

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

FILED 12/21/2017  
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FPSC - COMMISSION CLERK

In the Matter of:

DOCKET NO. 20170247-WU

JOINT MOTION REQUESTING COMMISSION  
APPROVAL OF SETTLEMENT AGREEMENT  
BY THE OFFICE OF PUBLIC COUNSEL,  
BLACK BEAR WATERWORKS, INC.,  
BRENDENWOOD WATERWORKS, INC.,  
BREVARD WATERWORKS, INC.,  
COUNTRY WALK UTILITIES, INC.,  
HARBOR WATERWORKS, INC., LAKE  
IDLEWILD UTILITY COMPANY, RAINTREE  
WATERWORKS, INC., AND SUNNY HILLS  
UTILITY COMPANY.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 6

COMMISSIONERS  
PARTICIPATING: CHAIRMAN JULIE I. BROWN  
COMMISSIONER ART GRAHAM  
COMMISSIONER RONALD A. BRISÉ  
COMMISSIONER DONALD J. POLMANN  
COMMISSIONER GARY F. CLARK

DATE: Tuesday, December 12, 2017

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: ANDREA KOMARIDIS  
Court Reporter and  
Notary Public in and for  
the State of Florida at Large

PREMIER REPORTING  
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1 P R O C E E D I N G S

2 CHAIRMAN BROWN: All right. Moving on to  
3 Item 6.

4 Mr. Sayler, you're very festive today.

5 MR. SAYLER: Thank you, Madam Chair.

6 CHAIRMAN BROWN: You're welcome. Happy  
7 holidays to you.

8 MR. MOURING: Good morning, Commissioners. My  
9 name is Curt Mouring. Item 6 is staff's  
10 recommendation to approve a joint settlement  
11 agreement between a group of eight sister utilities  
12 and the Office of Public Counsel.

13 The settlement agreement addresses the  
14 disposition of reported over-earnings for the eight  
15 systems with a common ownership that were  
16 identified during staff's review of the 2016 annual  
17 reports for those systems.

18 Staff initially contacted the utilities in  
19 April of this year and, in May, received a letter  
20 attaching revenues for 2017. Staff has met with  
21 the utilities and the Office of Public Counsel  
22 multiple times to discuss the reported over-  
23 earnings and, in November, the joint settlement  
24 agreement was filed with the Commission.

25 Staff has reviewed the settlement agreement

1 and believes that it represents a fair and  
2 reasonable resolution and is in the public  
3 interest.

4 Staff and the parties, Mr. Sayler, and  
5 Mr. Rendell from the -- for the utilities are  
6 available to answer any questions.

7 CHAIRMAN BROWN: Thank you.

8 Good morning, Mr. Rendell and Mr. Sayler.

9 MR. RENDELL: Good morning, Chairman.

10 CHAIRMAN BROWN: Would you like to address us?

11 MR. RENDELL: Sure, just really briefly.

12 It's -- it's really rare to see water and  
13 wastewater utilities in an over-earnings posture,  
14 but you know, this does -- it's a good thing for  
15 the customers. I want to appreciate staff and OPC  
16 working with us. We met several times, and also  
17 with Office of Public Counsel where we've worked  
18 with them for the settlement for the benefit of the  
19 customers.

20 And obviously, we support the -- the motion  
21 and the settlement agreement.

22 CHAIRMAN BROWN: Thank you.

23 Anything you would like to add, Mr. Sayler?

24 MR. SAYLER: Yes, ma'am, briefly. Again, good  
25 morning, Commissioners, Chairman, Commissioner

1           Brisé. Happy holidays, as well.

2                   We want to also thank staff and the utility  
3 for working together on this matter for the  
4 customers. We also want to thank staff for the  
5 initial groundwork that they did in the over-  
6 earnings investigation.

7                   As well, we want to thank staff for working  
8 hard to bring all the parties together and also to  
9 bring this settlement to this agenda conference so  
10 that the customers can be the benefit of the  
11 refunds as timely as possible.

12                   So, we want to just -- we believe this  
13 resolution is in the public interest for the  
14 benefit of the customers. And again, thank you for  
15 the stay. And if there's any questions, we're  
16 prepared to answer.

17                   CHAIRMAN BROWN: Thank you.

18                   Commissioner Polmann?

19                   COMMISSIONER POLMANN: Thank you, Madam  
20 Chairman.

21                   I just have one question -- it's really a  
22 comment and I needed clarification, for the record.  
23 I may be reading more into this than what was  
24 intended. On Issue 1, if we can look at the  
25 language on Page 4, last paragraph, staff also

1 recommends utility pro- -- filed proposed customer  
2 note -- notice reflecting Commission's decision  
3 approving a permanent reduction in water rates.

4 Can you please clarify the intent of the word  
5 "permanent"? Because to me, that means permanent.

6 MR. MOURING: Yes, Commissioner. The use of  
7 the word "permanent" here is -- is just to  
8 differentiate from a -- a temporary rate adjustment  
9 or maybe an interim adjustment. It's not intended  
10 to mean in perpetuity, forever. It's just to  
11 differentiate that this is not a one-time or a --  
12 for a limited period of time rate reduction.  
13 This -- this would be ongoing until the next rate  
14 case or --

15 COMMISSIONER POLMANN: Okay. So -- so, until  
16 and -- it's changed by action of the Commission.

17 MR. MOURING: Correct.

18 COMMISSIONER POLMANN: Thank you, sir.

19 CHAIRMAN BROWN: Seeing no other questions,  
20 Commissioner Polmann, would you like to make a  
21 motion on this item?

22 COMMISSIONER POLMANN: Thank you, Madam  
23 Chairman. I would move staff recommendation.

24 CHAIRMAN BROWN: Is there a second?

25 COMMISSIONER BRISÉ: Second.

1                   CHAIRMAN BROWN: Any discussion?

2                   Seeing none, all those in favor, say aye.

3                   (Chorus of ayes.)

4                   CHAIRMAN BROWN: Thank you. And thank you for  
5 coming together to bring this forth to us.

6                   (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF LEON )

I, ANDREA KOMARIDIS, Court Reporter, do hereby  
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IT IS FURTHER CERTIFIED that I  
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financially interested in the action.

DATED THIS 21st day of December, 2017.



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ANDREA KOMARIDIS  
NOTARY PUBLIC  
COMMISSION #GG060963  
EXPIRES February 9, 2021