unsupported item (AF-6) Increase for item not recorded (AF-6) Subtotal	876 (70) 0 <u>\$806</u>	876 0 764 <u>\$1,640</u>
12	Insurance Expenses (655/ 755) Increase to reclassify workers comp insurance from Pensions (604/704)	<u>\$1,801</u>	<u>\$1,801</u>
13	Regulatory Expense (665/ 765) Amortize Rate Case expense over 4 years (\$1,000/4/2) Amortize notice expenses over 4 years (\$299/4/2) Subtotal	\$125 37 <u>\$162</u>	\$125 37 <u>\$162</u>
14	Miscellaneous Expense (675/ 775)	<u>\$0</u>	<u>\$0</u>
<b>TOTAL OPERATION &amp; MAINTENANCE ADJUSTMENTS</b>		<u>(\$21,611)</u>	<u>(\$23,260)</u>
<b>DEPRECIATION EXPENSE</b>			
1.	To reflect test year depreciation calculated per 25-30.140, F.A.C.	\$3,291	(\$3,053)
2.	Depreciation expense on pro forma plant		1,360
3.	To reflect test year CIAC amortization calculated by Commission	604	1,792
	Total	<u>\$3,895</u>	<u>\$99</u>
<b>TAXES OTHER THAN INCOME</b>			
1.	To include RAFs on Annualized Revenue	\$605	(\$242)
2.	Increase to reclassify payroll taxes from Pensions (604/704)	5,825	6,167
3.	Decrease for salary adjustment	(911)	(911)
	Total	<u>\$5,519</u>	<u>\$5,015</u>
<b>INCOME TAX</b>		<u>\$0</u>	<u>\$0</u>

USEPPA ISLAND UTILITY, INC.  
 TEST YEAR ENDING 6/30/06  
 ANALYSIS OF WATER OPERATION  
 AND MAINTENANCE EXPENSE

SCHEDULE NO. 3-D  
 DOCKET NO. 060575-WS

	TOTAL PER UTILITY	COMMISSION ADJUST- MENTS	TOTAL PER COMMISSION
(601) SALARIES AND WAGES - EMPLOYEES	\$67,784	(\$15,243)	\$52,541
(603) SALARIES AND WAGES - OFFICERS	0	0	0
(604) EMPLOYEE PENSIONS AND BENEFITS	10,563	(7,626)	2,937
(610) PURCHASED WATER	0	0	0
(615) PURCHASED POWER	26,491	1,970	28,461
(616) FUEL FOR POWER PRODUCTION	0	0	0
(618) CHEMICALS	4,514	448	4,962
(620) MATERIALS AND SUPPLIES	8,370	(3,661)	4,709
(630) CONTRACTUAL SERVICES - BILLING	0	0	0
(631) CONTRACTUAL SERVICES - PROFESSIONAL	1,638	0	1,638
(635) CONTRACTUAL SERVICES - TESTING	0	3,594	3,594
(636) CONTRACTUAL SERVICES - OTHER	6,236	(862)	5,374
(640) RENTS	7,800	(3,000)	4,800
(650) TRANSPORTATION EXPENSE	2,120	806	2,926
(655) INSURANCE EXPENSE	1,204	1,801	3,005
(665) REGULATORY COMMISSION EXPENSES	0	162	162
(670) BAD DEBT EXPENSE	0	0	0
(675) MISCELLANEOUS EXPENSES	<u>2,657</u>	<u>0</u>	<u>2,657</u>
	<u>\$139,377</u>	<u>(\$21,611)</u>	<u>\$117,766</u>

