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REPLY TO CENTRAL FLORIDA OFFICE

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

February 1, 2010

HAND DELIVERY

RECEIVED - FPSC  
10 FEB - 1 AM 10:14  
COMMISSION CLERK

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

RE: Docket No. 090462-WS; Utilities, Inc. of Florida's Application for an Increase in Water and Wastewater Rates in Marion, Orange, Pasco, Pinellas and Seminole County, Florida  
Our File No.: 30057.179

Dear Ms. Cole:

Enclosed are the following for filing in the above-referenced docket:

- Sixteen (16) copies of the Application for Increase in Rates
- Sixteen (16) copies of the Minimum Filing Requirements (Volume I)  
(one (1) volume for each county)
- Two (2) copies of the Billing Analysis (Volume II)  
(1 volume for each county)
- Two (2) copies of the Additional Engineering Information (Volume III)  
(one (1) volume for Marion, Orange & Pinellas Counties and  
Volumes IIIa & IIIb each for Pasco & Seminole Counties)
- Sixteen (16) copies of the Affidavit required by Rule 25-22.0407, Florida  
Administrative Code
- One (1) detailed map for each system

COM \_\_\_\_\_  
APA 2  
ECR 1  
GCL 1  
RAD \_\_\_\_\_  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC 1  
CLK 1

CLK Note \* CDs Forwarded to ECR  
\* All maps forwarded to ECR  
\* Tariffs forwarded to ECR  
\* MFR'S (Pts 2 + 3) only 1 to ECR provided

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Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
February 1, 2010  
Page 2

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- Three (3) copies of the Allocation Manuals on CD
- Original and three (3) copies of the proposed Interim Rate Tariff Sheets
- Original and three (3) copies of the proposed Final Rate Tariff Sheets
- This firm's check in the amount of \$9,000.00 representing the appropriate filing fee.

Should you 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/mp  
Enclosures

cc: Steven M. Lubertozzi, Executive Director of Regulatory Accounting and Affairs (w/enc.)  
Ms. Kirsten Weeks (w/o encs.)  
Patrick C. Flynn, Regional Director (w/encs.)  
John Williams, Director of Government Affairs (w/encs.)  
Mr. Frank Seidman (w/encs.)  
Ms. Deborah Swain (w/encs.)  
Bart Fletcher, Division of Economic Regulation (w/o encs.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of  
UTILITIES, INC. OF FLORIDA  
for an increase in water and wastewater  
rates in Marion, Orange, Pasco, Pinellas,  
and Seminole Counties, Florida

---

DOCKET NO. 090462-WS

APPLICATION FOR INCREASE IN RATES

Applicant, UTILITIES, INC. OF FLORIDA (the "Utility"), by and through its undersigned attorneys and pursuant to Section 367.081 and 367.082, Florida Statutes, and Chapter 25-30, Florida Administrative Code, files this Application for an increase in its water and wastewater rates in Marion, Orange, Pasco, Pinellas and Seminole Counties, Florida.

Preliminary Matters

1. The following information is provided pursuant to Rule 25-30.436, Florida Administrative Code:

(a) The name of the Utility and its mailing address is:

Utilities, Inc. of Florida  
2335 Sanders Road  
Northbrook, IL 60062

(b) The address of the Florida office is:

Utilities, Inc. of Florida  
200 Weathersfield Avenue  
Altamonte Springs, FL 32714-4099

(c) The names and address of the persons authorized to receive notices and

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communications with respect to this application are:

Martin S. Friedman, Esquire  
Christian W. Marcelli, Esquire  
Rose, Sundstrom & Bentley, LLP  
2180 W. State Road 434  
Suite 2118  
Longwood, FL 32799  
Telephone: (407) 830-6331  
Facsimile: (407) 830-8522

Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)  
[cmarcelli@rsbattorneys.com](mailto:cmarcelli@rsbattorneys.com)

(b) The Utility is a Florida corporation incorporated in Florida on October 15, 1975. The names and addresses of the persons owning more than 5% of the Utility's stock are:

Utilities, Inc.	100%
2335 Sanders Road	
Northbrook, IL 60062	

(c) The Utility's last rate proceeding was in Docket No. 060253-WS, utilizing a test year ending December 31, 2005, which culminated in Order No. PSC-08-0246-AS-WS, dated April 22, 2008.

(d) The address within the various service areas where the application is available for customer inspection during the time the application is pending is:

c/o Utilities, Inc. of Florida  
200 Weathersfield Avenue  
Altamonte Springs, FL 32714

(e) The Utility is requesting water and wastewater rates which would allow it to recover all expenses that the Utility will incur on a going-forward basis, and generate

a fair rate of return on its investment in all property considered used and useful in the public service.

