

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:** December 27, 2018

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

**FROM:** Division of Engineering (M. Watts) *MM NW 24*  
Division of Accounting and Finance (Bulecza-Banks, Fletcher, Johnson, Norris) *CRP TB CAS*  
Division of Economics (Friedrich) *MF PD*  
Office of the General Counsel (Crawford, Nieves) *ON S.M.L.*

**RE:** Docket No. 20170249-WS – Application for certificates to provide water and wastewater service in Orange County by RSPI MHC, LLC.

**AGENDA:** 01/08/19 – Regular Agenda – Proposed Agency Action for Issues 2 through 6 – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Polmann

**CRITICAL DATES:** 02/28/19 (Statutory deadline for original certificate pursuant to Section 367.031, Florida Statutes, waived by applicant until this date.)

**SPECIAL INSTRUCTIONS:** None

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### Case Background

RSPI MHC, LLC (RSPI or Utility) is located in Orange County, Florida. Based on its application, the Utility provides water and wastewater service to 519 residential mobile home customers. According to Florida Department of Environmental Protection (DEP) documents, the water and wastewater systems were built in 1973 to service the mobile home park and a convenience store. RSPI acquired the mobile home park, including the provision of water and wastewater treatment service in 2005. At that time, the convenience store referenced in a 1973 DEP construction permit document was no longer a customer of the Utility. Until 2016, RSPI included the cost of providing water and wastewater service to the residents of the mobile home

park (MHP) in the rent. Therefore, pursuant to Section 367.022(5), Florida Statutes (F.S.), the Utility was exempt from Florida Public Service Commission (Commission) regulation.

On February 29, 2016, a resident of the MHP contacted the Commission via email regarding the regulatory status of RSPI.<sup>1</sup> The resident stated that RSPI had been installing individual meters to each residence since March 2015. She also stated that they had received a notice on January 2, 2016, informing them that new rent rates would go into effect on April 1, 2016, along with separate bills for water and wastewater service.

On May 20, 2016, staff held a teleconference with RSPI to discuss the nature of the service being provided to the MHP residents, and the conditions that would exempt it from Commission regulation. After considering staff's comments during the teleconference, together with its own business goals, RSPI concluded that it should file an application for original water and wastewater certificates. Staff worked with an engineering firm retained by the Utility to prepare financial records, maps, and territory descriptions that met the requirements of the Commission's rules. On November 20, 2017, RSPI filed its application for original water and wastewater certificates. Staff found its application to be deficient and issued a deficiency letter on December 20, 2017.<sup>2</sup> The Utility cured the deficiencies on September 7, 2018.

Pursuant to Section 367.031, F.S., the Commission shall grant or deny an application for a certificate of authorization within 90 days after the official filing date of the completed application. The application was deemed complete on September 7, 2018, which is considered the official filing date. RSPI has waived the 90-day statutory deadline through February 28, 2019.<sup>3</sup>

This recommendation addresses the application for original water and wastewater certificates and the appropriate rates and charges for the Utility. The Commission has jurisdiction pursuant to Sections 367.031 and 367.045, F.S.

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<sup>1</sup>Document No. 07364-2018, filed on December 3, 2018, in Docket No. 20170249-WS.

<sup>2</sup>Document No. 10776-2017, filed on December 20, 2017, in Docket No. 20170249-WS.

<sup>3</sup>Document No. 06689-2018, filed on October 22, 2018, in Docket No. 20170249-WS.

## Discussion of Issues

**Issue 1:** Should the application for water and wastewater certificates by RSPI be approved?

**Recommendation:** Yes. RSPI should be granted Certificate Nos. 673-W and 574-S to serve the territory described in Attachment A, effective the date of the Commission's vote. The resultant order should serve as RSPI's water and wastewater certificates and it should be retained by the Utility. (M. Watts, Johnson)

**Staff Analysis:** On November 20, 2017, RSPI filed its application for original water and wastewater certificates in Orange County, Florida. Upon review, staff determined the original filing was deficient and sent a deficiency letter on December 20, 2017. Staff also sent data requests to the Utility seeking additional information. RSPI corrected the deficiencies on September 7, 2018, which is considered the official filing date for the application. The Utility's application is in compliance with the governing statutes, Sections 367.031 and 367.045, F.S.

