

FLORIDA PUBLIC SERVICE COMMISSION

Item 5

VOTE SHEET

April 2, 2019

FILED 4/2/2019
DOCUMENT NO. 03452-2019
FPSC - COMMISSION CLERK

Docket No. 20180215-WS – Petition for limited alternative rate increase in Highlands County by LP Waterworks, Inc.

Issue 1: Should the Commission approve LP Waterworks, Inc.'s application for a limited alternative rate increase?

Recommendation: Yes. The Commission should approve LP Waterworks' application for a limited alternative rate increase in the amount of 20 percent. This equates to an increase of \$23,061 for water and \$21,378 for wastewater.

Pursuant to Rule 25-30.457(12), F.A.C., the Utility is required to hold any revenue increase granted subject to refund with interest for a period of 15 months after the filing of its annual report for the year the adjustment in rates was implemented. If overearnings occur, such overearnings, up to the amount held subject to refund, with interest, must be disposed of for the benefit of the customers. After the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility must file reports with the Office of Commission Clerk no later than the 20th of every month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed must also indicate the status of the security being used to guarantee repayment of any potential refund.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Anthony L. Fy
D. J. Pol
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REMARKS/DISSENTING COMMENTS:

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Issue 2: What are the appropriate monthly service rates for LP Waterworks, Inc.?

Recommendation: The existing service rates for LP Waterworks should be increased by 20 percent in accordance with Rule 25-30.457, F.A.C. The recommended service rates are shown on Schedule No. 1 of staff's memorandum dated March 21, 2019. The Utility should file 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. In addition, the rates should not be implemented until staff has approved the proposed customer notice. The Utility should provide proof of the date notice was given no less than 10 days after the date of the notice.

APPROVED

Issue 3: Should the recommended rates be approved for LP Waterworks on a temporary basis, subject to refund, in the event of a protest filed by a party other than the utility?

Recommendation: Yes. Pursuant to Rule 25-30.457(15), F.A.C., in the event of a protest of the Proposed Agency Action (PAA) Order by a substantially affected person other than the Utility, LP Waterworks should be authorized to implement the rates established in the LARI PAA Order on a temporary basis subject to refund upon the Utility filing a staff-assisted rate case application within 21 days of the date the protest is filed.

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 sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. If the recommended rates are approved on a temporary basis, the incremental increase collected by the Utility will be subject to the refund provisions outlined in Rule 25-30.360, F.A.C. Pursuant to Rule 25-30.457(17), F.A.C., if the Utility fails to file a staff-assisted rate case application within 21 days in the event there is a protest, the application for a limited alternative rate increase will be deemed withdrawn.

APPROVED

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Issue 4: Should this docket be closed?

Recommendation: No. In the event of a protest, LP Waterworks may implement the rates established in the PAA Order on a temporary basis, subject to refund with interest, upon the Utility's filing of a staff-assisted rate case application within 21 days of the date of the protest. If LP Waterworks fails to file a staff-assisted rate case within 21 days, the Utility's petition for a limited alternative rate increase will be deemed withdrawn pursuant to Rule 25-30.457(17), F.A.C. 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, which reflect the Commission-approved rates, and customer notice have been filed by LP Waterworks and approved by staff, and so that staff may conduct an earnings review of the Utility pursuant to Rule 25-30.457(12), F.A.C. Upon staff's approval of the tariff and completion of the earnings review process as set forth in Rule 25-30.457(12)-(14), F.A.C., this docket should be closed administratively.

APPROVED