

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080597-WS

In the Matter of:

APPLICATION FOR GENERAL RATE INCREASE
IN WATER AND WASTEWATER SYSTEMS IN LAKE
COUNTY BY SOUTHLAKE UTILITIES, INC.



PROCEEDINGS: AGENDA CONFERENCE
ITEM NO. 5

BEFORE: CHAIRMAN MATTHEW M. CARTER, II
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER KATRINA J. McMURRIAN
COMMISSIONER NANCY ARGENZIANO
COMMISSIONER NATHAN A. SKOP

DATE: Tuesday, February 10, 2009

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

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CHAIRMAN CARTER: Commissioner Argenziano. Item 5.

COMMISSIONER ARGENZIANO: Item 5. Thank you.

Let me just make sure I get on the right one, here. Okay. I just wanted to make some comments, because I am finding more and more, as I say, that there is hardly anybody watching, that people are watching. And what I want to -- you know, because right now we are kind of getting beat up all over the state. I don't know if you guys have gotten the e-mails. I'm sure you have. The latest one that we are despicable for raising rates. And I want to make sure people understand back at home what interim rates really are. So I want to just make a comment that these are temporary. They could be permanent at the end of a certain length of time, if anybody is watching at home, and what -- it's subject to a full refund if it is not found to be, I guess, warranted, and with interest if that is the case.

That doesn't mean that's what's going to happen. If it's justified, then the statutes say -- and this is what I just want to read, especially for that one person who called us despicable, this is for you. Interim rates procedure under 366.071, that's for electric, and then the water is pretty much the same, but I just want to -- if you will just bear with me one moment.

CHAIRMAN CARTER: You're recognized.

1 **COMMISSIONER ARGENZIANO:** And I will go to the point
2 where I need to be. Okay. (2)(a), in a proceeding for an
3 interim increase in rates, the Commission shall, shall
4 authorize within 60 days of filing for such relief the
5 collection of rates sufficient to earn the minimum of range of
6 rate of return calculated in accordance with Subparagraph
7 (5)(b)(2). And I just wanted to get that on record, because if
8 somebody is watching, I think they deserve to know what the law
9 says. And I know you all as well as I did raised our hand, the
10 right one, and said that we will abide, and that's what we have
11 to do.

12 And we need to have the companies working, being fair
13 to both sides, but I just want those people to know that there
14 is a reason for everything, and the statutes dictate what we
15 are going to do, and we shall authorize interim rates. But
16 that it is not a guarantee that that is going to be granted.
17 It is going to be vetted. It is going to go through the
18 process that it needs to go through, and if the company has a
19 right to those rate increases, then they shall receive them.
20 But I just wanted to get that on record, and I appreciate the
21 time.

22 **CHAIRMAN CARTER:** Thank you, Commissioner.

23 Any further comments? With that, Commissioner Edgar,
24 you're recognized for a motion on Item 5.

25 **COMMISSIONER EDGAR:** Okay. Motion on Item 5.

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COMMISSIONER SKOP: Second.

CHAIRMAN CARTER: Show it approved.

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)
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5 I, JANE FAUROT, RPR, Chief, Hearing Reporter Services
6 Section, FPSC Division of Commission Clerk, do hereby certify
7 that the foregoing proceeding was heard at the time and place
8 herein stated.

9 IT IS FURTHER CERTIFIED that I stenographically
10 reported the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript constitutes a true transcription of my notes of said
13 proceedings.

14 I FURTHER CERTIFY that I am not a relative, employee,
15 attorney or counsel of any of the parties, nor am I a relative
16 or employee of any of the parties' attorney or counsel
17 connected with the action, nor am I financially interested in
18 the action.

19 DATED THIS 19th day of February, 2009.

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JANE FAUROT, RPR
Official FPSC Hearings Reporter
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