### Notice

On September 7, 2018, RSPI filed proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code (F.A.C.). No entity filed a protest during the protest period and the time for filing objections has expired.

### Land Ownership and Service Territory

RSPI provided adequate service territory and system maps and a territory description as required by Rule 25-30.034, F.A.C. The legal description of the service territory is appended to this recommendation as Attachment A. The application contains a copy of a special warranty deed that was executed on February 2, 2005, as evidence that the Utility owns the land upon which the water and wastewater treatment facilities are located pursuant to Rule 25-30.037(2)(s), F.A.C.

### Financial and Technical Ability

Pursuant to Rule 25-30.034(1)(i), F.A.C., the Utility provided statements describing its financial ability to provide service. Staff reviewed the financial statements of RSPI and believes the current owner has documented adequate resources to support the Utility's water and wastewater operations.

Regarding technical ability, the Utility stated in its application that it has owned and operated the subject water and wastewater system since purchasing the community in 2005. RSPI also stated that it has a full-time utility director responsible for the operation and maintenance of the RSPI water and wastewater treatment systems as well as other facilities throughout the country. RSPI has no compliance issues on file with the DEP and is current with its monitoring requirements.

### Conclusion

RSPI should be granted Certificate Nos. 673-W and 574-S to serve the territory described in Attachment A, effective the date of the Commission's vote. The resultant order should serve as RSPI's water and wastewater certificates and it should be retained by the Utility.

**Issue 2:** What are the appropriate rates and charges for RSPI?

**Recommendation:** The recommended monthly water and wastewater rates, on Schedule No. 1, are reasonable and should be approved. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), F.A.C. The approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by customers. The Utility should provide proof of the date notice was given within 10 days of the date of the notice. (Friedrich)

**Staff Analysis:** The Utility provides water and wastewater service to approximately 519 customers within the Palm Isles and Rock Springs Mobile Home Communities. All of the Utility's customers are residential with the exception of a community club house. Additionally, the Utility indicated that all customers, including the club house have 3/4" meters. Currently the Utility bills its customers a combined rate for water and wastewater service which consists of a monthly base facility charge (BFC) of \$14.00 and inclining block rates of \$1.50 per 1,000 for 0-4,000 gallons, \$3.50 per 1,000 for 4,001-8,000, and \$6.50 per 1,000 for all gallons in excess of 8,000. Due to the combined nature of the utility's current rates, there is no residential wastewater cap.

It is Commission practice to establish separate rates for water and wastewater systems.<sup>4</sup> The Utility allocated its existing rates between its water and wastewater systems to reflect the approximate costs to serve each system. This resulted in approximately 35 percent allocated to the Utility's water system and 65 percent allocated to the Utility's wastewater system. Staff believes this is reasonable because, typically, it is more costly to provide wastewater than water service. The Utility's current rates are shown in Table 2-1, as well as the Utility's proposed allocation between its water and wastewater systems.

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<sup>4</sup>Order No. PSC-05-1116-PAA-WS, issued November 7, 2018, in Docket No. 050061-WS, *In re: Application for grandfather certificates to operate water and wastewater facility in Okeechobee County by Pine Ridge Management Corporation.*

**Table 2-1  
 RSPI's Water and Wastewater Rates**

	Current Rates	Proposed Rates	
	Water and Wastewater	Water	Wastewater
Base Facility Charge	\$14.00	\$5.00	\$9.00
Gallonage Charge			
0-4,000	\$1.50	\$0.50	\$1.00
4,001-8,000	\$3.50	\$2.50	\$1.00
All Over 8,000	\$6.50	\$5.50	\$1.00
<b>Typical Residential 3/4" Meter Bill Comparison</b>			
3,000 Gallons	\$18.50	\$6.50	\$12.00
5,000 Gallons	\$23.50	\$9.50	\$14.00

Based on the above, the recommended monthly water and wastewater rates, on Schedule No. 1, are reasonable and should be approved. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), F.A.C. The approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by customers. The Utility should provide proof of the date notice was given within 10 days of the date of the notice.

