



Florida Public Service Commission **SPECIAL REPORT**

JULY 2003 NO. 11

Application for a Staff-Assisted Rate Case in Lee County by

Environmental Protection Systems of Pine Island, Inc.

On January 30, 2003, Environmental Protection Systems of Pine Island, Inc. (EPS or utility) filed an application for a staff-assisted rate case with the Florida Public Service Commission (PSC). EPS, a wastewater utility operating in Lee County, provides service to approximately 441 mobile homes and 65 R.V. site customers located within Cherry Estates and R.V. Park. The utility's service area is located at the southern end of Pine Island, approximately 30 miles from Fort Myers.

The current rate case is being processed under the PSC's "Proposed Agency Action" (PAA) procedure. Under the PAA process, the case will not be set for a formal hearing unless a timely protest to the Commission's proposed agency action is filed.

As part of the discovery process, the Commission staff conducts a customer meeting to allow customers the opportunity to provide input into the rate setting process. Customer comments are an integral part of the process and will assist the Commission in reaching its decision.

The utility's records have been audited by PSC staff for compliance with Commission rules and orders. In addition, a PSC staff engineer has conducted a field investigation of the utility's plant and service area. A preliminary review of EPS's operation expenses, maps, company files, and rate application was also performed to obtain information about the physical plant operating costs and components for rate setting. Staff's preliminary findings are contained in a preliminary staff report dated June 16, 2003.

According to PSC staff's preliminary analysis, average residential consumption is 2,058 gallons. At present, the average monthly bill is \$12.79 (flat rate) for residential customers. The average monthly bill using staff's preliminary proposed rates will be \$39.86 (base facility charge plus

gallage charge). Information obtained at the customer meeting will be incorporated into staff's recommendation to the Commission. PSC staff is scheduled to file its recommendation on September 4, 2003. The Commissioners are expected to vote on this matter at the September 16, 2003, Agenda Conference.

CUSTOMER MEETING

DOCKET NO. 030106-SU

Thursday, July 24, 2003

6:00 p.m.

St. James City Civic Association
3300 Fourth Avenue
St. James City, Florida

PSC Staff and Reference Numbers

For technical questions, contact:

Sam Merta (850) 413-6427
Troy Rendell (850) 413-6934

For legal questions, contact:

Jennifer Brubaker (850) 413-6228

For general questions, contact:

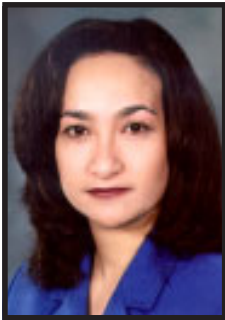
Bridget Hoyle (850) 413-6111

Or call toll-free 1-800-342-3552
(1-800-511-0809 to fax)

E-mail: contact@psc.state.fl.us

Internet Home Page: www.floridapsc.com

PSC COMMISSIONERS



Chairman Jaber

Lila A. Jaber was appointed to the Florida Public Service Commission by Governor Jeb Bush in February 2000 to complete a term ending January 2001. She was reappointed by Governor Jeb Bush for a term ending in January 2005. Chairman Jaber serves as Co-Vice Chair of the National Association of Regulatory Utility Commissioners' (NARUC) Committee on Telecommunications. She is also a member of the Committee on Consumer Affairs. In July 2001, she was appointed to the Federal-State Joint Board on Universal Service created to promote the availability and access to quality telecommunications services as just, reasonable and affordable rates throughout the Nation. Chairman Jaber was appointed to the NARUC Triennial Review Implementation Process Task Force in March 2003, and the NARUC Telecommunications Committee Chair's Task Force on Major Federal Communications Commission (FCC) Proceedings. Chairman Jaber has served as chair of the Federal-State Joint Conference on Advanced Services created by the FCC to promote the rapid deployment of advanced services to all Americans. She has also served as co-chair of the e-Infrastructure Subcommittee for the Information Service Technology Development Task Force (ITFlorida.com). She is a current member of the Florida Research Consortium, the affiliate of ITFlorida.com created as a partnership between Florida's universities and technology sectors to focus on high-tech research and development and collaboration between researchers and Florida's high-tech entrepreneurs. Chairman Jaber is a court-certified mediator and a member of the Florida Bar. Chairman Jaber received a bachelor of arts degree in political science and business from Stetson University in DeLand, Florida, and received a juris doctorate from the Stetson University College of Law in St. Petersburg, Florida.



