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FPSC - COMMISSION CLERK

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** May 23, 2018

**TO:** Office of Commission Clerk (Stauffer)

**FROM:** *ALM*  
Division of Accounting and Finance (Cicchetti)  
Division of Economics (Friedrich, Hudson) *MFSH PD*  
Office of the General Counsel (Crawford) *JSC*

**RE:** Docket No. 20180059-WU – Application for approval of tariff for the gross-up of CIAC in Escambia County, by Peoples Water Service Company of Florida, Inc.

**AGENDA:** 06/05/18 – Regular Agenda – Tariff Filing – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** 07/1/18 (60-Day Suspension Date)

**SPECIAL INSTRUCTIONS:** Place next to Docket No. 20180042-WS.

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### Case Background

Peoples Water Service Company of Florida, Inc. (Peoples or utility) is a Class A utility providing water service to approximately 12,200 customers in Escambia County. The utility reported in its 2016 annual report water operating revenues in the amount of \$3,614,440 and contributions in aid of construction (CIAC) in the amount of \$106,227.

On April 20, 2018, the Commission approved CIAC gross-up tariffs for the utility. After the approval of the gross-up tariff, the utility found a typographical error in the formula for land and cash contributions. On May 2, 2018, the utility filed a tariff reflecting the correction in the formula. Attachment A of this recommendation shows the corrected tariff in legislative format. This recommendation addresses the utility's request for approval of a corrected gross-up tariff. The Commission has jurisdiction pursuant to Sections 367.081 and 367.091, Florida Statutes.



### Discussion of Issues

**Issue 1:** Should People's request for approval of corrected tariff sheets be approved?

**Recommendation:** Yes, the corrected tariff filed on May 2, 2018, should be approved. The approved gross-up charges should be effective for connections made on or after the stamped approval date on the tariff sheets. (Cicchetti, Sibley, Hudson)

**Staff Analysis:** After the approval of the gross-up tariff, the utility found a typographical error in the formula for land and cash contributions. After the approval of gross-up tariffs, the utility found an error in the formula for land and cash contributions. On May 2, 2018, the utility filed a corrected gross-up tariff (Attachment A). Staff agrees that the formula contained an error and needs to be corrected. The original tariffs that were filed and approved contained an extraneous combined tax rate factor. Removing the extraneous combined tax rate factor results in the corrected formula appropriately increasing the amount collected for taxes.

Based on the above, staff recommends that the corrected tariff filed on May 2, 2018, should be approved. The approved gross-up charges should be effective for connections made on or after the stamped approval date on the tariff sheets.

**Issue 2:** Should this docket be closed?

**Recommendation:** If a protest is filed by a substantially affected person within 21 days of issuance of the order, the corrected tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, the docket should be closed upon issuance of the consummating order. (Crawford)

**Staff Analysis:** If a protest is filed by a substantially affected person within 21 days of issuance of the order, the corrected tariff should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, the order should become final upon the issuance of a consummating order.

PEOPLES WATER SERVICE COMPANY OF FLORIDA, INC.  
WATER TARIFF

ORIGINAL SHEET NO. 19.2

**Income Taxes Related to Cash and Property Contributions In Aid of Construction**

The utility may gross-up cash service availability charges and property contributions in aid of construction in order to recover the federal and state corporate income taxes associated with these contributions. The formula to be used to gross-up cash service availability charges and contributed property are as follows:

TAX IMPACT= Full Gross Up:

Depreciable Plant:

For utilities using straight-line depreciation for tax purposes, the gross-up formula shall be:  $((CP - (CP * (1/TL) * .5)) * (CTR / (1-CTR)))$

For utilities using an accelerated rate of depreciation for tax purposes, the gross-up formula shall be:  $(CP - ((CP * AR) * .5)) * (CTR / (1-CTR))$

Land (and Cash):  $(CL * CTR) / (1-CTR)$

Where:

CP = Contributed Plant

TL = Tax Life of Contributed Plant

AR = First Year Accelerated Depreciation Rate for Tax Purposes

CTR = Combined Federal (FT) and State (ST) Income Tax Rate. ST+FT (1-ST)

CL = Contributed Land (and Contributed Cash)

EFFECTIVE DATE:

Sherlock S. Gillet, Jr.

ISSUING OFFICER

TYPE OF FILING: Tariff Filing

President

TITLE