**Issue 3:** What are the appropriate miscellaneous service charges for RSPI?

**Recommendation:** The miscellaneous service charges identified in Table 3-5 are reasonable and should be approved. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved miscellaneous service charges. The approved charges should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets provided customers have received notice pursuant to Rule 25-30.475, F.A.C. The Utility should provide proof of noticing within 10 days of rendering its approved notice. (Friedrich)

**Staff Analysis:** RSPI does not currently have miscellaneous service charges in place. Section 367.091, F.S., authorizes the Commission to establish miscellaneous service charges. The Utility requested establishment of miscellaneous charges and staff compiled the Utility’s cost justification, as required by Section 367.091(6), F.S., through a series of data requests in order to calculate staff’s recommended miscellaneous service charges.

The calculations for staff’s recommended miscellaneous service charges are shown in Tables 3-1 through 3-4 and are rounded up to the nearest tenth. Staff’s recommended miscellaneous service charges are shown in Table 3-5. Furthermore, staff’s recommended miscellaneous service charges are applicable for the Utility’s water and wastewater systems. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Utility require multiple actions.

**Initial Connection Charge**

The initial connection charge is levied for service initiation for new customers. An RSPI representative makes one trip when performing the service for an initial connection. Based on labor and transportation to and from the service territory, staff recommends initial connection charges for RSPI’s water and wastewater systems of \$11.50 for normal hours and \$14.00 for after hours. Staff’s calculations are shown below in Table 3-1.

**Table 3-1  
 Initial Connection Charge Calculation**

Activity	Normal Hours Cost	Activity	After Hours Cost
Administrative Labor (\$15/hr x 1/4hr)	\$3.75	Administrative Labor (\$15/hr x 1/4hr)	\$3.75
Field Labor (\$15/hr x 1/3 hr)	\$5.00	Field Labor (\$22.50/hr x 1/3 hr)	\$7.50
Transportation (\$0.535/mile x 5 miles-to/from)	\$2.68	Transportation (\$0.535/mile x 5 miles-to/from)	\$2.68
Total	\$11.43	Total	\$13.93

**Normal Reconnection Charge**

A normal reconnection charge is levied for the reconnection of service subsequent to a customer requested disconnection. A normal reconnection requires two trips, which includes one to turn service off and the other to turn service on. Based on labor and transportation to and from the service territory, staff recommends normal reconnection charges of \$20.40 for normal hours and \$24.20 for after hours. Staff's calculations are shown in Table 3-2.

**Table 3-2  
 Normal Reconnection Charge Calculation**

Activity	Normal Hours Cost	Activity	After Hours Cost
Administrative Labor (\$15/hr x 1/4hr x 2)	\$7.50	Administrative Labor (\$15/hr x 1/4hr)	\$7.50
Field Labor (\$15/hr x 1/4 hr x 2)	\$7.50	Field Labor (\$22.50/hr x 1/4hr x 2)	\$11.25
Transportation (\$0.535/mile x 5 miles-to/from x 2)	\$5.36	Transportation (\$0.535/mile x 5 miles-to/from x 2)	\$5.36
Total	\$20.36	Total	\$24.11

**Violation Reconnection Charge**

The violation reconnection charge is levied prior to reconnection of an existing customer after discontinuance of service for cause. The service performed for violation reconnection requires two trips, which includes one trip to turn off service and a subsequent trip to turn on service once the violation has been remedied. Based on labor and transportation to and from the service territory, staff recommends violation reconnection charges for RSPI's water system of \$20.40 for normal hours and \$24.20 for after hours. However, for RSPI's wastewater system, this charge should be set at actual cost pursuant to Rule 25-30.460(1)(c), F.A.C., and should only be levied if service is discontinued for a wastewater only customer. Staff's calculations are shown in Table 3-3.

