

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original water and
wastewater certificates in Sumter County, by
South Sumter Utility Company, LLC.

DOCKET NO. 20160220-WS
ORDER NO. PSC-2017-0478-PCO-WS
ISSUED: December 21, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman
ART GRAHAM
RONALD A. BRISÉ
DONALD J. POLMANN
GARY F. CLARK

ORDER SUSPENDING SOUTH SUMTER UTILITY COMPANY L.L.C.'S
INITIAL RATES AND CHARGES

BY THE COMMISSION:

Background

On October 11, 2016, South Sumter Utility Company, L.L.C. (South Sumter or utility) filed its application for original water and wastewater certificates in Sumter County. Simultaneously, with its application, the utility filed a Motion for Temporary Rule Waiver of Rules 25-30.033(1)(p) and (q) for filing support for rates and charges and tariffs required in the rate setting process. On February 24, 2017, we granted the utility's request for a temporary waiver and Original Certificate Nos. 669-W and 571-S for its water and wastewater systems.¹

On October 12, 2017, the utility filed its petition to establish initial rates and charges. Section 367.081(6), Florida Statutes (F.S.), provides that we may, for good cause, withhold consent of implementation of the requested rates within 60 days after the date the rate request is filed. The original 60-day statutory deadline for us to suspend the utility's initial rates and charges was December 11, 2017. However, by letter dated November 15, 2017, the utility agreed to extend the statutory time frame by which we are required to address the suspension of South Sumter's initial rates and charges to December 12, 2017.

We have jurisdiction pursuant to Section 367.081(6), F.S.

¹Order No. PSC-17-0059-PAA-WS, issued February 24, 2017, in Docket No. 20160220-WS, In re: Application for original water and wastewater certificates in Sumter County, by South Sumter Utility Company, LLC.

Decision

Pursuant to Section 367.091(6), F.S., we may withhold consent to 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 consent. In efforts for Commission staff to gather additional information related to this case, the utility and staff participated in an informal conference call on November 11, 2017 and Commission staff's first data request was sent on November 22, 2017. We find that there is good cause consistent with the requirement of Section 366.06(3), F.S., to suspend the tariffs in order to allow our staff sufficient time to review the petition and gather all pertinent information in order to present an informed recommendation on the tariff proposals for our consideration.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that South Sumter Utility Company, L.L.C.'s proposed initial rates are hereby suspended. It is further

ORDERED that this docket shall remain open pending this Commission's final action on South Sumter Utility Company, L.L.C.'s requested initial rates.

By ORDER of the Florida Public Service Commission this 21st day of December, 2017.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

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Tallahassee, Florida 32399

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

WDT

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.