

Ruth Nettles

090182-SU

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Thursday, November 19, 2009 2:09 PM
To: Filings@psc.state.fl.us
Cc: donald.clayton@tangibl.com; Bart Fletcher; Curt Mouring; ewallace@niamerica.com; Martin Friedman; Christian W. Marcelli; Trina Collins
Subject: Filing in Docket No. 090182-SU; Ni Florida, LLC's Application for Increase in Wastewater Rates in Pasco County, Florida
Importance: High
Attachments: PSC Clerk 10 (Initial Customer Notice).ltr.11-19-2009.pdf

- a. Martin S. Friedman, Esq.
Christian W. Marcelli, Esq.
Rose, Sundstrom & Bentley, LLP
Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, FL 32779
Phone: (407) 830-6331
Fax: (407) 830-8522
Email: mfriedman@rsbattorneys.com
cmarcelli@rsbattorneys.com
- b. Docket No.: 090182-SU; Ni Florida, LLC's Application for Increase in Wastewater Rates in Pasco 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 Ni Florida, LLC.
- c. Ni Florida, LLC
- d. 7 Pages.
- e. Letter to Commission Clerk - 1 page; Notice of Filing - 1 page; Affidavit of Mailing - 1 page; and Initial Customer Notice - 4 pages.

11/19/2009

DOCUMENT NUMBER - DATE
11468 NOV 19 09
FPSC-COMMISSION CLERK

LAW OFFICES
ROSE, SUNDBSTROM & BENTLEY, LLP
2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

FREDERICK L. ASCHAUER, JR.
CHRIS H. BENTLEY, P.A.
ROBERT C. BRANNAN
F. MARSHALL DETERDING
JOHN R. JENKINS, P.A.
KYLE L. KEMPER
STEVEN T. MINDLIN, P.A.
CHASITY H. O'STEEN
WILLIAM E. SUNDBSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON

ROBERT M. C. ROSE (1924-2006)

(850) 877-6555
FAX (850) 656-4029
www.rsbatorneys.com

REPLY TO CENTRAL FLORIDA OFFICE

November 19, 2009

CENTRAL FLORIDA OFFICE
SANLANDO CENTER
2180 W. STATE ROAD 434, SUITE 2118
LONGWOOD, FLORIDA 32779
(407) 830-6331
FAX (407) 830-8522

MARTIN S. FRIEDMAN, P.A.
BRIDGET M. GRIMSLEY
CHRISTIAN W. MARCELLI
BRIAN J. STREET

E-FILING

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

RE: Docket No. 090182-SU; Ni Florida, LLC's Application for Increase in Wastewater Rates in Pasco County, Florida
Our File No.: 43053.03

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 Ni Florida, LLC.

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

Very truly yours,



CHRISTIAN W. MARCELLI
For the Firm

CWM/tlc
Enclosures

cc: Mr. Donald Clayton (w/enclosures) (via e-mail)
Mr. Bart Fletcher, Division of Economic Regulation (w/enclosures) (via e-mail)
Mr. Curt Mouring, Division of Economic Regulation (w/enclosures) (via e-mail)
Ed Wallace, President (w/enclosures) (via e-mail)

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DOCUMENT NUMBER-DATE

11468 NOV 19 09

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
NI FLORIDA, LLC
for an increase in wastewater
rates in Pasco County, Florida

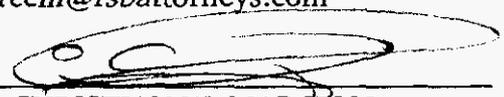
DOCKET NO. 090182-SU

NOTICE OF FILING

Applicant, NI FLORIDA, LLC, by and through its undersigned attorneys, hereby gives notice of filing the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Ni Florida, LLC.

Respectfully submitted on this 19th day
of November, 2009, by:

ROSE, SUNDSTROM & BENTLEY, LLP
2180 W. State Road 434
Suite 2118
Longwood, Florida 32779
Telephone: (407) 830-6331
Facsimile: (407) 830-8522
cmarcelli@rsbattorneys.com

By: 

CHRISTIAN W. MARCELLI
For the Firm

AFFIDAVIT OF MAILING

STATE OF Florida

COUNTY OF Pasco

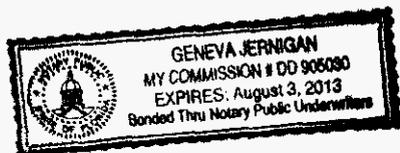
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared DAVID M. DILENA, who, after being duly sworn on oath, did depose on oath and say that he/she is the Representative of Ni Florida, LLC, and that on November 13, 2009, he/she did send by regular U.S. Mail, a copy of the Initial Customer Notice, attached hereto, to all customers of the utility.

FURTHER AFFIANT SAYETH NAUGHT.



