

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: November 16, 2010

TO: Office of Commission Clerk (Cole) *CK* *CS* *W*

FROM: Division of Economic Regulation (Bruce, Stallcup) *BRUCE*
Office of the General Counsel (Williams) *ARW* *SC* *CR*

RE: Docket No. 100413-SU – Request for approval of tariff amendment to include a late fee of \$14.00 in Polk County by West Lakeland Wastewater.

AGENDA: 11/30/10 – Regular Agenda – Tariff Suspension - Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 12/01/10 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\100413.RCM.DOC

Case Background

West Lakeland Wastewater, Inc. (West Lakeland or Utility) is Class C wastewater utility serving approximately 315 wastewater customers in Polk County. This area is in the Southwest Florida Water Management District and is considered a water use caution area. Water service is provided by the City of Lakeland. The Utility's 2009 annual report shows operating revenue of \$31,095 and net operating loss of \$4,620.

On October 1, 2010, the Utility filed an application for approval of a late payment fee of \$14.00. This recommendation addresses the suspension of West Lakeland's proposed tariff sheet. The Commission has jurisdiction pursuant to Section 367.091, Florida Statutes (F.S).

DOCUMENT NUMBER-DAT1

09411 NOV 16 2010

FPSC-COMMISSION CLERK

Discussion of Issues

Issue 1: Should the Commission suspend West Lakeland Wastewater Inc.'s proposed tariff to establish a late payment fee for its wastewater operation?

Recommendation: Yes. West Lakeland's proposed tariff sheet to establish a late payment fee should be suspended to allow staff sufficient time to review the Utility's cost justification. (Bruce)

Staff Analysis: Pursuant to Section 367.091(6), F.S., the Commission may withhold consent to 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 its consent. Staff is recommending that the tariff be suspended to allow staff sufficient time to review the application and gather all pertinent information to present the Commission an informed recommendation on the proposed tariff. Staff believes that this reason is a good cause consistent with the requirement of Section 367.091(6), F.S.

Docket No. 100413-SU
Date: November 16, 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 establish a late payment fee of \$14.00. (Williams, Bruce)

Staff Analysis: The docket should remain open pending the Commission's final action on the Utility's requested approval to establish a late payment fee of \$14.00.