

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of revised service availability policy and charges by Rainbow Springs Utilities, L.C. | DOCKET NO. 100439-WS
ORDER NO. PSC-11-0077-PCO-WS
ISSUED: January 31, 2011

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO BALBIS
JULIE I. BROWN

ORDER SUSPENDING PROPOSED SERVICE
AVAILABILITY CHARGES AND POLICY

BY THE COMMISSION:

Background

Rainbow Springs Utilities, L.C. (Rainbow or Utility) is a Class B utility providing water and wastewater service to approximately 2,432 water (including 946 irrigation customers) and 1,480 wastewater customers in Marion County. The Utility is located in the Northeast Water Use Caution Area of the Saint Johns River Water Management District. According to its 2009 annual report, Rainbow reported revenues of \$524,983 and \$541,811 for water and wastewater, respectively. The Utility reported water operating expenses of \$400,893 and wastewater operating expenses of \$422,266.

Rainbow was granted Certificate Nos. 355-W and 311-S in 1982.¹ We last established rates for Rainbow in 1995.² The Utility amended its certificates to include additional territory in 1997.³

On November 12, 2010, Rainbow filed an application to revise its service availability charges and policy, and paid the appropriate filing fee. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

¹ See Order No. 10846, issued on June 3, 1982, in Docket No. 810352-WS, In re: Application of Rainbow Springs Utilities, Inc. for a water and sewer certificate in Marion County, Florida.

² See Order No. PSC-96-1229-FOF-WS, issued on September 30, 1996, in Docket No. 950828-WS, In re: Application for rate increase in Marion County by Rainbow Springs Utilities, L.C.

³ See Order No. PSC-98-1083-AS-WS, issued on August 10, 1998, in Docket No. 971621-WS, In re: Application for amendment of certificates Nos. 355-W and 311-S to include additional territory in Marion County by Rainbow Springs Utilities, L.C.

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

Suspension of Proposed Service Availability Charges and Policy

Section 367.091(5), F.S., states that we 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. If we do not withhold consent, the proposed tariff may go into effect after 60 days.

Our staff has reviewed the filing and has considered the Utility's proposed charges, and the information filed in support of the application. We believe it is reasonable and necessary to require further amplification and explanation of this data and to allow time for the production of corroborative information, if necessary. Our review of the application will include further examination by staff engineers and rate analysts. Therefore, the proposed tariff sheets to revise the Utility's service availability charges and to implement a new service availability policy for its water and wastewater division shall be suspended pending further investigation by our staff.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff sheets to revise Rainbow Springs Utilities, L.C.'s service availability charges and to implement a new service availability policy for its water and wastewater division shall be suspended pending further investigation by our staff. It is further

ORDERED that this docket shall remain open pending our final action on the Utility's requested new main extension fees and revised service availability policy to increase plant capacity charges for both water and wastewater classes of service.

By ORDER of the Florida Public Service Commission this 31st day of January, 2011.



ANN COLE
Commission Clerk

(S E A L)

RRJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.