

Marguerite McLean

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Wednesday, January 14, 2009 4:36 PM
To: Filings@psc.state.fl.us
Cc: jphoy@uiwater.com; pcflynn@uiwater.com; dswain@milianswain.com; Frankden@nettally.com; Avy Crawford; Lisa Bennett; Martin Friedman; Christian W. Marcelli; Trina Collins
Subject: Filing in Docket No. 080247-SU; Utilities, Inc. of Eagle Ridge's Application for Increase in Wastewater Rates in Lee County, Florida
Importance: High
Attachments: PSC Clerk 11 (AOM Initial Customer Notice).ltr.01-14-2009.pdf

- a. Martin S. Friedman, Esq.
Christian W. Marcelli, Esq.
Rose, Sundstrom & Bentley, LLP
Sanlando Center
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Longwood, FL 32779
Phone: (407) 830-6331
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Email: mfriedman@rsbattorneys.com
cmarcelli@rsbattorneys.com
- b. Docket No.: 080247-SU; Utilities, Inc. of Eagle Ridge's Application for Increase in Wastewater Rates in Lee County, Florida – Filing the Notice of Filing of the Affidavit of Mailing and the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Utilities, Inc. of Eagle Ridge.
- c. Utilities, Inc. of Eagle Ridge.
- d. 7 Pages.
- e. Letter to Commission Clerk 1 page; Notice of Filing – 1 page; Affidavit of Mailing – 1 page; Initial Customer Notice - 4 pages.

DOCUMENT NUMBER-DATE

00385 JAN 14 8

1/14/2009

FPSC-COMMISSION CLERK

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REPLY TO CENTRAL FLORIDA OFFICE

CENTRAL FLORIDA OFFICE
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MARTIN S. FRIEDMAN, P.A.
BRIAN J. STREET

CHRISTIAN W. MARCELLI, OF COUNSEL
(LICENSED IN NEW YORK ONLY)

January 14, 2009

E-FILING

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

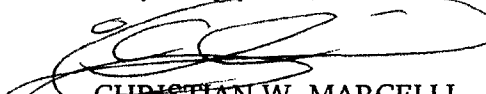
RE: Docket No. 080247-SU; Utilities, Inc. of Eagle Ridge's Application for Increase in
Wastewater Rates in Lee County, Florida
Our File No.: 30057.158

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is a Notice of Filing of the
Affidavit of Mailing and the Affidavit of Mailing evidencing that the Initial Customer
Notice has been sent to the customers of Utilities, Inc. of Eagle Ridge.

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

Very truly yours,


CHRISTIAN W. MARCELLI
Of Counsel

CWM/tlc
Enclosures

cc: John P. Hoy, Chief Regulatory Officer (w/enclosures) (via e-mail)
Patrick C. Flynn, Regional Director (w/enclosures) (via e-mail)
Ms. Deborah Swain (w/enclosures) (via e-mail)
Mr. Frank Seidman (w/enclosures) (via e-mail)
Avy Crawford, Division of Economic Regulation (w/enclosures) (via e-mail)
Lisa Bennett, Esquire, Office of General Counsel (w/enclosures) (via e-mail)

M:\1 ALTAMONTE\UTILITIES INC\EAGLE RIDGE\(.158) 2008 RATE CASE\PSC Clerk 11 (AOM Initial Customer Notice).ltr.doc

DOCUMENT NUMBER - DATE

00385 JAN 14 8

FPSC-COMMISSION CLERK,

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

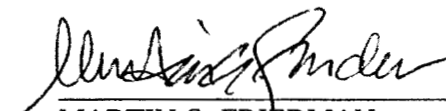
DOCKET NO. 080247-SU

NOTICE OF FILING

Applicant, UTILITIES, INC. OF EAGLE RIDGE, by and through its undersigned attorneys, hereby gives notice of filing in the above-referenced docket the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Utilities, Inc. of Eagle Ridge.

Respectfully submitted this 14th day of
January, 2009, by:

ROSE, SUNDSTROM & BENTLEY, LLP
Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, FL 32799
Telephone: (407) 830-6331
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mfriedman@rsbattorneys.com
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MARTIN S. FRIEDMAN
For the Firm


AFFIDAVIT OF MAILING

STATE OF ILLINOIS

COUNTY OF COOK


Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared John Hoy, who, after being duly sworn on oath, did depose on oath and say that he is the Chief Regulatory Officer of Utilities, Inc., the sole shareholder of Utilities, Inc. of Eagle Ridge, and that on December 30, 2008, he did send by regular U.S. Mail, a copy of the Initial Customer Notice, attached hereto, to all customers of the utility.

FURTHER AFFIANT SAYETH NAUGHT.

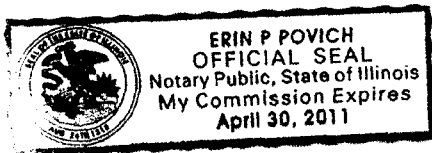


Print Name: John P. Hoy
Print Title: CRO

Sworn to and subscribed before me this 31st day of December, 2008, by John P. Hoy, who is personally known to me.



