

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:** September 24, 2009

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

**FROM:** Division of Economic Regulation (Deason, Fletcher, Bulecza-Banks)  
Office of General Counsel (Klancke)

**RE:** Docket No. 090429-WU – Request for approval of imposition of miscellaneous service charges, delinquent payment charge and meter tampering charge in Lake County, by Pine Harbour Water Utilities, LLC.

**AGENDA:** 10/06/09 – Regular Agenda – Tariff Filing - Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** 10/6/2009 (60-Day Suspension Date)

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\ECR\WP\090429.RCM.DOC

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### Case Background

Pine Harbour Water Utilities, LLC (Pine Harbour or Utility) is a Class C utility providing water service to approximately 60 customers in Lake County. Pine Harbour reported revenues of \$15,678 in its 2008 Annual Report. The system is located in the St. Johns River Water Management District (SJRWMD).

On August 7, 2009, the Utility filed an application for approval of tariff sheets to reflect the following: imposition of miscellaneous service charges, delinquent payment charge, and meter tampering charge. This recommendation addresses the suspension of Pine Harbour's proposed tariff sheets. The Commission has jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

### **Discussion of Issues**

**Issue 1:** Should Pine Harbour's proposed tariff sheets to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge be suspended?

**Recommendation:** Yes. Pine Harbour's proposed tariff sheets to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge should be suspended pending further investigation by staff. (Deason)

**Staff Analysis:** Pursuant to Section 367.091(6), F.S., the tariff sheets proposed by the Utility shall become effective within sixty (60) days after filing, unless the Commission votes to withhold consent of the request. Further, the Commission 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 that consent.

Staff has reviewed the filing and has considered Pine Harbour's proposed charges and information filed in support of the application. Staff believes it is necessary to require amplification and explanation of this data. Staff's review of the application will include further examination. Therefore, staff recommends that Pine Harbour's proposed tariff sheets to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge be suspended pending further investigation by staff.

Docket No. 090429-WU  
Date: September 24, 2009

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

**Recommendation:** No. The docket should remain open pending the Commission's final action on the Utility's requested approval to establish its miscellaneous service charges, delinquent payment charge, and meter tampering charge. (Klancke, Deason)

**Staff Analysis:** The docket should remain open pending the Commission's final action on the Utility's requested approval to establish its miscellaneous service charges, delinquent payment charge and meter tampering charge.