

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
S. CURTIS KISER
GENERAL COUNSEL
(850) 413-6199

RECEIVED-FPSC

11 JAN 27 PM 3:15

COMMISSION
CLERK

Public Service Commission

January 27, 2011

Martin S. Friedman, Esquire
Christian W. Marcelli, Esquire
Rose, Sundstrom & Bentley, LLP
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746

STAFF DATA REQUEST

Re: Docket No. 100149-WU - Application for increase in water rates in Lee County by Ni Florida, LLC.

Dear Mr. Friedman and Mr. Marcelli:

By this letter, the Commission staff requests that Ni Florida, LLC (Ni Florida or utility) provide responses to the following data requests.

1. Please provide all available documentation to support the change in the percentage of total corporate overhead allocable to utilities (allocation factor) from the 47.09 percent included in the Utility's filing in Docket No. 100149-WU to the 89.22 percent included in the schedule counsel for Ni Florida handed out at the January 25, 2011 Commission Conference.
2. Please provide an itemized list of each component, and its associated dollar amount, that comprises the actual total corporate overhead, by month, for the year ended December 31, 2010.
3. For any changes in the total amount of corporate overhead recorded in 2009 compared to the total amount recorded for 2010 related to the hiring of additional employees in 2010, please indicate:
 - a) the month the new employee was hired;
 - b) the position title;
 - c) the amount of their monthly compensation;
 - d) identify their duties and responsibilities;

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

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

DOCUMENT NUMBER 00643

JAN 27 2011

FPSC-COMMISSIONER OFFICE

- e) identify the duties and responsibilities, if any, the new employee took over from any existing employees;
- f) provide any change in the duties and responsibilities of all existing employees that occurred as a result of the hiring of additional employees; and
- g) identify the specific benefits to Ni Florida's Tamiami customers as a result of the hiring any additional employees.

4. Please identify the employees and their respective percentage of time and salary included in the allocation factor of 47.09 percent and identify the employees and their respective percentage of time and salary included in the allocation factor of 89.22 percent. For purposes of this response, please list the assigned duties for all employees and delineate between work related to water and/or wastewater operations and work related to acquisitions or other activities not directly related to operating water and/or wastewater utilities for both 2009 and 2010.

5. Please provide the equivalent residential connections (ERCs) for 2010, by month, for each Ni America water and wastewater system. Also provide the total number of ERCs for Ni America for the year ended December 31, 2010.

6. For purposes of this request, please see the audit adjustments in Audit Finding 5 and the additional adjustment addressed in Issue 10, on page 17 of the staff recommendation filed January 12, 2011. Please identify all corporate overhead costs for 2010, by month, that are the same or similar to the costs indentified in the above-referenced adjustments related to 2009.

7. For any rate relief petition filed by a Ni America subsidiary from January 1, 2010 to date, other than the instant case involving Ni Florida, LLC, please provide the requested and approved amount of allocated corporate overhead recognized in rates. In this response, please include all calculations showing the total amount of corporate overhead before any adjustments for non-utility matters, the total utility-related amount of overhead, the allocation factor(s), and the number of ERCs used in the allocation determination from each case. In addition, please provide a copy of all orders from other Commissions related to the rate relief petitions referenced above.

8. Attached is a letter dated January 14, 2011, from Mr. John M.S. Hoefler on behalf of the Ni America subsidiary in South Carolina to Ms. Jocelyn D. Boyd of the Public Service Commission of South Carolina, with the subject line "Notice of Intent to File for Rate Adjustment by Palmetto Utilities, Inc." Please provide the amount of allocated overhead that Palmetto will be requesting in the above-mentioned rate proceeding. In this response, please include all calculations showing the total amount of corporate overhead before any adjustments for non-utility matters, the total utility-related amount of overhead, the allocation factor(s), and the number of ERCs used in the allocation determination.

Martin S. Friedman, Esquire
Christian W. Marcelli, Esquire
January 27, 2011
Page 3

9. Please provide an update of rate case expense associated with this deferral to the March 22, 2011, Commission Conference

Please file the original and five copies of the requested information by Monday, February 7, 2011, with Ms. Ann Cole, Commission Clerk, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Please feel free to call me at (850) 413-6234 if you have any questions.

Sincerely,


Jennifer Crawford for RRJ
Ralph R. Jaeger
Senior Attorney

RRJ/th

Attachment

cc: Office of Commission Clerk
Office of Public Counsel (Steve Reilly)

227633

STATE OF SOUTH CAROLINA)
)
 (Caption of Case))
)
 Rate Adjustment by Palmetto Utilities, Inc.)
)
)
)
)
)
)
)
)

BEFORE THE
 PUBLIC SERVICE COMMISSION
 OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2011 24 . 5

(Please type or print)
 Submitted by: John M. S. Hoefler, Esquire SC Bar Number: 2549
 Address: Post Office Box 8416 Telephone: 803-252-3300
Columbia, SC 29202 Fax: 803-771-2410
 Other: _____
 Email: jhoefler@willoughbyhoefler.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- Emergency Relief demanded in petition Request for item to be placed on Commission's Agenda expeditiously
 Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input checked="" type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input checked="" type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input checked="" type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

WILLOUGHBY & HOEFER, P.A.

ATTORNEYS & COUNSELORS AT LAW
930 RICHLAND STREET
P.O. BOX 8416
COLUMBIA, SOUTH CAROLINA 29202-8416

MITCHELL M. WILLOUGHBY
JOHN M.S. HOEFER
RANDOLPH R. LOWELL
ELIZABETH ZECK*
BENJAMIN P. MUSTIAN
MICHAEL R. BURCHSTEAD
ANDREW J. MACLEOD
CHAD N. JOHNSTON

*ALSO ADMITTED IN TX

AREA CODE 803
TELEPHONE 252-3300
TELECOPIER 256-8062

TRACEY C. GREEN
SPECIAL COUNSEL

January 14, 2011

VIA HAND DELIVERY

The Honorable Jocelyn D. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

RE: Notice of Intent to File for Rate Adjustment by Palmetto Utilities, Inc.

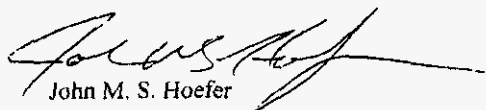
Dear Ms. Boyd:

Please be advised that Palmetto Utilities, Inc. intends to file an application and proposed rate schedule seeking an adjustment in its rates for sewer service provided to all of its service areas in South Carolina not earlier than thirty (30) days from the date of this notice. I would appreciate your accepting the original of this letter for filing and returning the copy to me, bearing your file stamp, via our courier.

This notice is intended to fully comply with the requirements of notice set forth in S.C. Code Ann. §58-5-240(A) (Supp. 2010). If anything further is required of us to comply with the Commission's rules or statutory requirements for giving notice of the intent of Palmetto Utilities, Inc. to file for an adjustment in its rates, please advise. With best regards, I am

Sincerely,

WILLOUGHBY & HOEFER, P.A.


John M. S. Hoefer

JMSH/ccm

cc: Honorable C. Dukes Scott
S.C. Office of Regulatory Staff