Commissioner Deason

J. Terry Deason was first appointed to the Commission by the Florida Public Service Commission Nominating Council in January 1991 for a term ending in January 1995. He was subsequently reappointed by the late Governor Lawton Chiles for a term ending in January 1999. Commissioner Deason was then reappointed by Governor Jeb Bush to a term ending in January 2003, and to his current term which ends in January 2007. Commissioner Deason has served as Chairman of the Commission on two occasions, from January 1993 to January 1995, and from July 2000 to January 2001. Commissioner Deason is an active member of the National Association of Regulatory Utility Commissioners (NARUC). He currently serves on NARUC's Board of Directors, its Finance and Technology Committee, and the Federal/State Joint Conference on Accounting. Commissioner Deason also serves on the executive committee for the Nuclear Waste Strategy Coalition. Prior to his appointment, he served as Chief Regulatory Analyst in the Office of Public Counsel. In that capacity, he was responsible for the coordination of accounting and financial analysis used by the Public Counsel in cases before the Public Service Commission, presented testimony as an expert witness, and consulted with the Public Counsel on technical issues and ratemaking policies concerning regulated utilities in the State of Florida. From 1981 to 1987, Commissioner Deason served as Executive Assistant to PSC Commissioner Gerald L. Gunter, during which time he reviewed and analyzed staff recommendations and advised the Commissioner on those recommendations and other pertinent policy determinations. From 1977 to 1981, he served as a Legislative Analyst with the Office of Public Counsel. He attended the U.S. Military Academy at West Point, and in 1975 received his bachelor of science degree in accounting, summa cum laude, from Florida State University. He also received his master of accounting degree from FSU in 1989.



Commissioner Baez

Braulio L. Baez was appointed to the Florida Public Service Commission by Governor Jeb Bush on August 23, 2000, to complete a term ending January 2002. He was then reappointed by the Governor to a four year term ending January 2006. Prior to his appointment, Commissioner Baez was an attorney in Miami, Florida, with a statewide practice representing municipal and county governments in telecommunications, cable franchising and other regulatory matters. He was Executive Assistant to Commissioner Joe Garcia from 1994 to 1998. A native of South Florida, Commissioner Baez received his undergraduate degree from Florida International University in 1988, and his Juris Doctorate degree from Nova University, Shepard Broad Law Center, in 1993. Commissioner Baez serves on the National Association of Regulatory Utility Commissioners' Committees on Electricity and International Relations and is Past-President of the Southeastern Association of Regulatory Utility Commissioners. He was appointed to the North American Electric Reliability Council, and is a member of the Florida Bar and American Bar Association. He is a past Director of the Hispanic Bar Association, 2nd Judicial District.



Commissioner Bradley

Rudolph (Rudy) Bradley was appointed to the Florida Public Service Commission by Governor Jeb Bush for a four year term beginning January 8, 2002. Commissioner Bradley serves on the National Association of Regulatory Utility Commissioner's Committees on Consumer Affairs, Water, and International Relations. He is also a member of the Energy Market Access Partnership Board which is a joint project between the Department of Energy and the National Association of Regulatory Utility Commissioners. Prior to his appointment to the Commission, Commissioner Bradley served as a member of the Florida Legislature for seven years representing District 55 which includes Pinellas, Manatee and Hillsborough Counties. As a member of the Legislature, he served as the Vice Chairman of the Utilities and Telecommunications Committee and as the Chairman of the Select Committee on Energy Restructuring. Commissioner Bradley also served as the Chairman of the Business Development and International Trade Committee and Chairman of the Economic Development Council. As a legislator, Commissioner Bradley maintained a special interest in improving Florida's educational system and expanding business opportunities for all citizens. Commissioner Bradley earned his Bachelor of Science Degree from the University of Tampa and his Masters Degree from the University of Michigan. He served as an educator in Pinellas County for several years and he developed several private enterprises involving real estate and livestock.



Commissioner Davidson

Following the unanimous recommendation of the PSC Nominating Council, Governor Bush appointed **Charles M. Davidson** to the Florida Public Service Commission for a four-year term ending January 2007. Commissioner Davidson relocated from New York to Florida in October 2000 to serve in the Office of Governor Jeb Bush, as the Executive Director of Florida's Information Technology Taskforce. In that role, he was responsible for developing public policies to help ensure that Florida maintains progressive economic development processes and rational regulatory regimes. In 2001, Commissioner Davidson was recruited by the Florida House of Representatives to launch the State's first-ever Committee on Information Technology. He serves ex officio as a member of the board of directors of ITFlorida, a statewide not-for-profit organization that is focused on developing sound technology-related public policy. From 1993 to 1999, Commissioner Davidson was an attorney resident in the New York Office of Baker & McKenzie. In 1999, he joined the New York Office of Duane Morris with other attorneys from Baker & McKenzie to form a new international dispute resolution practice group. In his practice, Davidson was responsible for an array of regulatory, commercial, international, and technology matters in the United States and abroad. His work included multi-jurisdiction antitrust disputes, compliance proceedings before the Department of Justice and the Securities & Exchange Commission, complex commercial dispute resolution, and international technology disputes. His work also included international commercial claims against the Government of Iran and the Government of Iraq. Commissioner Davidson has handled an array of domestic and international arbitrations and mediations. While in New York, Davidson served as Special Professor of Law at Hofstra University School of Law. A Phi Beta Kappa graduate, Commissioner Davidson holds a Masters of Law in Trade Regulation from New York University. He also holds a Masters in International Business from Columbia University. Davidson received his baccalaureate and juris doctorate degrees from the University of Florida.

