

080714-WS

Ann Cole

**From:** Mary Bane  
**Sent:** Monday, August 17, 2009 12:02 PM  
**To:** Bart Fletcher  
**Cc:** Tim Devlin; Marshall Willis; Cheryl Bulecza-Banks; Jared Deason; Paul Stallcup; Sonica Bruce; Patti Daniel; Richard Redemann; Jennifer Brubaker; Jean Hartman; Betty Ashby; Ann Cole; William C. Garner; Roberta Bass; Kay Posey; Larry Harris; Bill McNulty; Betty Ashby; Chuck Hill  
**Subject:** Re: Request of Oral Modification to Item 16, August 18, 2009 Agenda, Docket No. 080714-WS - Hidden Valley SPE LLC d/b/a Orange Lake Utilities

Approved.

Sent from my BlackBerry Wireless Handheld

**From:** Bart Fletcher  
**To:** Mary Bane  
**Cc:** Tim Devlin; Marshall Willis; Cheryl Bulecza-Banks; Jared Deason; Paul Stallcup; Sonica Bruce; Patti Daniel; Richard Redemann; Jennifer Brubaker; Jean Hartman  
**Sent:** Fri Aug 14 15:13:05 2009  
**Subject:** Request of Oral Modification to Item 16, August 18, 2009 Agenda, Docket No. 080714-WS - Hidden Valley SPE LLC d/b/a Orange Lake Utilities

Staff requests approval to make an oral modification to Item 16 on the August 18, 2009 agenda. Item 16 relates to a SARC application of Hidden Valley SPE LLC d/b/a Orange Lake Utilities. The modification is necessary to correct an error in the CIAC amortization expense, which resulted from staff inadvertently reflecting its amortization expense adjustments as positive numbers of \$2,663 for water and \$4,770 for wastewater, instead of negative numbers of the same amounts. This one adjustment will result in fall-out changes to net operating income, revenue requirements, and rates.

The issues that will require modification are: Issues 7, 8, 11, and 12. The schedules requiring revision are: Schedule Nos. 3-A, 3-B, 3-C, 4-A, and 4-B.

The 15-month statutory time frame to process this case is March 24, 2010. Staff does not recommend deferring the item because if a protest was filed, the 15-month statutory deadline could be compromised.

The specific modifications are in type and strike format as follows:

**1) Page 12, Issue 7**

**Issue 7:** What are the appropriate operating expenses?

**Recommendation:** The appropriate amount of operating expense for the Utility is ~~\$63,805,691.31~~ for water and ~~\$88,265,997.805~~ for wastewater. (Deason, Redemann)

**2) Page 14, Issue 7 - Last paragraph in Staff Analysis Section**

**Operating Expenses Summary** – The application of staff’s recommended adjustments to the audited test year operating expenses results in staff’s calculated operating expenses of ~~\$63,805,691.31~~ for water and ~~\$88,265,997.805~~ for wastewater. Operating expenses for water and wastewater are shown on Schedule Nos. 3-A and 3-B, respectively. The related adjustments are shown on Schedule 3-C.

**3) Page 15, Issue 8**

**Issue 8:** What is the appropriate revenue requirement?

**Recommendation:** The appropriate revenue requirement is ~~\$87,918,593.495~~ for water and ~~\$105,224,511.214~~ for wastewater. (Deason)

**Staff Analysis:** The Utility should be allowed an annual increase of ~~\$40,869,546.446~~ (86.87 ~~98.72~~ percent) for water and ~~\$57,772,567.762~~ (121.75 ~~142.80~~ percent) for wastewater. This will allow Orange Lake the opportunity to recover its expenses and earn a 7.90 percent return on its investment. The calculation is as follows:

	<u>Water</u>	<u>Wastewater</u>
Adjusted Rate Base	\$281,950	\$181,769
Rate of Return	x .0790	x .0790
Return on Rate Base	\$22,274	\$14,360
Adjusted O & M expense	43,035	59,883
Depreciation expense (Net)	19,842	28,136
Amortization	<del>(2,663)</del> 2,663	<del>(4,770)</del> 4,770
Taxes Other Than Income	<del>5,431,568</del>	<del>7,6168,065</del>