**Table 3-3  
 Violation Reconnection Charge Calculation**

Activity	Normal Hours Cost	Activity	After Hours Cost
Administrative Labor (\$15/hr x 1/4hr x 2)	\$7.50	Administrative Labor (\$15/hr x 1/4hr x 2)	\$7.50
Field Labor (\$15/hr x 1/4 hr x 2)	\$7.50	Field Labor (\$22.50/hr x 1/4 hr x 2)	\$11.25
Transportation (\$0.535/mile x 5 miles-to/from x 2)	\$5.36	Transportation (\$0.535/mile x 5 miles-to/from x 2)	\$5.36
Total	\$20.36	Total	\$24.11

**Premises Visit Charge**

The premises visit charge is levied when a service representative visits a premises at the customer's request for complaint resolution and the problem is found to be the customer's responsibility. In addition, the premises visit charge can be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill, and does not discontinue service because the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill. A premises visit requires one trip.

Based on labor and transportation to and from the service territory, staff recommends a premises visit charge of \$11.50 for normal hours and \$14.00 for after hours. Staff's calculations are shown in Table 3-4.

**Table 3-4  
 Premises Visit Charge Calculation**

Activity	Normal Hours Cost	Activity	After Hours Cost
Administrative Labor (\$15/hr x 1/4hr)	\$3.75	Administrative Labor (\$15/hr x 1/4hr)	\$3.75
Field Labor (\$15/hr x 1/3 hr)	\$5.00	Field Labor (\$22.50/hr x 1/3 hr)	\$7.50
Transportation (\$0.535/mile x 5 miles-to/from)	\$2.68	Transportation (\$0.535/mile x 5 miles-to/from)	\$2.68
<b>Total</b>	<b>\$11.43</b>	<b>Total</b>	<b>\$13.93</b>

**Table 3-5  
 Recommended Miscellaneous Service Charges**

	Staff Recommended	
	Normal Hours	After Hours
Initial Connection Charge	\$11.50	\$14.00
Normal Reconnection Charge	\$20.40	\$24.20
Violation Reconnection Charge (Water Only)	\$20.40	\$24.20
Violation Reconnection Charge (Wastewater Only)	Actual Cost	
Premises Visit Charge	\$11.50	\$14.00

**Conclusion**

Based on the above, the miscellaneous service charges identified in Table 3-5 are reasonable and should be approved. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved miscellaneous service charges. The approved charges should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets provided customers have received notice pursuant to Rule 25-30.475, F.A.C. The Utility should provide proof of noticing within 10 days of rendering its approved notice.



**Issue 4:** What is the appropriate late payment charge for RSPI?

**Recommendation:** The appropriate late payment charge for RSPI is \$4.50. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved charge. The approved charge should be effective for services rendered on or after the stamped approval date on the tariff sheet provided customers have received notice pursuant to Rule 25-30.475(1), F.A.C. The Utility should provide proof of noticing within 10 days of rendering the approved notice. (Friedrich)

**Staff Analysis:** RSPI does not currently have a late payment charge in place. The Utility requested a late payment charge and staff compiled the Utility's cost justification, as required by Section 367.091(6), F.S., through a series of data requests in order to calculate staff's recommended late payment charge.

The goal of allowing late payment charges is two fold: first, it encourages customers to pay their bills on time, and second, if payments are not made on time, it ensures that the cost associated with collecting late payments are not passed on to the customers who do pay on time.<sup>5</sup> The Utility has a total of 519 customer accounts and approximately 4 percent of the customers do not pay by the due date each month. Because the Utility does not currently have an approved late payment charge, the Utility's only recourse is to discontinue service.