Consumer Statements at PSC Meetings

The Commissioners are interested in what consumers have to say about Environmental Protection Systems of Pine Island, Inc.'s application for a staff-assisted rate case in Lee County. The main purpose of this meeting is to receive comments from the public.

Anyone may make a statement, and speaking is an effective way to let the Commissioners know how you feel about the case under review. Those consumers who wish to speak should arrive early. The meeting will begin as scheduled and continue until all the consumers have been heard.

At the beginning of the meeting, procedures will be set up to establish an order for comments. PSC staff will have sign-up sheets, and consumers will be called in the order of those sheets. PSC staff will be available to coordinate consumer comments and assist members of the public.

Any person who wishes to comment or provide information to the PSC staff, orally or in writing, may do so at the meeting. Written comments also may be sent to: Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Letters will be placed in the correspondence file of this docket (Docket No. 030106-SU). Although a comment form is attached to this Special Report, consumers may also call the PSC's toll-free number, **1-800-342-3552**, or dial **1-800-511-0809** to fax.

Any person who is unable to attend and who wishes to obtain a copy of the recommendation or the order may do so by writing to: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

What Is a Staff-Assisted Rate Case?

Many of the water and wastewater utilities located throughout the state are very small and do not have employees with the financial and engineering expertise to develop the minimum filing requirements required for a rate case. Because of their size, it is also not economically feasible for them to hire outside engineers, accountants and attorneys to compile the necessary information without great expense, which may be passed on to customers.

For this reason, the PSC developed a "staff-assisted" rate case program in which small utilities with annual water or wastewater revenues under \$150,000, can request that the PSC staff develop the information for the rate cases. The primary purpose of this type of program is to avoid passing on to the customer, through higher rates, substantial costs of having outside consultants develop rate case data. In a staff-assisted rate case, the PSC staff audits the utility's books and carefully reviews expenditures and operations. PSC engineers and accountants make on-site investigations of the company's operations and service. The PSC staff then prepares an accounting report. After considering the testimony of customers from a customer meeting, a recommendation on rates is prepared and scheduled for a regular Commission Agenda Conference.

Florida Public Service Commission

Bureau of **Consumer Outreach**

2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 184
Tallahassee, Florida 32399-0850

The Public Service Commission's Bureau of Consumer Outreach provides a staff of information specialists who are available to answer questions from Florida consumers.

To reach a PSC consumer representative, please call the Bureau of Consumer Outreach during business hours at (850) 413-6100, or send a fax to 1-800-511-0809. See the PSC's Internet home page at www.floridapsc.com.

MONTHLY RATES / WASTEWATER**RESIDENTIAL SERVICE**

	Existing Rates	Staff's Preliminary Rates
Base Facility Charge		
Meter Size:		
All Meter Sizes	\$ 12.79	\$ 22.96
Gallonge Charge		
Per 1,000 Gallons	N/A	\$ 8.21

GENERAL SERVICE

Base Facility Charge		
Meter Size:		
5/8" x 3/4"	N/A	\$ 22.96
3/4"	N/A	\$ 34.44
1"	N/A	\$ 57.40
1-1/2"	N/A	\$ 114.80
2"	\$ 46.76	\$ 183.68
3"	N/A	\$ 367.36
4"	N/A	\$ 573.99
6"	N/A	\$ 1,147.99
Gallonge Charge		
Per 1,000 Gallons	\$ 3.26	\$ 9.85

SERVICE AVAILABILITY CHARGES

Customer Connection Charge	Existing Charge	Preliminary Recommended Charge
Home Sites All Meter Sizes	\$ 110.00	\$ 1,388.00
RV Sites	N/A	\$ 694.00

MISCELLANEOUS SERVICE CHARGES

Description	Staff's Preliminary Recommended Charge
Initial Connection	\$ 15.00
Normal Reconnection	\$ 15.00
Violation Reconnection	Actual Cost
Premises Visit (in lieu of disconnection)	\$ 10.00

CUSTOMER DEPOSITS

RESIDENTIAL SERVICE

Meter Size	Existing Deposit	Staff's Preliminary Deposit
All Meter Sizes	N/A	\$ 80.00

GENERAL SERVICE

Meter Size	Existing Deposit	Staff's Preliminary Deposit
All Meter Sizes	N/A	2 X Average Bill

LATE PAYMENT FEE

Existing Charge	Staff's Preliminary Recommended Charge
N/A	\$ 5.00

STAMP

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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