Print Name: Erin Povich
NOTARY PUBLIC
My Commission Expires: April 30, 2011



DOCUMENT NUMBER-DATE

00385 JAN 14 8

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

INITIAL CUSTOMER NOTICE

TO THE CUSTOMERS OF
UTILITIES, INC. OF EAGLE RIDGE
AND
ALL OTHER INTERESTED PERSONS

RE: DOCKET NO. 080247-SU

APPLICATION FOR INCREASE IN WASTEWATER RATES IN LEE COUNTY
BY UTILITIES, INC. OF EAGLE RIDGE

DECEMBER 30, 2008

BACKGROUND

Utilities, Inc. of Eagle Ridge (the "Utility") is a wastewater utility whose corporate offices are located at 200 Weathersfield Avenue, Altamonte Springs, Florida. The Utility's wastewater facilities are located in Lee County, Florida.

The Utility filed an application with the Florida Public Service Commission (the "Commission") for increased wastewater rates for its Lee County customers on August 28, 2008. The application was assigned Docket No. 080247-SU, and November 10, 2008, was established as the official date of filing.

As reported in its Minimum Filing Requirements ("MFRs") filed with its application to the Commission, the Utility's revenues per books are \$787,117, with operating expenses per books of \$785,425, for its wastewater system, resulting in a net operating profit of \$1,692, per books, before adjustments. The rate increase application has been filed by the Utility because of inadequate earnings.

Copies of the MFRs will be available for inspection at the following locations:

<u>Fort Myers-Lee County Public Library</u>	<u>Office Hours:</u>
2050 Central Avenue	Monday thru Thursday 9:00 a.m. to 9:00 p.m.
Fort Myers, FL 33901	Friday and Saturday 9:00 a.m. to 6:00 p.m.
	Sunday (Closed)

<u>Utilities, Inc. of Eagle Ridge</u>	<u>Office Hours:</u>
200 Weathersfield Avenue	Monday through Friday 8:00 a.m. to 4:30 p.m.
Altamonte Springs, FL 32714	

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A "Rate Case Synopsis" will also be available, along with the application and MFRs. The test period for setting rates is the historical average thirteen-month period ended December 31, 2007.

The following tentative schedule was established by the Commission for the remaining major events in the Utility's rate case:

<u>Schedule Item</u>	<u>Due Date</u>
Staff Audit Report	11/21/2008 (completed)
Customer Meeting	To Be Determined
Staff's Proposed Agency Action ("PAA") Recommendation	03/26/2009
Agenda Conference on PAA Rates	04/07/2009
PAA Order	04/27/2009
Protest Period Expires	05/18/2009
Consummating Order	05/21/2009

CURRENT AND PROPOSED CHARGES

The current and proposed rates and charges follow. These rates are subject to change based on information gathered at the customer meeting, further Staff review, and the final decision by the Commissioners.

<u>Utilities, Inc. of Eagle Ridge</u>				
<u>Residential</u> <i>(Monthly)</i>	<u>Rates Prior to</u> <u>Filing</u>	<u>Utility's</u> <u>Requested</u> <u>Interim Rates</u>	<u>Utility</u> <u>Requested</u> <u>Final Rates</u>	<u>Commission</u> <u>Approved</u> <u>Interim Rates</u>
Base Facility Charge all Meter Sizes:	\$16.91	\$22.15	\$24.15	\$22.15
Gallorage Charge - Per 1,000 gallons (10,000 gallon cap)	\$3.44	\$4.51	\$4.91	\$4.51
Cross Creek Flat Rate (per unit)	\$18.42	\$24.13	\$26.31	\$24.13

Utilities, Inc. of Eagle Ridge (Continued)				
<u>General Service</u> <i>(Monthly)</i>	<u>Rates Prior to Filing</u>	<u>Utility's Requested Interim Rates</u>	<u>Utility Requested Final Rates</u>	<u>Commission Approved Interim Rates</u>
Base Facility Charge by Meter Size:				
5/8" x 3/4"	\$16.91	\$22.15	\$24.15	\$22.15
1"	\$42.29	\$55.41	\$60.41	\$55.41
1 1/2"	\$84.57	\$110.80	\$120.80	\$110.80
2"	\$135.31	\$177.27	\$193.28	\$177.27
3"	\$270.63	\$354.56	\$386.58	\$354.56
4"	\$422.86	\$554.00	\$604.03	\$554.00
6"	\$845.71	\$1,107.99	\$1,208.04	\$1,107.99
Gallage Charge (per 1,000 gallons)	\$4.12	\$5.40	\$5.89	\$5.40

SERVICE AVAILABILITY CHARGES

The Utility is not requesting any changes to its service availability charges. Even though not requested to do so, the Commission may review and adjust service availability charges.

MISCELLANEOUS SERVICE CHARGES

The Utility is requesting the following changes to its miscellaneous service charges.

Wastewater				
Type of Charge	Present Charge		Requested Charge	
	During Business Hours	After Business Hours	During Business Hours	After Business Hours
Initial Connection	\$15.00	N/A	\$21.00	\$42.00
Normal Reconnection	\$15.00	N/A	\$21.00	\$42.00
Violation Reconnection	Actual Cost	N/A	Actual Cost	Actual Cost

Premises Visit (in lieu of disconnection)	\$10.00	N/A	\$21.00	\$42.00
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Written comments regarding the Utility's service or the requested final rate increases may be sent to the Commission at the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

All comments should refer to Docket No. 080247-SU which is the docket number that has been assigned to this case. Complaints regarding service may be made to the Commission's Division of Regulatory Compliance and Consumer Assistance at the following toll-free number: 1-800-342-3552

If you have any questions, please call the Utility's office at (800) 272-1919.

Utilities, Inc. of Eagle Ridge