

Diamond Williams

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Wednesday, August 17, 2011 11:34 AM
To: Filings@psc.state.fl.us
Cc: smlubertozzi@uiwater.com; jrstover@uiwater.com; keweeks@uiwater.com;
rjdurham@uiwater.com; pcflynn@uiwater.com; jdwilliams@uiwater.com; frankdenjup@att.net;
dswain@milianswain.com; Martin Friedman; Christian W. Marcelli; Trina Collins
Subject: Filing in Docket No. 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County, Florida
Importance: High
Attachments: PSC Clerk 03 (AOM Combined Initial Customer Notice and Notice of Customer Meeting).pdf

- a. Martin S. Friedman, Esq.
Christian W. Marcelli, Esq.
ROSE, SUNDSTROM & BENTLEY, LLP
766 N. Sun Drive, Suite 4030
Lake Mary, Florida 32746
Phone: (407) 830-6331
Fax: (407) 830-8522
Email: mfriedman@rsbattorneys.com
cmarcelli@rsbattorneys.com
- b. Docket No. 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County, Florida - Filing the Notice of Filing of the Affidavit of Mailing and the Affidavit of Mailing evidencing that the combined Initial Customer Notice and Notice of Customer Meeting has been sent to the customers of Utilities, Inc. of Eagle Ridge.
- c. Utilities, Inc. of Eagle Ridge
- d. 7 Pages.
- e. Letter to Commission Clerk - 1 page; Notice of Filing - 1 page; Affidavit of Mailing - 1 page; and Initial Customer Notice and Notice of Customer Meeting - 4 pages.

8/17/2011

DOCUMENT NUMBER-DATE

05828 AUG 17 =

FPSC-COMMISSION CLERK

LAW OFFICES
ROSE, SUNDSTROM & BENTLEY, LLP

www.rsbatorneys.com

Please Respond to the Lake Mary Office

August 17, 2011

E-FILING

FREDERICK L. ASCHAUER, JR.
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CHASTITY H. O'STEEN
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMBOR, P.A.
JOHN L. WHARTON

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

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

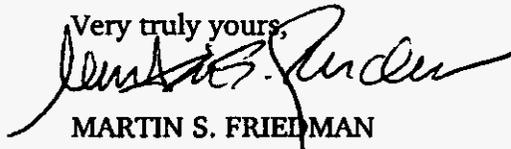
Re: Docket No.: 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County, Florida
Our File No. 30057.197

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is a Notice of Filing of the Affidavit of Mailing and the Affidavit of Mailing evidencing that the combined Initial Customer Notice and Notice of Customer Meeting has been sent to the customers of Utilities, Inc. of Eagle Ridge.

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

Very truly yours,



MARTIN S. FRIEDMAN
For the Firm

MSF/tlc
Enclosures

cc: Steven M. Lubertozi, Executive Dir. of Reg. Acct & Affairs (w/encs.) (via e-mail)
John Stover, Vice President and Secretary (w/enclosures) (via e-mail)
Kirsten Weeks, Manager of Regulatory Accounting (w/enclosures) (via e-mail)
Rick Durham, Regional Vice President (w/enclosures) (via e-mail)
Patrick C. Flynn, Regional Director (w/enclosures) (via e-mail)
John Williams, Director of Governmental Affairs (w/encs.) (via e-mail)
Mr. Frank Seidman (w/enclosures) (via e-mail)
Ms. Deborah Swain (w/enclosures) (via e-mail)

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766 N. SUN DRIVE, SUITE 4030, LAKE MARY, FLORIDA 32746 (407) 830-6331 FAX (407) 830-8522
2548 BLAIRSTONE PINES DRIVE, TALLAHASSEE, FLORIDA 32301 (850) 877-6555 FAX (850) 656-4029
950 PENINSULA CORPORATE CIRCLE, SUITE 2020, BOCA RATON, FLORIDA 33487 (561) 982-7114 FAX (561) 982-7116

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
UTILITIES, INC. OF EAGLE RIDGE
for an increase in wastewater
rates in Lee County, Florida

Docket No. 110153-SU

NOTICE OF FILING

Applicant, UTILITIES, INC. OF EAGLE RIDGE, by and through its undersigned attorneys, hereby gives notice of filing in the above-referenced docket the Affidavit of Mailing evidencing that the combined Initial Customer Notice and Notice of Customer Meeting has been sent to the customers of Utilities, Inc. of Eagle Ridge.