The Utility included \$3.75 for labor associated with processing late payments. The late payment notices are processed by an RSPI employee who is paid \$15 per hour. The billing employee spends approximately 5 hours per month processing an average of 20 delinquent accounts. This equates to approximately 15 minutes to process a single late payment notice. The Commission has found that 10 to 15 minutes is an appropriate amount of time for a billing employee to process a single late payment.<sup>6</sup>

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<sup>5</sup>Order No. PSC-01-0998-TRF-WU, issued April 23, 2001, in Docket No. 20010232-WU, *In re: Request for approval of tariff filing to add "set rate" late fee to water tariff, by Lake Yale Treatment Associates, Inc. in Lake County.*

<sup>6</sup>Order Nos. PSC-16-0041-TRF-WU, in Docket No. 20150215-WU, issued January 25, 2016, *In re: Request for approval of tariff amendment to include miscellaneous service charges for the Earlene and Ray Keen Subdivisions, the Ellison Park Subdivision and the Lake Region Paradise Island Subdivision in Polk County, by Keen Sales, Rentals and Utilities, Inc.*; PSC-15-0569-PAA-WS in Docket No. 20140239-WS, issued December 16, 2015, *In re: Application for staff-assisted rate case in Polk County by Orchid Springs Development Corporation.*; PSC-16-0523-TRF-WU, in Docket No. 20160023-WU, issued November 21, 2016, *In re: Application for transfer of majority organizational control of Sunny Shores Water Company, Inc., holder of Certificate No. 578- W in Manatee County, from Jack E. Mason to Jack E. Mason, II and Debbie A. Mason.*

The Commission has previously approved late payment charges ranging from \$4.90 to \$7.15.<sup>7</sup> Based on the salary and time spent per notice, the labor cost of \$3.75 is reasonable. The Utility is also requesting recovery of \$0.20 for supplies and \$0.49 for postage. The Utility's cost justification for its requested late payment charge is shown on Table 4-1. Staff recommends rounding the calculated late payment charge up to the nearest tenth. Therefore, staff recommends the appropriate late payment charge for RSPI is \$4.50.

**Table 4-1**  
**Late Payment Charge Cost Justification**

Activity	Cost
Labor	\$3.75
Supplies	0.20
Postage	0.49
Total Cost	<u>\$4.44</u>

Source: Utility's cost justification documentation

Based on the above, the appropriate late payment charge for RSPI is \$4.50. The Utility should file the revised tariff sheet and a proposed customer notice to reflect the Commission-approved charge. The approved charge should be effective for services rendered on or after the stamped approval date on the tariff sheet provided customers have received notice pursuant to Rule 25-30.475(1), F.A.C. The Utility should provide proof of noticing within 10 days of rendering the approved notice.

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<sup>7</sup>Order Nos. PSC-14-0105-TRF-WS, in Docket No. 20130288-WS, issued February 20, 2014, *In re: Request for approval of late payment charge in Brevard County by Aquarina Utilities, Inc.*; PSC-15-0535-PAA-WU, in Docket No. 20140217-WU, issued November 19, 2015, *In re: Application for staff-assisted rate case in Sumter County by Cedar Acres, Inc.*; PSC-15-0569-PAA-WS, in Docket No. 20140239-WS, issued December 16, 2015, *In re: Application for staff-assisted rate case in Polk County by Orchid Springs Development Corporation.*

**Issue 5:** Should RSPI be authorized to collect Non-Sufficient Funds Charges (NSF)?

**Recommendation:** Yes. RSPI should be authorized to collect NSF charges. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved NSF charges. The approved charges should be effective for service rendered on or after the stamped approval date on the tariff sheets provided customers have received notice pursuant to Rule 25-30.475, F.A.C. The Utility should provide proof of noticing within 10 days of rendering its approved notice. (Friedrich)

**Staff Analysis:** Section 367.091, F.S., authorizes the Commission to establish miscellaneous service charges. Staff believes that RSPI should be authorized to collect NSF charges consistent with Section 68.065, F.S., which allows for the assessment of charges for the collection of worthless checks, drafts, or orders of payment. As currently set forth in Section 68.065(2), F.S., the following NSF charges may be assessed:

- (1) \$25, if the face value does not exceed \$50,
- (2) \$30, if the face value exceeds \$50 but does not exceed \$300,
- (3) \$40, if the face value exceeds \$300,
- (4) or 5 percent of the face amount of the payment instrument, whichever is greater.

