1		BEFORE THE	
2	FLORIDA	PUBLIC SERVICE COMMISSION	
3	In the Matter of:		
4		DOCKET NO. 150137-SU	
5	PETITION FOR APPR LEGAL EXPENSES AS		
6	THE RESOLUTION OF	LAND USE	
7	ISSUES FOR UTILITY TREATMENT FACILITIES THAT ARE LOCATED IN POLK COUNTY BY WEST LAKELAND		
8	WASTEWATER, INC.	/	
9			
10			
11	PROCEEDINGS:	COMMISSION CONFERENCE AGENDA	
12		ITEM NO. 3	
13	COMMISSIONERS PARTICIPATING:	CHAIRMAN JULIE I. BROWN	
14 15		COMMISSIONER LISA POLAK EDGAR COMMISSIONER ART GRAHAM	
16		COMMISSIONER RONALD A. BRISÉ COMMISSIONER JIMMY PATRONIS	
17	DATE:	Tuesday, January 5, 2016	
18	PLACE:	Betty Easley Conference Center Room 148	
19		4075 Esplanade Way Tallahassee, Florida	
20	REPORTED BY:	LINDA BOLES, CRR, RPR	
21		Official FPSC Reporter (850) 413-6734	
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FLORIDA PUBLIC SERVICE COMMISSION

PROCEEDINGS

CHAIRMAN BROWN: Can we move to Item 3?

MR. SMITH: Good morning, Commissioners. Lee Smith with Commission staff. Item 3 is staff's recommendation to approve West Lakeland's petition to defer legal costs associated with the resolution of land rights issues. West Lakeland Wastewater, Inc., is a Class C wastewater utility that serves approximately 302 customers in Polk County. Water service is provided by the City of Lakeland. On March 3, 2013, West Lakeland filed a transfer application but subsequently withdrew its application due to land rights issues. On April 23rd, 2015, West Lakeland filed a petition for approval to defer costs associated with the land rights issues. To date, staff has received invoices for legal fees associated with this litigation totaling \$6,245.

Staff is recommending the Commission approve the petition by West Lakeland to defer legal fees associated with the resolution of the land rights issues involving the utility's ponds and spray fields pending a final determination of whether any prudent costs incurred should be capitalized, amortized, or expensed. Staff is available to answer any questions you may have.

1	CHAIRMAN BROWN: Thank you, Mr. Smith.			
2	Commissioner Edgar.			
3	COMMISSIONER EDGAR: No questions, Madam			
4	Chair.			
5	CHAIRMAN BROWN: Okay. Any questions from			
6	any other Commissioners?			
7	I do have a question for Mr. Smallridge.			
8	Mr. Smallridge, you've been involved in the litigation			
9	for sometime now?			
10	MR. SMALLRIDGE: Yes, ma'am.			
11	CHAIRMAN BROWN: How long do you anticipate			
12	the litigation to continue?			
13	MR. SMALLRIDGE: At the rate we're going, it			
14	may be some considerable time. I have, in my opinion,			
15	bent over backwards to make the deal go through. But			
16	the other side is not cooperating, so we're pretty much			
17	out of options now.			
18	CHAIRMAN BROWN: Do you have a resolution in			
19	sight?			
20	MR. SMALLRIDGE: No, ma'am.			
21	CHAIRMAN BROWN: Okay. Commissioners, any			
22	other discussion? I will entertain a motion at this			
23	time.			
24	COMMISSIONER EDGAR: Move staff.			
25	COMMISSIONER PATRONIS: Second.			

FLORIDA PUBLIC SERVICE COMMISSION

1	CHAIRMAN BROWN: All those in favor, say aye.	
2	(Vote taken.)	
3	By your actions, you have approved staff's	
4	recommendation on Item 3.	
5	(Agenda item concluded.)	
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FLORIDA PUBLIC SERVICE COMMISSION

1	STATE OF FLORIDA)				
2	: CERTIFICATE OF REPORTER COUNTY OF LEON)				
3					
4	I, LINDA BOLES, CRR, RPR, Official Commission				
5	Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.				
6					
7	IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the				
8	same has been transcribed under my direct supervision; and that this transcript constitutes a true				
9	transcription of my notes of said proceedings.				
10	I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor				
11	<pre>am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.</pre>				
12					
13	DATED THIS 14th day of January, 2016.				
14					
15	Ginda Boles				
16	LINDA BOLES, CRR, RPR FPSC Official Hearings Reporter				
17	(850) 413-6734				
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