

MINUTES OF JANUARY 5, 2006

COMMISSION CONFERENCE

COMMENCED: 11:05 a.m.

ADJOURNED: 11:35 a.m.

COMMISSIONERS PARTICIPATING: Chairman Edgar
Commissioner Deason
Commissioner Arriaga
Commissioner Carter
Commissioner Tew

Parties were allowed to address the Commission on items designated by double asterisks (**).

1 Approval of Minutes

November 29, 2005 Regular Commission Conference

December 6, 2005 Regular Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Edgar, Deason, Arriaga

ITEM NO.

CASE

2Consent Agenda**

PAA

A) Request for two-year exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>PHONE # & LOCATION</u>
050411-TC	Commercial Pay Phones, Inc.	954-489-9064 BP Oil #5369 850 NE 62nd Street Fort Lauderdale

Recommendation: The Commission should approve the action requested in the docket referenced above and close this docket.

DECISION: The recommendation was approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

3****PAADocket No. 050877-GU** - Joint petition for approval of amendment to territorial agreement in Pasco County by Peoples Gas System and Clearwater Gas System, a department of the City of Clearwater.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Arriaga

Staff: GCL: Gervasi
CMP: Beard, Bulecza-Banks

Issue 1: Should the Commission approve the Joint Petition for approval of the amendment to the territorial agreement in Pasco County filed by Peoples Gas and Clearwater Gas?

Recommendation: Yes. The Commission should approve the joint petition filed by Peoples Gas and Clearwater Gas for approval to amend their existing territorial agreement. The amendment should become effective upon the expiration of the appeal period following the issuance of the Consummating Order in this docket.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no protest is filed, this docket should be closed upon the issuance of a Consummating Order. If a protest is filed by a person whose substantial interests are affected within 21 days of the Order approving this amendment, the docket should remain open.

DECISION: The recommendations were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

4****Docket No. 050898-WS** - Complaint No. 649594 by Carla and William Bullock against Sebring Ridge Utilities, Inc. for improper billing practices.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: GCL: Jaeger
ECR: Hudson
RCA: Plescow

PAA

Issue 1: What disposition should be taken to resolve the complaint of William and Carla Bullock against Sebring Ridge Utilities, Inc.?

Recommendation: Sebring Ridge Utilities, Inc. should credit the account of William and Carla Bullock, and all similarly situated customer accounts, for \$0.12. The utility may proceed to bill the Bullocks again for the delinquent amount. If that amount is not paid within 20 days of the date of the bill, Sebring Ridge Utilities, Inc., may proceed with the normal cut-off procedures as outlined in Rule 25-30.320, Florida Administrative Code.

Issue 2: Should Sebring Ridge Utilities, Inc., be ordered to show cause in writing, within 21 days, why it should not be fined for the failure of its bills to reflect the billing period covered and for failing to render bills at regular intervals in apparent violation of Rule 25-30.335(1), Florida Administrative Code (F.A.C.)?

Recommendation: No. Staff recommends that Sebring Ridge Utilities, Inc., not be ordered to show cause for the apparent violations. However, the utility should be advised that it should render bills at regular intervals and that, in accordance with Rule 25-30.335(1) and (2), F.A.C., its bills should indicate: the billing period covered; the applicable rate schedule; beginning and ending meter reading; the amount of the bill; the delinquent date or the date after which the bill becomes past due; any authorized late payment charge; and if the bill is estimated that the amount owed is estimated. The utility should be given 30 days from the date of the Order concerning this recommendation to modify its bills to conform with Rule 25-30.335(1), F.A.C., and should be advised of the importance of complying with all Commission rules.

Issue 3: Should this docket be closed?

Recommendation: Yes. If no timely protest is filed by a substantially affected person within 21 days of the Proposed Agency Action Order, a Consummating Order should be issued and the docket closed.

Minutes of
Commission Conference
January 5, 2006

ITEM NO.

CASE

4**

Docket No. 050898-WS - Complaint No. 649594 by Carla and William Bullock against Sebring Ridge Utilities, Inc. for improper billing practices.

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DECISION: Issue 1 was approved with an oral modification made to the Case Background on the first page of the recommendation, changing April 20, 2004 to April 20, 2005. Issues 2 and 3 were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

5**PAA Docket No. 050918-TL - Supplemental service quality commitment by Sprint-Florida, Incorporated under Service Guarantee Program.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: CMP: Moses

GCL: Scott

Issue 1: Should the Commission accept Sprint's proposed commitment to improve installation and repair intervals?

Recommendation: Yes. The commitment as proposed on Attachment A of staff's December 21, 2005 memorandum should be incorporated into the existing Service Guarantee Program effective June 30, 2006.

Issue 2: 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, this docket should be closed upon the issuance of a consummating order.

DECISION: The recommendations were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

6****Docket No. 050563-WU** - Application for increase in water rates in Polk County by Park Water Company Inc.