Print Name: DAVID M. DILENA
Print Title:

Sworn to and subscribed before me this 12th day of November, 2009, by David Dilena who is personally known to me or has produced _____ as identification.



Print Name:
NOTARY PUBLIC
My Commission Expires:



DOCUMENT NUMBER-DATE

11468 NOV 19 8

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

INITIAL CUSTOMER NOTICE

TO THE CUSTOMERS OF
NI FLORIDA, LLC
AND
ALL OTHER INTERESTED PERSONS

RE: DOCKET NO. 090182-SU

APPLICATION FOR INCREASE IN WASTEWATER RATES IN PASCO COUNTY
BY NI FLORIDA, LLC

NOVEMBER 13, 2009

BACKGROUND

Ni Florida, LLC (the "Utility") is a wastewater utility whose corporate offices are located at 10913 Metronome Drive, Houston, TX 77943-2201. The Utility's local office is located at 13825 U.S. Hwy 19, Suite 301, Hudson, FL 34667. The Utility's wastewater facilities are located in Pasco County, Florida.

The Utility filed an application with the Florida Public Service Commission (the "Commission") for increased wastewater rates for its Pasco County customers on July 21, 2009. The application was assigned Docket No. 090182-SU, and September 24, 2009, 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 \$1,470,837, with operating expenses per books of \$1,561,463, for its wastewater system, resulting in a net operating loss \$90,626, 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:

Regency Park Branch Library 9701 Little Road New Port Richey, Florida 34654	<u>Hours:</u> Monday - Closed Tuesday - 10:00 am - 6:00 pm Wednesday - 10:00 am - 6:00 pm Thursday - 10:00 am - 8:00 pm Friday - 10:00 am - 5:00 pm Saturday - 10:00 am - 5:00 pm Sunday - Closed
Ni Florida, LLC 13825 U.S. Hwy 19, Suite 301 Hudson, FL 34667	<u>Hours:</u> Monday - Friday - 8:00 am - 4:30 pm

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, 2008.

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>
Agenda Conference on Interim Rates	10/27/2009
Staff Audit Report	11/02/2009
Customer Meeting	12/16/2009*
Staff's Proposed Agency Action ("PAA") Recommendation	01/28/2010
Agenda Conference on PAA Rates	02/09/2010
PAA Order	03/01/2010
Protest Period Expires	03/22/2010

*A customer meeting will be held at 6:00 p.m., on Wednesday, December 16, 2009 at West Pasco Government Center, located at 7530 Little Road, New Port Richey, FL 34654.

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.

NI FLORIDA, LLC WASTEWATER SERVICE			
<u>Residential</u>	<u>Rates Prior to Filing</u>	<u>Utility's Requested Interim Rates</u>	<u>Utility Requested Final Rates</u>
Base Facility Charge all Meter Sizes:	\$15.72	\$19.45	\$19.89
Gallonge Charge – Per 1,000 gallons (10,000 gallon max)	\$5.17	\$6.41	\$6.54

NI FLORIDA, LLC WASTEWATER SERVICE (continued)			
<u>General Service, Multi-Residential Service and Bulk Flow Meter Service</u>	<u>Rates Prior to Filing</u>	<u>Utility's Requested Interim Rates</u>	<u>Utility Requested Final Rates</u>
Base Facility Charge by Meter Size:			
5/8" x 3/4"	\$15.72	\$19.45	\$19.89
Full 3/4"	\$23.56	\$29.14	\$29.80
1"	\$39.26	\$48.58	\$49.67
1 1/2"	\$78.51	\$97.13	\$99.32
2"	\$125.63	\$155.42	\$158.92
3"	\$251.25	\$310.85	\$317.84
4"	\$392.56	\$485.67	\$496.61
6"	\$785.16	\$971.38	\$993.26
8"	\$1,256.24	\$1,554.18	\$1,589.20
10"	\$1,805.86	\$2,234.17	\$2,284.49
<u>General Service and Multi-Residential Service Gallonage Charge – Per 1,000 gallons</u>	\$6.17	\$7.66	\$7.81
<u>Bulk Flow Meter Service Gallonage Charge – Per 1,000 gallons</u>	\$6.45	\$8.00	\$8.16

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:

Type of Charge	Present Charge		Requested Charge	
	During Business Hours	After Business Hours	During Business Hours	After Business Hours
Initial Connection	\$15.00	\$15.00	\$27.00	\$40.00
Normal Reconnection	\$15.00	\$15.00	\$27.00	\$40.00
Violation Reconnection	Actual Cost	Actual Cost	Actual Cost	Actual Cost
Premises Visit	\$10.00	\$10.00	\$18.00	\$27.00

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. 090182-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 877-233-0101.

Ni Florida LLC