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Income Taxes	0	0
Revenue Requirement	\$87,918	\$105,224
	<del>\$93,495</del>	<del>\$115,214</del>
Less Test Year Revenues	47,049	47,452
Annual Increase	\$40,869	\$57,772
	<del>\$46,446</del>	<del>\$67,762</del>
Percent ncrease/(Decrease)	86.87%	121.75%
	<del>98.72%</del>	<del>142.80%</del>

4) Page 19, Issue 10 - Table 10-1 of Staff Analysis Section

TABLE 10-1

HIDDEN VALLEY d/b/a ORANGE LAKE UTILITIES STAFF'S RECOMMENDED AND ALTERNATIVE WATER RATE STRUCTURES AND RATES			
<b>Current Rate Structure and Rates</b>		<b>Recommended Rate Structure and Rates</b>	
Monthly BFC/ uniform kgals charge BFC = 58%		2-Tier Inclining Block Rate Structure Rate Factors 1.0 and 1.50 BFC = 35%	
BFC	\$9.14	BFC	\$10.46 <del>\$11.12</del>
All kgals	\$1.37	0-10 kgals	\$4.05 <del>\$4.38</del>
		10+ kgals	\$6.07 <del>\$6.56</del>
<b>Typical Monthly Bills (1)</b>		<b>Typical Monthly Bills</b>	
<b>Cons (kgals)</b>		<b>Cons (kgals)</b>	
0	\$9.14	0	\$10.46 <del>\$11.12</del>
1	\$10.51	1	\$14.51 <del>\$15.50</del>
3	\$13.25	3	\$22.61 <del>\$24.26</del>
5	\$15.99	5	\$30.71 <del>\$33.02</del>
10	\$22.84	10	\$50.96 <del>\$54.92</del>
20	\$36.54	20	\$111.66 <del>\$120.52</del>
<b>Alternative 1</b>		<b>Alternative 2</b>	
2- Tier Inclining Block Rate Structure Rate Factors 1.0 and 1.50 BFC = 25%		2- Tier Inclining Block Rate Structure Rate Factors 1.0 and 1.50 BFC = 40%	
BFC	\$7.47 <del>\$7.93</del>	BFC	\$11.96 <del>\$12.72</del>
0-10 kgals	\$4.77 <del>\$5.17</del>	0-10 kgals	\$3.70 <del>\$4.00</del>
10 + kgals	\$7.15 <del>\$7.75</del>	10+ kgals	\$5.55 <del>\$6.00</del>
<b>Typical Monthly Bills</b>		<b>Typical Monthly Bills</b>	
<b>Cons (kgals)</b>		<b>Cons (kgals)</b>	
0	\$7.47 <del>\$7.93</del>	0	\$11.96 <del>\$12.72</del>
1	\$12.24 <del>\$13.10</del>	1	\$15.66 <del>\$16.72</del>
3	\$21.78 <del>\$23.44</del>	3	\$23.06 <del>\$24.72</del>
5	\$31.32 <del>\$33.78</del>	5	\$30.46 <del>\$32.72</del>
10	\$55.17 <del>\$59.63</del>	10	\$48.96 <del>\$52.72</del>
20	\$126.67 <del>\$137.13</del>	20	\$104.46 <del>\$112.72</del>

5) Page 20, Issue 10 - Third to the last paragraph in Staff Analysis Section

The accounting staff's initial allocation for the wastewater BFC cost recovery for the residential class is ~~56~~ 50 percent. However, staff believes that the BFC cost recovery allocation be changed to 50 percent. Furthermore, staff recommends an allocation of 50 percent in order to increase the gallonage charge and send a stronger price signal. Staff believes the accounting staff's BFC allocation is appropriate because it falls within Commission's practice of setting the BFC allocation to at least 50 percent due to the capital intensive nature of wastewater plants.