Respectfully submitted this 17th day of
August, 2011, by:

ROSE, SUNDSTROM & BENTLEY, LLP
766 N. Sun Drive, Suite 4030
Lake Mary, FL 32746
Telephone: (407) 830-6331
Facsimile: (407) 830-8522
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MARTIN S. FRIEDMAN
CHRISTIAN W. MARCELLI
For the Firm

DOCUMENT NUMBER-DATE

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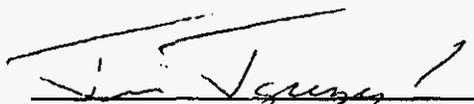
AFFIDAVIT OF MAILING

STATE OF ILLINOIS

COUNTY OF COOK

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared Jim Japczyk, who, after being duly sworn on oath, did depose on oath and say that he is the Chief Financial Officer of Utilities, Inc., the sole shareholder of Utilities, Inc. of Eagle Ridge, and that on August 15, 2011, he did send by regular U.S. Mail, a copy of the attached Customer Notice to all customers of the utility.

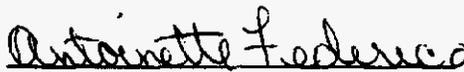
FURTHER AFFIANT SAYETH NAUGHT.



Print Name: Jim Japczyk

Print Title: Chief Financial Officer

Sworn to and subscribed before me this 15th day of August, 2011, by Jim Japczyk, who is personally known to me.



Print Name: Antoinette Federico

NOTARY PUBLIC

My Commission Expires: 5-4-2015



BEFORE THE PUBLIC SERVICE COMMISSION

**INITIAL CUSTOMER NOTICE
AND
NOTICE OF CUSTOMER MEETING**

**TO THE CUSTOMERS OF
UTILITIES, INC. OF EAGLE RIDGE
AND
ALL OTHER INTERESTED PERSONS**

RE: DOCKET NO. 110153-SU

**APPLICATION FOR INCREASE IN WASTEWATER RATES IN LEE COUNTY
BY UTILITIES, INC. OF EAGLE RIDGE**

AUGUST 15, 2011

NOTICE is hereby given that the Staff of the Florida Public Service Commission will conduct a customer meeting to discuss Utilities, Inc. of Eagle Ridge's Application for a rate increase. The meeting will be held at the following time and place:

**6:00 p.m., Wednesday, September 14, 2011
Edison State College
Learning Resources Hall, Rm. 103, Bldg. J., Corbin Auditorium
8099 College Parkway
Fort Myers, Florida 33919**

All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. The meeting will begin as scheduled and will continue until all of the customers have been heard.

The purpose of this meeting is to give customers and other interested persons an opportunity to offer comments to Commission Staff regarding the quality of service the Utility provides, the proposed increase, and to ask questions, and comment on the rates included in this Notice as well as other issues. Commission Staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the Utility may also be in attendance. At the beginning of the meeting, procedures will be established for the order of comments. Commission Staff will have sign-up sheets, and customers will be called in the order that they sign up to speak.

Pursuant to provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice).

Emergency Cancellation of Customer Meeting

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found at the bottom of the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

How To Contact The Commission

Any person who wishes to comment or provide information to Commission Staff may do so at the meetings, either orally or in writing. Written comments may also be sent to this address:

Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

BACKGROUND

Utilities, Inc. of Eagle Ridge (the "Utility") is a wastewater utility whose corporate offices are located at 200 Weathersfield Avenue, Altamonte Springs, Florida. The Utility's wastewater facilities are located in Lee County, Florida.

