

Diamond Williams100000-OT

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Thursday, November 18, 2010 5:29 PM
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Subject: Filing in Docket No.: 100000; Investigation into possible overearnings of Tierra Verde Utilities, Inc.
Importance: High
Attachments: PSC Clerk 01 (Settlement Proposal).ltr.pdf

- a. Martin S. Friedman, Esq.
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- b. Docket No. 100000; Investigation into possible overearnings of Tierra Verde Utilities, Inc. - Filing correspondence stating that the Utility would agree to withdraw its 2010 Index Application and refund and reduce the rates for the 2009 Index and reduce rates for the rest of the 2009 overearnings.
- c. Tierra Verde Utilities, Inc.
- d. 2 Pages.
- e. Letter to Commission Clerk - 2 pages.

11/19/2010

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November 18, 2010

ROBERT M.C. ROSE, (1924-2006)

E-FILING

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

RE: Docket No. 100000; Investigation into possible overearnings of Tierra Verde Utilities, Inc.
Our File No.: 30057.192

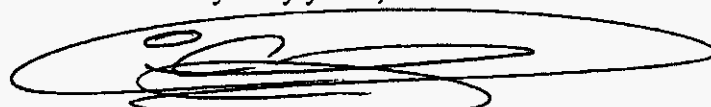
Dear Ms. Cole:

On September 13, 2010, Tierra Verde Utilities, Inc. (the "Utility"), the Office of Public Counsel and Staff of the Florida Public Service Commission held an informal meeting to discuss the alleged overearnings by Tierra Verde Utilities, Inc. In light of these discussions, Staff has requested that the Utility file a proposal to settle the above-referenced matter.

To that end, the Utility would agree to (1) withdraw its 2010 Index Application, (2) refund revenues collected from the 2009 index with interest, (3) reduce rates by the amount of the 2009 index, and (4) reduce rates by the rest of the 2009 overearnings. The Utility would agree that the rate reduction should be calculated based on the adjustments made in the last rate case (Docket No. 080248-SU), except that the calculations will recognize the Utility's investment to correct Inflow and Infiltration since the last rate case. This proposal would avoid the time and expense of multiple refunds and audits, and the customers would get an immediate benefit.

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

Very truly yours,



CHRISTIAN W. MARCELLI
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Florida Public Service Commission
November 18, 2010
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cc: Steven M. Lubertozi, Executive Director of Regulatory Accounting and Affairs (via e-mail)
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