6) Page 21, Issue 10 - Table 10- 2 of Staff Analysis Section

**TABLE 10-2**

<b>HIDDEN VALLEY d/b/a ORANGE LAKE UTILITIES STAFF'S RECOMMENDED AND ALTERNATIVE WASTEWATER RATE STRUCTURES AND RATES</b>			
<b>Current Rate Structure and Rates</b>		<b>Recommended Rate Structure and Rates</b>	
Monthly BFC/ uniform kgals charge BFC =57%		BFC/uniform kgals charge BFC = 50%	
BFC	\$9.22	BFC	\$17.89 <del>\$19.78</del>
All kgals	\$1.74	All kgals	\$4.63 <del>\$5.08</del>
<b>Typical Monthly Bills</b>		<b>Typical Monthly Bills</b>	
Cons (kgals)		Cons (kgals)	
0	\$9.22	0	\$17.89 <del>\$19.78</del>
1	\$10.96	1	\$22.52 <del>\$24.86</del>
3	\$14.44	3	\$31.78 <del>\$35.02</del>
6	\$19.66	6	\$45.67 <del>\$50.26</del>
8	\$23.14	8	\$54.93 <del>\$60.42</del>
<b>Alternative 1</b>		<b>Alternative 2</b>	
BFC/uniform kgals charge BFC = 60%		BFC/uniform kgals charge BFC =70%	
BFC	\$21.43 <del>\$23.62</del>	BFC	\$25.17 <del>\$27.56</del>
All kgals	\$3.73 <del>\$4.08</del>	All kgals	\$2.77 <del>\$3.06</del>
<b>Typical Monthly Bills</b>		<b>Typical Monthly Bills</b>	
Cons (kgals)		Cons (kgals)	
0	\$21.43 <del>\$23.72</del>	0	\$25.17 <del>\$27.56</del>
1	\$25.16 <del>\$27.77</del>	1	\$27.94 <del>\$30.62</del>
3	\$32.62 <del>\$35.86</del>	3	\$33.48 <del>\$36.74</del>
6	\$43.81 <del>\$48.10</del>	6	\$41.79 <del>\$45.92</del>
8	\$51.27 <del>\$56.26</del>	8	\$47.33 <del>\$52.04</del>

7) Page 22, Issue 11

**Issue 11:** Is a repression adjustment appropriate in this case, and if so, what are the appropriate adjustments to make for this Utility, what are the appropriate corresponding expense adjustments to make, and what are the final revenue requirements?

**Recommendation:** Yes, a repression adjustment is appropriate for this Utility. Test year consumption should be reduced by 8 9 percent resulting in a consumption reduction of approximately 1,154 ~~1,317~~ kgals. Purchased power expense should be reduced by \$363 ~~\$414~~, chemical expense should be reduced by \$206 ~~\$235~~, and regulatory assessment fees (RAFS) should be reduced by \$26 ~~\$34~~. The final post-repression revenue requirement for the water system should be \$87,323 ~~\$92,815~~. For the wastewater system, test year kgals sold should be reduced by 8 9 percent, resulting in a consumption reduction of approximately 958 ~~1,093~~ kgals. Sludge removal expense should be reduced by \$1,369 ~~\$1,557~~, purchased power expense should be reduced by \$808 ~~\$909~~, and RAFs should be reduced by \$98.00 ~~\$114~~. The final post-repression revenue requirement for the wastewater system should be \$102,948 ~~\$112,636~~.

In order to monitor the effect of the changes to rate structure and revenue, the Utility should be ordered to file reports detailing the number of bills rendered, the consumption billed and the revenues billed on a monthly basis. In addition, the reports should be prepared, by customer class and meter size. The reports should be filed with staff, on a semi-annual basis, for a period of two years beginning the first billing period after the approved rates go into effect. To the extent the Utility makes adjustments to consumption in any month during the reporting period, the Utility should be ordered to file a revised monthly report for that month within 30 days of any revision (Bruce)

**Staff Analysis:** Staff conducted a detailed analysis of the consumption patterns of the Utility's residential customers as well as the effect of increased revenue requirements on the amount paid by residential customers at varying levels of consumption. As discussed in Issue 10, the

customer's monthly overall consumption is 5.1 kgals. Also, as discussed in Issue 10, staff believes it is appropriate to set the threshold for the customer's essential usage to approximately 9.8 kgals per month. However, staff's billing data indicates that there is a small portion of the customers consume over 10 kgals a month. Staff's recommended repression adjustment therefore only applies to water consumption above 10 kgals per month.