In addition, the Utility is seeking interim rates based upon the historic test year ended December 31, 2008. The Utility has demonstrated through the supporting schedules within **Composite Volume I** provided herewith that it is earning outside its range of reasonable returns, calculated in accordance with Section 367.082(5), Florida Statutes. Submitted as part of **Composite Volume I** are schedules of rate base (Schedules A-1 and A-2), cost of capital (Schedule D-1) and net operating income (Schedule B-1 and Schedule B-2), as applicable, pursuant to Commission Rule 25-30.437(5), F.A.C.

(f) The Affidavit of Lisa Sparrow, President, affirming that the Utility will comply with Rule 25-22.0407, F.A.C., is attached hereto.

(g) The Utility requests that this Application be processed under the Commission's proposed agency action ("PAA") procedure outlined in Section 367.081(8), Florida Statutes.

2. The appropriate filing fee of \$4,500.00 for water and \$4,500.00 for wastewater totaling \$9,000.00 is filed herewith.

3. Not applicable.

#### Additional Information

##### I.

Sixteen copies of the Utility's Financial, Rate and Engineering Minimum Filing Requirements (Form PSC/WAW 20) are provided herewith as **Composite Volume I**, consisting of five volumes, one volume for each County.

II.

The Utility has costs or charges to it from an affiliate or related party. These costs are reported in Schedule B-12 of Composite Volume I and are further supported by the included allocation manuals. Due to the voluminous nature of the allocation manuals, they are submitted via data disc, included herewith.

III.

There has been no new land recorded on the Utility's books since the Utility's last rate proceeding.

IV.

Two copies of the Billing Analysis Schedules as required by Rule 25-30.437(4), F.A.C., are provided herewith as Composite Volume II, consisting of five volumes, one volume for each County.

V.

Two copies of the Additional Engineering Information required by Rule 25-30.440(2)-(10), F.A.C., are provided herewith as Composite Volume III, consisting of seven volumes.

VI.

One (1) copy of the detailed system maps as required by Section 25-30.440(1)(a) and (b) is included in Composite Volume III.

VII.

The original and three (3) copies of the Revised Tariff Sheets reflecting the proposed interim rates are attached hereto as Composite Exhibit "A".

VIII.

The original and three (3) copies of the Revised Tariff Sheets reflecting the proposed final rates and the Revised Tariff Sheets reflecting the requested miscellaneous service charges for all counties, are attached hereto as **Composite Exhibit "B"**.

IX.

The Utility requests that the Commission not withhold consent to the effectiveness of the proposed final water and wastewater rate increases as requested in this Application, or in the alternative, that the Commission grant interim water and wastewater rates pursuant to Section 367.082, F.S. in accordance with the schedules contained in **Composite Volume I** and the tariffs contained in **Composite Exhibits "A" and "B"**.

WHEREFORE, the Utility requests that the Florida Public Service Commission do the following:

1. Accept jurisdiction of this Application to grant an increase in water and wastewater rates utilizing the PAA procedure outlined in Section 367.081(8), Florida Statutes.

2. Not withhold consent to the effectiveness of the rates requested as final, or in the alternative, to grant the interim water and wastewater rates as requested herein and contained in the tariffs included as **Composite Exhibit "A"**.

3. Grant final rates as requested herein and contained in the tariffs included in **Composite Exhibit "B"**.

4. Provide such other and further relief as is fair, just and equitable.

Respectfully submitted this 1<sup>st</sup> day of  
February, 2010, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
2180 W. State Road 434, Suite 2118  
Longwood, FL 32799  
Telephone: (407) 830-6331



MARTIN S. FRIEDMAN  
CHRISTIAN MARCELLI  
For the Firm

NOTE:

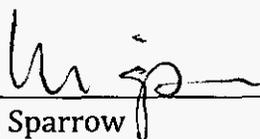
IN ACCORDANCE WITH PUBLIC SERVICE COMMISSION  
RULE 25-22.0407(2), THE MFRs, WHEN ACCEPTED BY THE  
COMMISSION, CAN BE OBTAINED FROM THE UTILITY  
UPON REQUEST.

AFFIDAVIT OF LISA SPARROW

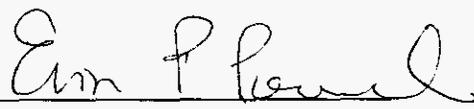
STATE OF ILLINOIS

COUNTY OF COOK

BEFORE ME, personally appeared LISA SPARROW, who is the President of Utilities, Inc. of Florida, who states that Utilities, Inc. of Florida will comply with the noticing requirements of Rule 25-22.0407, Florida Administrative Code.

  
\_\_\_\_\_  
Lisa Sparrow

Sworn to and subscribed before me this 25<sup>th</sup> day of January, 2010, by Lisa Sparrow, President of Utilities, Inc. of Florida, who is personally known to me.

  
\_\_\_\_\_  
NOTARY PUBLIC - STATE OF ILLINOIS  
Printed Name: Erin Povich  
My Commission Expires: April 30, 2011



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