USEPPA ISLAND UTILITY, INC.  
 TEST YEAR ENDING 6/30/06  
 ANALYSIS OF WASTEWATER OPERATION  
 AND MAINTENANCE EXPENSE

SCHEDULE NO. 3-E  
 DOCKET NO. 060575-WS

	TOTAL PER UTILITY	COMMISSION ADJUST- MENTS	TOTAL PER COMMISSION
(701) SALARIES AND WAGES - EMPLOYEES	\$65,605	(\$13,064)	\$52,541
(703) SALARIES AND WAGES - OFFICERS	0	0	0
(704) EMPLOYEE PENSIONS AND BENEFITS	10,905	(7,968)	2,937
(710) PURCHASED WASTEWATER TREATMENT	0	0	0
(711) SLUDGE REMOVAL EXPENSE	0	0	0
(715) PURCHASED POWER	14,236	0	14,236
(716) FUEL FOR POWER PRODUCTION	0	0	0
(718) CHEMICALS	4,440	(856)	3,584
(720) MATERIALS AND SUPPLIES	7,762	2,340	10,102
(730) CONTRACTUAL SERVICES - BILLING	0	0	0
(731) CONTRACTUAL SERVICES - PROFESSIONAL	1,638	0	1,638
(735) CONTRACTUAL SERVICES - TESTING	0	5,328	5,328
(736) CONTRACTUAL SERVICES - OTHER	11,958	(9,643)	2,315
(740) RENTS	7,800	(3,000)	4,800
(750) TRANSPORTATION EXPENSE	3,172	1,640	4,812
(755) INSURANCE EXPENSE	1,204	1,801	3,005
(765) REGULATORY COMMISSION EXPENSES	0	162	162
(770) BAD DEBT EXPENSE	0	0	0
(775) MISCELLANEOUS EXPENSES	<u>2,642</u>	<u>0</u>	<u>2,642</u>
	<u>\$131,362</u>	<u>(\$23,260)</u>	<u>\$108,102</u>

USEPPA ISLAND UTILITY, INC. TEST YEAR ENDING 6/30/06 MONTHLY WATER RATES		SCHEDULE NO. 4-A DOCKET NO. 050587-WS	
	<u>UTILITY'S EXISTING RATES</u>	<u>COMMISSION APPROVED RATES</u>	<u>MONTHLY RATE REDUCTION</u>
<b><u>RESIDENTIAL AND GENERAL SERVICE</u></b>			
<u>Base Facility Charge by Meter</u>			
<u>Size*</u>			
5/8"x3/4"	\$39.26	\$35.24	\$0.04
3/4"	\$58.89	\$52.86	\$0.05
1"	\$98.15	\$88.10	\$0.09
1-1/2"	\$196.29	\$176.20	\$0.18
2"	\$314.06	\$281.92	\$0.28
3"	\$628.15	\$563.84	\$0.57
4"	\$981.49	\$881.00	\$0.88
6"	\$1,962.96	\$1,762.00	\$1.77
8"	N/A	\$2,819.20	\$2.83
<b><u>GALLONAGE CHARGE (per 1,000 Gallons)</u></b>			
Residential and General Service (all gallons)	\$7.05	\$6.33	\$0.01
<b><u>FIRE PROTECTION SERVICE</u></b>			
<u>Base Facility Charge</u>			
2"	N/A	\$23.49	\$0.02
3"	N/A	\$46.99	\$0.05
<u>Typical Residential 5/8" x 3/4" Meter Bill Comparison</u>			
0 Gallons	\$39.26	\$35.24	
3,000 Gallons	\$60.41	\$54.23	
5,000 Gallons	\$74.51	\$66.89	
10,000 Gallons	\$109.76	\$98.54	

USEPPA ISLAND UTILITY, INC. TEST YEAR ENDING 6/30/06 MONTHLY WASTEWATER RATES		SCHEDULE NO. 4-B DOCKET NO. 050587-WS	
	UTILITY'S EXISTING RATES	COMMISSION APPROVED RATES	MONTHLY RATE REDUCTION
<b><u>RESIDENTIAL SERVICE</u></b>			
Base Facility Charge All Meter Sizes	\$28.96	\$45.13	\$0.05
Gallonge Charge Per 1,000 Gallons (6,000 Gallon Cap) 1 - 6,000 Gallons	\$7.39	\$11.81	\$0.01
<b><u>GENERAL SERVICE</u></b>			
Base Facility Charge by Meter Size:			
5/8"X3/4"	28.96	\$45.13	\$0.05
3/4"	43.44	\$67.69	\$0.07
1"	72.40	\$112.82	\$0.12
1-1/2"	144.80	\$225.65	\$0.25
2"	231.68	\$361.04	\$0.39
3"	463.36	\$722.08	\$0.79
4"	723.99	\$1,128.24	\$1.23
6"	1,447.97	\$2,256.49	\$2.47
8"	N/A	\$3,610.40	\$3.94
Gallonge Charge Per 1,000 Gallons	8.87	\$14.17	\$0.02
<b><u>Typical Residential 5/8" x 3/4" Meter Bill Comparison</u></b>			
0 Gallons	\$28.96	\$45.13	
3,000 Gallons	\$51.13	\$80.56	
5,000 Gallons	\$65.91	\$104.18	
10,000 Gallons	\$73.30	\$115.99	