Using our database of utilities that have previously had repression adjustments made, staff calculated a repression adjustment for this Utility based upon the recommended increase in revenues from monthly service in this case, and the historically observed response rates of consumption to changes in price. This is the same methodology for calculating repression adjustments that the Commission has approved in prior cases. Based on this methodology, staff calculated test year residential water sold should be reduced by 1,154 ~~1,317~~ kgals. Purchased power expense should be reduced by \$363 ~~\$414~~, chemical expense should be reduced by \$206 ~~\$225~~, and regulatory assessment fees (RAFS) should be reduced by \$26 ~~\$31~~. The final post-repression revenue requirement for the water system should be \$87,323 ~~\$92,815~~. For the wastewater system, test year kgals sold should be reduced by 958 ~~1,093~~ kgals. Sludge removal expense should be reduced by \$1,369 ~~\$1,557~~, purchased power expense should be reduced by \$808 ~~\$909~~, and RAFs should be reduced by \$98.00 ~~\$111.00~~. The final post-repression revenue requirement for the wastewater system should be \$102,948 ~~\$112,636~~.

**8) Page 24, Issue 12**

**Issue 12:** What are the appropriate rates for this Utility?

**Recommendation:** The appropriate monthly water and wastewater rates are shown on Schedules Nos. 4-A and 4-B, respectively. The recommended rates should be designed to produce revenue \$87,323 ~~\$92,815~~ for water and \$102,948 ~~\$112,636~~ for wastewater, excluding miscellaneous service charges. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should 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 should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. The Utility should provide proof of the date notice was given no less than 10 days after the date of the notice. (Bruce, Deason)

**Staff Analysis:** Excluding miscellaneous service revenues, the recommended rates should be designed to produce of revenue \$87,323 ~~\$92,815~~ for the water system and \$102,948 ~~\$112,636~~ for the wastewater system.

**9) Page 26, Issue 14 - Second Paragraph in Staff Analysis Section**

The Utility should be authorized to collect the temporary rates upon the staff's approval of appropriate security for the potential refund and the proposed customer notice. Security should be in the form of a bond or letter of credit in the amount of \$65,893 ~~\$78,068~~. Alternatively, the Utility could establish an escrow agreement with an independent financial institution.

**10) Pages 34 and 35, Schedule 3-A - Schedule of Water Operating Income and Schedule 3-B - Schedule of Wastewater Operating Income**

HIDDEN VALLEY SPE LLC d/b/a ORANGE LAKE UTILITIES		SCHEDULE NO. 3-A			
TEST YEAR ENDING 12/31/2008		DOCKET NO. 080714-WS			
SCHEDULE OF WATER OPERATING INCOME					
	TEST YEAR PER UTILITY	STAFF ADJ. PER UTILITY	STAFF ADJUSTED TEST YEAR	ADJUST. FOR INCREASE	REVENUE REQUIREMENT
1. OPERATING REVENUES	\$44,665	\$2,384	\$47,049	\$40,869 <del>\$46,446</del> 86.87% <del>98.72%</del>	\$87,918 <del>\$92,495</del>
<b>OPERATING EXPENSES:</b>					
2. OPERATION & MAINTENANCE	\$34,112	\$8,923	\$43,035	0	\$43,035
3. DEPRECIATION (NET)	0	19,842	19,842	0	19,842
4. AMORTIZATION	0	<del>(2,663)</del> 2,663	<del>(2,663)</del> 2,663	0	<del>(2,663)</del> 2,663
5. TAXES OTHER THAN INCOME	2,890	702	3,592	1,839 <del>2,090</del>	5,431 <del>6,682</del>
6. INCOME TAXES	0	0	0	0	0
7. TOTAL OPERATING EXPENSES	\$37,002	\$26,803 <del>\$32,129</del>	\$63,805 <del>\$69,131</del>	\$1,839 <del>\$2,090</del>	\$65,644 <del>\$71,221</del>
8. OPERATING INCOME/(LOSS)	\$7,663	-	(\$16,756) <del>(\$22,082)</del>	-	\$22,274
9. WATER RATE BASE	\$240,394		\$281,950		\$281,950

