

**Dorothy Menasco**

100149 - WU

**From:** Dana Rudolf [DRudolf@RSBattorneys.com]  
**Sent:** Tuesday, January 04, 2011 3:52 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Christian W. Marcelli; ewallace@niamerica.com; bwilkinson@niamerica.com; donald.clayton@tangibl.com; Kaley Thompson  
**Subject:** Docket No. 100149; Application for increase in water rates in Lee County by Ni Florida, LLC.  
**Attachments:** PSC Clerk 16 (Filing Response to Staff's 7th Data Request) ltr.pdf

- a) Christian W. Marcelli, Esquire  
Rose, Sundstrom & Bentley, LLP  
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Lake Mary, FL 32746  
(407) 830-6331  
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- b) Docket No. 100149-WU; Application for increase in water rates in Lee County by Ni Florida, LLC - Tamiami
- c) Ni Florida, LLC
- d) 5 pages
- e) Response to Staff's Seventh Data Request dated December 28, 2010.

DOCUMENT NUMBER DATE

00055 JAN -4 =

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1/4/2011

LAW OFFICES

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January 4, 2011

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**E-FILING**

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

Re: Docket No. 100149-WU; Ni Florida, LLC - Tamiami  
Application for an Increase in Water Rates in Lee County, Florida  
Our File No.: 43053.04

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is the response of Ni Florida, LLC - Tamiami (the "Utility") to Staff's seventh data request dated December 28, 2010. Staff has requested the following information in order to complete its analysis in the above-referenced docket.

1. On Schedule E-2, the utility lists a 3" General Service customer with a base facility charge of \$1,425.53. Please provide detailed information regarding this charge. Specifically include any contract(s) that set this rate. If no such contracts exist, please explain how the charge was originally set.

**RESPONSE:** The \$1,425.53 is the existing base facility charge for the Tamiami RV Park. Please see the attached water tariff Original Sheet No. 14.1. The precedent for the current rate was set by the Commission in Order No. PSC-06-0338-AS-WU, issued April 24, 2006, in Docket No. 050819-WU, which approved a settlement agreement between the prior owner of the Utility and the Tamiami Master Association, Inc., whereby they agreed that the estimated number of equivalent residential connections (ERCs) for the RV Park should be 104.76. In the present filing, when 104.76 ERCs is multiplied by the proposed residential base facility charge of \$25.36, it results in the proposed RV Park base facility charge of \$2,659.04 (off slightly for rounding).

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Ni Florida, LLC acquired the utility assets of Tamiami on September 5, 2008 and, as approved by the Commission, agreed to continue billing under the existing tariff upon close until a new tariff was submitted for approval. The tariff in effect at that time was Eleventh Revised Tariff Sheet No. 16.1, attached hereto, which reflects the base facility charge of \$1,425.53 as of the 2007 Index and Pass Through adjustment.

Ni Florida, LLC has proposed in this filing to keep the same relationship between the residential base facility charge and the RV Park base facility charge as established in Order No. PSC-06-0338-AS-WU.

2. Please provide any and all cost justification (including any supporting documents) regarding the utility's request to increase this charge to \$2,659.04.

**RESPONSE:** The revenue requirement for Tamiami in Docket No. 100149-WU provides for an increase of 86.5%. Ni Florida, LLC is asking for this increase to be applied across the board, such that all customer base facility charges increase by 86.5%. This is the case for the existing \$1,425.53 base facility charge for the RV Park to increase to \$2,659.04.

3. What is the meter size that serves this RV park?

**RESPONSE:** The RV Park is served by a 3" meter.

4. How many RV units are located behind this meter?

**RESPONSE:** There are 243 units in the RV Park.

5. Are the residents of the RV park seasonal or year-round residents? If the residents are seasonal, how many months per year on average are they in residence in the park?

**RESPONSE:** Ni Florida, LLC believes that the vast majority of the residents in the RV Park are seasonal. Since these residents are not Ni Florida, LLC customers, we do not keep an exact count of the residents; however, we do keep track of the gallons of water consumed. The gallons of water used by the residents of the RV Park during the test year varied from 29,000 gallons in July 2009 to 400,000 gallons in January 2009.

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
January 4, 2011  
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Generally, usage is lowest during the summer months and highest during the winter months.

Should you or members of the 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/der

cc: Ed Wallace, President (via e-mail)(w/enclosure)  
Mr. Benny Wilkinson (via e-mail)(w/enclosure)  
Mr. Donald Clayton (via e-mail)(w/enclosure)  
Ms. Kaley Thompson (via e-mail)(w/enclosure)

NAME OF COMPANY Ni Florida, LLC

WATER TARIFF

GENERAL SERVICE

RATE SCHEDULE R GS

- AVAILABILITY - RV Park served by the Company.
- APPLICABILITY - For water service to all Customers for which no other schedules applies.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- | <u>RATE</u> - Meter Size            | Base Facility Charge |
|-------------------------------------|----------------------|
| 3"                                  | 1425.53              |
| Gallage Charge<br>Per 1,000 gallons | 3.54                 |
- MINIMUM CHARGE - Base Facility Charge
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.
- TYPE OF FILING - Transfer
- EFFECTIVE DATE - August 5, 2009

Ed Wallace  
ISSUING OFFICER

President of the Utility  
TITLE

NAME OF COMPANY: Tamiami Village Water Company, Inc.

WATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

AVAILABILITY - RV Park served by the Company

APPLICABILITY - For water service to all customers for which no other schedules applies.

LIMITATIONS - Subject to all the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD - Monthly

<u>RATE</u> -	<u>Meter Size</u>	<u>Base Facility Charge</u>
	3"	1425.53
	Gallage Charge Per 1,000 gallons	3.54

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with rule 25-30.320, Florida Administrative Code, if a customer is delinquent in paying the bill for water service, service may be discontinued.

EFFECTIVE DATE - For service rendered on or after OCT 15 2007

TYPE OF FILING - 2007 Price Index & Pass Through

John J. Ustica  
ISSUING OFFICER

President  
TITLE