The Utility filed an application with the Florida Public Service Commission (the "Commission") for increased wastewater rates for its Lee County customers on June 24, 2011. The application was assigned Docket No. 110153-SU and June 24, 2011 was established as the official date of filing.

As reported in its Minimum Filing Requirements ("MFRs") filed with its application to the Commission, the Utility's revenues per books are \$990,978.00, with operating expenses per books of \$922,662.00, for its wastewater system, resulting in a net operating profit of \$68,316.00, per books, before adjustments. The rate increase application has been filed by the Utility because of inadequate earnings.

Copies of the MFRs will be available for inspection at the following locations:

Fort Myers-Lee County Public Library
2050 Central Avenue
Fort Myers, FL 33901

Office Hours:
Monday thru Thursday 9:00 a.m. to 9:00 p.m.
Friday and Saturday 9:00 a.m. to 6:00 p.m.
Sunday (Closed)

Utilities, Inc. of Eagle Ridge
200 Weathersfield Avenue
Altamonte Springs, FL 32714

Office Hours:
Monday through Friday 8:00 a.m. to 4:30 p.m.

A "Rate Case Synopsis" will also be available, along with the application and MFRs. The test period for setting rates is the historical average thirteen-month period ended December 31, 2010.

The following tentative schedule was established by the Commission for the remaining major events in the Utility's rate case:

<u>Schedule Item</u>	<u>Due Date</u>
Staff Audit Report	September 6, 2011
Customer Meeting	September 14, 2011
Staff's Proposed Agency Action ("PAA") Recommendation	November 9, 2011
Commission Conference on PAA Rates	November 22, 2011
PAA Order	December 12, 2011
Protest Period Expires	January 3, 2012
Consummating Order	January 5, 2012

CURRENT AND PROPOSED CHARGES

The current and proposed rates and charges follow. These rates are subject to change based on information gathered at the customer meeting, further Staff review, and the final decision by the Commissioners.

Utilities, Inc. of Eagle Ridge		
<u>Residential</u> <i>(Monthly)</i>	<u>Current</u> <u>Rates</u>	<u>Utility Requested</u> <u>Final Rates</u>
Base Facility Charge all Meter Sizes:	\$20.77	\$25.75
Gallage Charge – Per 1,000 gallons (10,000 gallon cap)	\$4.75	\$5.89
Cross Creek Flat Rate	\$24.16	\$29.96

Utilities, Inc. of Eagle Ridge (Continued)		
<u>General Service</u> <i>(Monthly)</i>	<u>Current Rates</u>	<u>Utility Requested</u> <u>Final Rates</u>
Base Facility Charge by Meter Size:		
5/8" x 3/4"	\$20.77	\$25.75
1"	\$51.93	\$64.39
1 1/2"	\$103.86	\$128.78
2"	\$166.17	\$206.03
3"	\$332.35	\$412.08
4"	\$519.30	\$643.88
6"	\$1,038.61	\$1,287.77
Gallage Charge (per 1,000 gallons)	\$5.71	\$7.08

SERVICE AVAILABILITY CHARGES

The Utility is not requesting any changes to its service availability charges. Even though not requested to do so, the Commission may review and adjust service availability charges.

MISCELLANEOUS SERVICE CHARGES

The Utility is not requesting any changes to its miscellaneous service charges. Even though not requested to do so, the Commission may review and adjust miscellaneous service charges.

Written comments regarding the Utility's service or the requested final rate increases may be sent to the Commission at the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

All comments should refer to Docket No. 110153-SU which is the docket number that has been assigned to this case. Complaints regarding service may be made to the Commission's Division of Regulatory Compliance and Consumer Assistance at the following toll-free number: 1-800-342-3552

If you have any questions, please call the Utility's office at (800) 272-1919.

Utilities, Inc. of Eagle Ridge