Critical Date(s): 1/20/06 (60-day suspension date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Arriaga

Staff: ECR: Edwards, Hudson, Rendell, Revell
GCL: Jaeger

Issue 1: Should the utility's proposed final water rate increase be suspended?

Recommendation: Yes. Park Water's proposed final water rate increase should be suspended.

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 rate increase.

DECISION: The recommendations were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

7Docket No. 050862-WU - Application for staff-assisted rate case in Marion County by County-Wide Utility Co., Inc.

Critical Date(s): 1/8/06 (60-day suspension date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Arriaga

Staff: ECR: Hudson
GCL: Gervasi

Issue 1: Should County-Wide's request for interim rates under Section 367.0814(4), Florida Statutes, be approved?

Recommendation: No. The utility's request for interim rates should be denied.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open to process the utility's staff-assisted rate case.

DECISION: Issue 1 was approved with the understanding staff will continue to look at potential alternatives, because it is critical to continue payment to the city for purchase of water. Issue 2 was approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

8****Docket No. 050859-WU** - Request by County-Wide Utility Company for approval of new customer classifications in tariff for two 1.5" meters and 6" fire line in Marion County.

Critical Date(s): 1/8/06 (60-day suspension date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECR: Hudson
GCL: Brown

Issue 1: Should the utility's proposed tariffs containing the service rates for the new class of service for a 1-1/2 inch meter and private fire protection be approved?

Recommendation: Yes. The utility's proposed service rates for the 1-1/2 inch meter and private fire protection should be approved. The utility should file a proposed customer notice to reflect the Commission-approved rates. The utility's Third Revised Sheet No. 12.0 and Original Sheet No. 12.1 should be approved as filed. The approved rates should be effective for service rendered on or after the stamped approval date of the tariffs, pursuant to Rule 25-30.475(1), Florida Administrative Code, provided that the notice has been approved by staff. Within 10 days of the date the order is final, the utility should be required to provide notice of the tariff rates to all customers. The utility should provide proof that the customers have received notice within 10 days after the date that the notice was sent.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariff sheet should become effective on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475, Florida Administrative Code. If a protest is filed within 21 days of the issuance date of the Order, the tariff should remain in effect with the revenues held subject to refund pending resolution of the protest, and the docket should remain open. If no timely protest is filed, the docket should be closed upon the issuance of a Consummating Order.

DECISION: The recommendations were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew

ITEM NO.

CASE

9****Docket No. 050323-SU** - Joint application for authority to transfer facilities of Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities and Certificate No. 456-S to North Fort Myers Utility, Inc., request for cancellation of Certificate No. 456-S, amendment of Certificate No. 247-S, and limited proceeding for authority to charge customers of Heron's Glen Utilities its authorized rates, fees and charges, in Lee County.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Deason

Staff: ECR: Clapp, Kaproth, Rieger
GCL: Jaeger

Issue 1: Should the transfer of Heron's Glen facilities to NFMU, the amendment of Certificate No. 247-S, and the cancellation of Certificate No. 456-S be approved?

Recommendation: Yes. The transfer of the Heron's Glen facilities to NFMU is in the public interest and should be approved. Certificate No. 247-S should be amended to include the Heron's Glen service area and Certificate No. 456-S should be cancelled effective the date of the Commission vote. Heron's Glen should be responsible for the regulatory assessment fees (RAFs) for January 1 to June 22, 2005, and NFMU should be responsible for the remainder of the 2005 RAFs and future RAFs, and the 2005 and future annual reports. The territory being transferred is described in Attachment A of staff's December 21, 2005 memorandum.

PAA

Issue 2: Should NFMU's request for limited proceeding to charge its current rates to the Heron's Glen customers be approved?

Recommendation: Yes. The NFMU's request to charge its current rates and charges to the customers of Heron's Glen should be approved. The current NFMU rates are shown in Attachment B of staff's memorandum. The utility should file 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 of the revised tariff sheets pursuant to Rule 25-30.475(1), Florida Administrative Code. In addition, the rates should not be implemented until staff has approved the proposed customer notice. The utility should distribute the notice to the customers no later than with the first bill containing the revised rates and should provide proof of the date the notice was given no less than 10 days after the date of the notice.

Issue 3: Should this docket be closed?

Recommendation: Yes. If no timely protest to the proposed agency action order is filed by a substantially affected person within 21 days, a Consummating Order should be issued and the docket should be closed. In the event there is a timely protest, this docket should remain open pending resolution of the protest.

ITEM NO.

CASE

9**

Docket No. 050323-SU - Joint application for authority to transfer facilities of Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities and Certificate No. 456-S to North Fort Myers Utility, Inc., request for cancellation of Certificate No. 456-S, amendment of Certificate No. 247-S, and limited proceeding for authority to charge customers of Heron's Glen Utilities its authorized rates, fees and charges, in Lee County.

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DECISION: The recommendations were approved.

Commissioners participating: Edgar, Deason, Arriaga, Carter, Tew