Approval of NSF charges is consistent with prior Commission decisions.<sup>8</sup> Furthermore, NSF charges place the cost on the cost-causer, rather than requiring that the costs associated with the return of the NSF checks be spread across the general body of ratepayers. As such, RSPI should be authorized to collect NSF charges. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved NSF charges. The approved charges should be effective for service rendered on or after the stamped approval date on the tariff sheets provided customers have received notice pursuant to Rule 25-30.475, F.A.C. The Utility should provide proof of noticing within 10 days of rendering its approved notice.

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<sup>8</sup>Order Nos. PSC-14-0198-TRF-SU, issued May 2, 2014, in Docket No. 20140030-SU, *In re: Request for approval to amend Miscellaneous Service charges to include all NSF charges by Environmental Protection Systems of Pine Island, Inc.*; and PSC-13-0646-PAA-WU, issued December 5, 2013, in Docket No. 20130025-WU, *In re: Application for increase in water rates in Highlands County by Placid Lakes Utilities, Inc.*

**Issue 6:** What are the appropriate initial customer deposits for RSPI?

**Recommendation:** The appropriate initial customer deposits are \$19.00 for water and \$28.00 for wastewater for the residential 3/4" meter size. The initial customer deposit for all other residential meter sizes and all general service meter sizes should be two times the average estimated bill. The approved customer deposits should be effective for connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, F.A.C. The Utility should be required to collect the approved initial customer deposits until authorized to change them by the Commission in a subsequent proceeding. (Friedrich)

**Staff Analysis:** Rule 25-30.311, F.A.C., contains criteria for collecting, administering, and refunding customer deposits. Rule 25-30.311(1), F.A.C., requires that each company's tariff contain its specific criteria for determining the amount of initial deposits. RSPI currently does not have approved initial customer deposits for its water and wastewater systems. Customer deposits are designed to minimize the exposure of bad debt expense for the utility and, ultimately, the general body of ratepayers. In addition, collection of customer deposits is consistent with one of the fundamental principles of ratemaking—ensuring that the cost of providing service is recovered from the cost causer.

Rule 25-30.311(7), F.A.C., authorizes utilities to collect new or additional deposits from existing customers not to exceed an amount equal to the average actual charge for water and/or wastewater service for two billing periods for the 12-month period immediately prior to the date of notice. The two billing periods reflect the lag time between the customer's usage and the utility's collection of the revenues associated with that usage. Commission practice has been to set initial customer deposits equal to two months bills based on the average consumption for a 12-month period for each class of customers.<sup>9</sup> The Utility indicated that the average monthly residential usage is 5,000 gallons per customer. Therefore, the average residential monthly bill is approximately \$9.50 for water and \$14.00 wastewater service.

Based on the above, the appropriate initial customer deposits are \$19.00 for water and \$28.00 wastewater for the residential 3/4" meter size. The initial customer deposit for all other residential meter sizes and all general service meter sizes should be two times the average estimated bill. The approved customer deposits should be effective for connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, F.A.C. The Utility should be required to collect the approved initial customer deposits until authorized to change them by the Commission in a subsequent proceeding.

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<sup>9</sup>Order Nos. PSC-2017-0428-PAA-WS, issued November 7, 2017, in Docket No. 20160195-WS, *In re: Application for staff-assisted rate case in Lake County by Lakeside Waterworks, Inc.*; and PSC-17-0113-PAA-WS, issued March 28, 2017, in Docket No. 20130105-WS, *In re: Application for certificates to provide water and wastewater service in Hendry and Collier Counties, by Consolidated Services of Hendry & Collier, LLC.*