10. RATE OF RETURN	3.19%	<del>-5.94%</del> <del>-7.83%</del>	7.90%
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HIDDEN VALLEY SPE LLC d/b/a ORANGE LAKE UTILITIES					SCHEDULE NO. 3-B
TEST YEAR ENDING 12/31/2008					DOCKET NO. 080714-WS
SCHEDULE OF WASTEWATER OPERATING INCOME					
	TEST YEAR PER UTILITY	STAFF ADJ. PER UTILITY	STAFF ADJUSTED TEST YEAR	ADJUST. FOR INCREASE	REVENUE REQUIREMENT
1. OPERATING REVENUES	\$46,291	\$1,161	\$47,452	<del>\$57,772</del> <del>\$67,762</del> 121.75% <del>142.80%</del>	<del>\$105,224</del> <del>\$115,214</del>
<b>OPERATING EXPENSES:</b>					
2. OPERATION & MAINTENANCE	\$60,336	(\$453)	\$59,883	0	\$59,883
3. DEPRECIATION (NET)	0	28,136	28,136	0	28,136
4. AMORTIZATION	0	<del>(4,770)</del> <del>4,770</del>	<del>(4,770)</del> <del>4,770</del>	0	<del>(4,770)</del> <del>4,770</del>
5. TAXES OTHER THAN INCOME	2,828	2,188	5,016	<del>2,600</del> <del>3,049</del>	<del>7,616</del> <del>8,065</del>
6. INCOME TAXES	0	0	0	0	0
7. TOTAL OPERATING EXPENSES	\$63,164	<del>\$25,101</del> <del>\$34,644</del>	<del>\$88,265</del> <del>\$97,805</del>	<del>\$2,600</del> <del>\$3,094</del>	<del>\$90,864</del> <del>\$100,854</del>
8. OPERATING INCOME/(LOSS)	<del>(\$16,873)</del>		<del>(\$40,813)</del> <del>(\$50,353)</del>		\$14,360
<b>WASTEWATER RATE</b>					
9. BASE	\$51,880		\$181,769		\$181,769
10. RATE OF RETURN	-32.52%		<del>-22.45%</del> <del>-27.70%</del>		7.90%

## 11) Page 36, Schedule 3-C - Adjustments to Operating Income

HIDDEN VALLEY SPE LLC d/b/a ORANGE LAKE UTILITIES			SCHEDULE NO. 3-C	
TEST YEAR ENDING 12/31/2008			DOCKET NO. 080714-WS	
ADJUSTMENTS TO OPERATING INCOME				
	WATER	WASTEWATER		
<b>OPERATING REVENUES</b>				
To reflect the appropriate test year annualized revenue	\$2,384	\$1,161		
<b>OPERATION AND MAINTENANCE EXPENSES</b>				
1. Purchased Power Expense (615,715)				
To remove overstated purchased power expense	\$0	(\$884)		
To include understated Purchased Power	5,229	0		
To adjust for excessive unaccounted for water	(697)	0		
Subtotal	\$4,532	(\$884)		
2. Contractual Services - Testing (635,735)				
To reflect annual DEP testing	\$528	\$0		
3. Contractual Services - Other (636,736)				
To include understated Contractual Services	\$2,232	\$0		
To amortize DEP required tank inspection and cleaning	1,200	0		
Subtotal	\$3,432	\$0		
4. Regulatory Commission Expense (665,765)				
To amortize rate case expense	\$431	\$431		
<b>TOTAL OPERATION &amp; MAINTENANCE ADJUSTMENTS</b>	<b>\$8,923</b>	<b>(\$453)</b>		
<b>DEPRECIATION EXPENSE</b>				
1. To reflect net depreciation calculated per 25-30.140, FAC	\$19,748	\$28,136		
2. To reflect 2009 pro forma Depreciation Expense	94	0		
Total	(\$19,842)	(\$28,136)		
<b>AMORTIZATION OF CIAC</b>				
To reflect appropriate amortization of CIAC	<del>(\$2,663)</del> <del>\$2,663</del>	<del>(\$4,770)</del> <del>\$4,770</del>		

TAXES OTHER THAN INCOME		
1. To reflect test year RAFs	\$36	\$149
2. To reflect test year property taxes	824	2,197
3. Payroll Tax	(158)	(158)
Total	\$702	\$2,188

