

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 4, 2010

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Deason, Bulecza-Banks, Fletcher, Walden) *JR* *WBB* *BS* *AW* *ca* *P.P* *(2)*
Office of the General Counsel (Brown) *MCB* *JTB*

RE: Docket No. 100038-WU – Application to implement a backflow maintenance program by Sunny Shores Water Co.

AGENDA: 03/16/10 – Regular Agenda – Tariff Filing - Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 4/17/2010 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\100038.RCM.DOC

RECEIVED-FPSC
 10 MAR -4 AM 9:26
 COMMISSION
 CLERK

Case Background

Sunny Shores Water Co. (Sunny Shores or Utility) is a Class C utility providing water service to approximately 263 customers in Manatee County. Sunny Shores reported revenues of \$73,511 in its 2008 Annual Report. The system is located in the Southwest Florida Water Management District (SWFWMD).

On February 18, 2010, the Utility filed an application for approval of a tariff sheet to reflect the following: implementation of a backflow maintenance program. This recommendation addresses the suspension of Sunny Shores' proposed tariff sheet. The Commission has jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

DOCUMENT NUMBER-DATE
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Discussion of Issues

Issue 1: Should Sunny Shores' proposed tariff sheet to implement its backflow maintenance program charge be suspended?

Recommendation: Yes. Sunny Shores' proposed tariff sheet to implement its backflow maintenance program should be suspended pending further investigation by staff. (Deason)

Staff Analysis: Pursuant to Section 367.091(6), F.S., the tariff sheet proposed by the Utility shall become effective within sixty (60) days after filing, unless the Commission votes to withhold consent of the request. Further, the Commission may withhold consent to the operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding that consent.

Staff has reviewed the filing and has considered Sunny Shores' proposed charges and information filed in support of the application. Staff believes it is necessary to require amplification and explanation of this data. Staff's review of the application will include further examination. Therefore, staff recommends that Sunny Shores' proposed tariff sheet to implement its backflow maintenance program be suspended pending further investigation by staff.

Docket No. 100038-WU
Date: March 4, 2010

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open pending the Commission's final action on the Utility's requested approval to implement its backflow maintenance program. (Brown, Deason)

Staff Analysis: The docket should remain open pending the Commission's final action on the Utility's requested approval to implement its backflow maintenance program.