**Issue 7:** Should this docket be closed?

**Recommendation:** If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively. (Nieves)

**Staff Analysis:** If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

**RSPI MHC, LLC**  
**Description of Water and Wastewater Service Territory**

**Orange County**

A PORTION OF W. LESTER ROAD, A 60 FOOT PUBLIC RIGHT-OF-WAY, AND A PORTION OF SECTIONS 28 & 33, ALL IN TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 87°56'33" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 71.00 FEET; THENCE SOUTH 02°03'27" EAST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 435 AND THE SOUTH RIGHT-OF-WAY LINE OF W. LESTER ROAD FOR A POINT OF BEGINNING; THENCE SOUTH 87°56'33" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1,159.63 FEET; THENCE NORTH 01°41'41" WEST, A DISTANCE OF 632.79 FEET; THENCE NORTH 87°59'49" EAST, A DISTANCE OF 38.50 FEET; THENCE NORTH 01°41'41" WEST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 87°59'49" WEST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 01°41'41" EAST, DISTANCE OF 208.00 FEET; THENCE NORTH 87°59'49" EAST, A DISTANCE OF 93.61 FEET; THENCE SOUTH 01°53'16" EAST, A DISTANCE OF 632.85 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF W. LESTER ROAD; THENCE SOUTH 87°56'33" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 646.50 FEET; THENCE NORTH 02°02'14" WEST, A DISTANCE OF 1,360.66 FEET; THENCE SOUTH 88°01'08" WEST, A DISTANCE OF 651.82 FEET; THENCE SOUTH 02°07'29" EAST, A DISTANCE OF 1,361.53 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF W. LESTER ROAD; THENCE SOUTH 87°56'33" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 368.03 FEET; THENCE SOUTH 01°44'49" EAST A DISTANCE OF 1,327.67 FEET; THENCE NORTH 88°59'06" EAST, A DISTANCE OF 344.65 FEET; THENCE SOUTH 01°00'09" EAST A DISTANCE AT 1,336.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WELCH ROAD; THENCE NORTH 90°00'00" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 30.00 FEET; THENCE NORTH 01°00'09" WEST A DISTANCE OF 630.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 793.62 FEET; THENCE SOUTH 01°00'09" EAST, A DISTANCE OF 460.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 594.00 FEET; THENCE SOUTH 01°00'09" EAST A DISTANCE OF 170.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF WELCH ROAD; THENCE NORTH 90°00'00" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 863.93 FEET; THENCE NORTH 01°01'47" WEST A DISTANCE OF 630.00 FEET; THENCE SOUTH 90°00'00" WEST A DISTANCE OF 664.21 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 660.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 330.00 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 330.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 610.00 FEET TO SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 435; THENCE NORTH 01°01'39" WEST, ALONG SAID WEST RIGHT-OF-WAY

LINE, A DISTANCE OF 70.56 FEET; THENCE SOUTH 90°00'00" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 150.00 FEET TO SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 435; THENCE NORTH 01°01'39" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 752.30 FEET TO A POINT OF CURVATURE ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 31,202.24 FEET, A CHORD BEARING OF NORTH 01°09'38" WEST, A CHORD DISTANCE OF 144.92 FEET. RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'58", A DISTANCE OF 144.92 FEET; THENCE SOUTH 88°42'23" WEST A DISTANCE OF 20.00 FEET TO A NON-TANGENT POINT ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 31,182.24 FEET, A CHORD BEARING OF NORTH 01°18'56" WEST, A CHORD DISTANCE OF 23.90 FEET, RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°02'38", A DISTANCE OF 23.90 FEET TO THE POINT OF BEGINNING.

**FLORIDA PUBLIC SERVICE COMMISSION**

**authorizes**

**RSPI MHC, LLC  
pursuant to  
Certificate Number 673 -W**

to provide water service in Orange County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
*	*	20170249-WS	Original Certificate

\* Order Number and date to be provided at time of issuance.



**FLORIDA PUBLIC SERVICE COMMISSION**

**authorizes**

**RSPI MHC, LLC  
pursuant to  
Certificate Number 574 -S**

to provide wastewater service in Orange County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rule, regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
*	*	20170249-WS	Original Certificate

\* Order Number and date to be provided at time of issuance.

**RSPI MHC, LLC  
Monthly Water and Wastewater Rates**

**Water Service**

**Residential and General Service**

Base Facility Charge – All Meter Sizes \$5.00

Charge Per 1,000 gallons

0-4,000 gallons \$0.50

4,001-8,000 gallons \$2.50

Over 8,000 gallons \$5.50

**Wastewater Service**

**Residential and General Service**

Base Facility Charge - All Meter Sizes \$9.00

Charge Per 1,000 gallons

No Cap \$1.00