12) Page 38, Schedule 4-A - Schedule of Water Rates

HIDDEN VALLEY SPE LLC d/b/a ORANGE LAKE UTILITIES TEST YEAR ENDING 12/31/2008 MONTHLY WATER RATES		SCHEDULE NO. 4-A DOCKET NO. 080714-WS	
	UTILITY'S EXISTING RATES	STAFF RECOMMENDED RATES	4 YEAR RATE REDUCTION
<b>General and Residential Service</b>			
<u>Base Facility Charge by Meter Size:</u>			
5/8"X3/4"	\$9.14	\$10.46 <del>\$11.12</del>	\$0.05
3/4"	\$9.14	\$15.69 <del>\$16.68</del>	\$0.08
1"	\$9.14	\$26.15 <del>\$27.80</del>	\$0.13
1-1/2"	\$9.14	\$32.30 <del>\$35.60</del>	\$0.27
2"	\$9.14	\$83.68 <del>\$88.96</del>	\$0.43
3"	\$9.14	\$167.36 <del>\$177.92</del>	\$0.86
4"	\$9.14	\$261.50 <del>\$278.00</del>	\$1.34
6"	\$9.14	\$523.00 <del>\$556.00</del>	\$2.68 <del>\$4.68</del>
<b>Residential Gallonage Charge</b>			
Per 1,000 gallons	\$1.37		
Per 1,000 gallons, 0-10 kgal		\$4.05 <del>\$4.38</del>	\$0.02
Per 1,000 gallons, 10+ kgal		\$6.07 <del>\$6.56</del>	\$0.03
<b>General Service Gallonage Charge</b>			
Per 1,000 gallons	\$1.37	\$4.14 <del>\$4.46</del>	\$0.02
<u>Typical Residential 5/8" x 3/4" Meter Bill Comparison</u>			
3,000 Gallons	\$13.25	\$22.61 <del>\$24.26</del>	
5,000 Gallons	\$15.99	\$30.71 <del>\$33.02</del>	
10,000 Gallons	\$22.84	\$50.96 <del>\$54.92</del>	

13) Page 38, Schedule 4-B -

Schedule of Wastewater Rates

HIDDEN VALLEY SPE LLC d/b/a ORANGE LAKE UTILITIES TEST YEAR ENDING 12/31/2008 MONTHLY WASTEWATER RATES		SCHEDULE NO. 4-B DOCKET NO. 080714-WS	
	UTILITY'S EXISTING RATES	STAFF RECOMMENDED RATES	4 YEAR RATE REDUCTION
<b>Residential Service</b>			
(all meter sizes)	\$9.22	\$17.89 <del>\$19.78</del>	\$0.08
<b>General Service</b>			
<u>Base Facility Charge by Meter Size:</u>			
5/8"X3/4"	\$9.22	\$17.89 <del>\$19.78</del>	\$0.08
3/4"	\$9.22	\$26.84 <del>\$29.67</del>	\$0.11 <del>\$0.12</del>
1"	\$9.22	\$44.73 <del>\$49.45</del>	\$0.19
1-1/2"	\$9.22	\$89.45 <del>\$98.90</del>	\$0.38 <del>\$0.39</del>
2"	\$9.22	\$143.12 <del>\$158.24</del>	\$0.61 <del>\$0.62</del>
3"	\$9.22	\$286.24 <del>\$316.48</del>	\$1.23 <del>\$1.24</del>
4"	\$9.22	\$447.25 <del>\$494.50</del>	\$1.92 <del>\$1.93</del>
6"	\$9.22	\$894.50 <del>\$989.00</del>	\$3.83 <del>\$3.87</del>
<b>Residential Gallonage Charge</b>			
Per 1,000 gallons	\$1.74		
Per 1,000 gallons (capped at 8,000 gallons)		\$4.63 <del>\$5.08</del>	\$0.02
<b>General Gallonage Charge</b>			
Per 1,000 gallons	\$1.74	\$5.56 <del>\$6.10</del>	\$0.02
<u>Typical Residential 5/8" x 3/4" Meter Bill</u>			

Comparison		
3,000 Gallons	\$14.44	\$31.78 <del>\$35.02</del>
5,000 Gallons	\$17.92	\$41.04 <del>\$45.18</del>
10,000 Gallons	\$26.62	\$54.93 <del>\$59.26</del>