BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a staff-) DOCKET NO. 931056-WS assisted rate case in Marion) ORDER NO. PSC-94-0744-FOF-WS County by ASTOR WEST, INC.) ISSUED: June 16, 1994

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman SUSAN F. CLARK JULIA L. JOHNSON DIANE K. KIESLING

ORDER GRANTING TEMPORARY RATES IN THE EVENT OF PROTEST

AND

NOTICE OF PROPOSED AGENCY ACTION ORDER ESTABLISHING RATES AND CHARGES

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein, except for the granting of temporary rates, subject to refund, in the event of protest, is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

Astor West, Inc. (AWI or utility), is a Class C water and wastewater facility located in Marion County. AWI served 192 water and 37 wastewater customers during its test year. AWI provides service to the Rio Vista, Rio Vista Estates, Rio Vista 1st Edition, and Glenwood subdivisions, which are a mixture of single family homes and mobile homes. The service area is located in Marion County, close to the Rainbow River near Dunnellon.

AWI was organized in 1972 and was certificated shortly after we were given jurisdiction over Marion County in 1981. By Order No. 11336, issued November 18, 1982, we granted AWI Certificates Nos. 378-W and 325-S for water and wastewater, respectively, and set the original rates and charges. In recent years, AWI has been ordered to show cause for failure to comply with its 1984, 1986,

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and 1990 annual report requirements. AWI has since complied and therefore has become current with their annual reports through 1993. The owner of AWI died in 1992 and, his estate, which includes AWI, has been administered by a trustee.

AWI has not had a rate increase since it received its certification over 11 years ago. The previous owner essentially used the utility as a tax write-off. On November 2, 1993, AWI applied for a staff-assisted rate case (SARC) and included in its application a request for an emergency rate increase. In Order No. PSC-93-1844-FOF-WS, issued December 28, 1993, we granted AWI an emergency rate increase, thereby allowing AWI to recover its operation and maintenance costs, along with its related regulatory assessment fees, until a final examination of rates could be completed within the scope of this SARC.

AWI paid the appropriate filing fee for this case, and we set January 2, 1994, as the official filing date. Our staff audited AWI's records for compliance with the Commission's rules and orders, and we have determined all components necessary for ratesetting. Our staff engineer also conducted a field investigation of AWI's water and wastewater plants and its service area. We also review of AWI's operation expenses, maps, files, and rate application has also been done to obtain information about AWI's physical plant and its operating costs.

We selected a historical test year ended December 31, 1993. During that period, AWI's books reflected unaudited operating revenues of \$17,175 for water and \$5,443 for wastewater. AWI recorded unaudited net operating losses of \$7,736 for water and \$3,978 for wastewater during the same period.

Water use in the AWI's service area is under the jurisdiction of the Southwest Florida Water Management District. We notified the management district that AWI had filed for a change in its rates. However, since the water management district has not placed any special water use conditions on the permit that it issued to AWI, we do not find it necessary to place any restrictions on AWI in order to promote conservation for these area.

On April 20, 1994, our staff held a customer meeting in AWI's service area. Eleven customers attended the meeting and three customers talked about AWI's quality of service.

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QUALITY OF SERVICE

As stated earlier, on April 20, 1994, our staff held a customer meeting in Dunnellon, Florida, Of the eleven customers who attended the customer meeting, three customers talked about AWI's quality of service. Those three customers, along with another customer who had previously written us, complained about AWI's low or inconsistent water pressure.

Our staff reviewed the customers' complaints and found that the customers live near each other, which indicated that the pressure problems were isolated to one area of AWI's distribution system. AWI checked the pressure and found it to be equal to or above the required 20 pounds per square inch (psi). Everyone agreed that the water pressure was poor in one area; so, AWI voluntarily raised its water pressure an additional 5 psi. New meters are being installed to replace the older ones that we suspect may have caused some flow restriction as a result of sediment accretion. There had been no previous complaints, and AWI stated that it did not know about the low or inconsistent water pressure. AWI has assured us that it will do everything possible, within reason, to keep the water pressure at a proper lever. The customers should see some improvement in their water pressure as a result of the increased water pressure and the replacement of the older meters. Based on the above discussion, we find that AWI has properly addressed its problem of improper water pressure.

In addition to the problem of low or inconsistent water pressure, two customers said that their water quality had declined, specifically in taste and purity. However, a third customer stated that the taste and purity of the water that he received was The customer who had previously written us generally good. complained about the collection of black residues on his toilet fixtures. We investigated the customer's complaint, but we did not find any problem. All water standards are being met, and the water While it has not been considered is safe for consumption. excessive, abnormal amounts of manganese have been found in the Black residues will collect on fixtures that are not water. This black residue does not create a health risk, routinely used. and it can be corrected with routine use of the fixtures. AWI has advised the customer to use his fixtures more often. Since we do not find the collection of black residue on the water fixtures to be a serious problem, we will not order any further adjustments.

Another customer complained that he could not contact AWI by telephone. We have reviewed the customer's complaint, and we find that AWI can be adequately contacted by using the telephone number that AWI has printed on its billing statement and, further, that

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the telephone number can be used after business hours for emergencies. We find that AWI's telephone system is adequate.

We find that AWI has properly addressed all the problems that have been presented to it. AWI's customers have expressed general satisfaction with AWI's quality of service, and further, AWI has worked diligently to comply with all state and local health requirements, including its wastewater pro forma plant improvements. Therefore, based on the above discussion, we find that AWI's quality of service is satisfactory.

RATE BASE

Our Calculations of rate base are depicted on Schedule 1 for water and 1-A for wastewater, with our adjustments itemized in Schedule 1-C. The following discussion highlights our major findings and adjustments.

Used and Useful

Water Treatment Plant

The designed capacity of the water treatment plant is 240,000 gallons per day (gpd). The maximum daily flow during the test year was 90,600 gpd. There was no allowance made for margin reserve since a regression analysis indicated a negative growth rate. We determined in the last rate case that the water treatment facility Calculations in the present case was 100% used and useful. indicate that Account No. 307, Wells and Springs, is 37% used and The difference results from the well capacity being useful. increased from 100 gallons per minute (gpm) to its present capacity of 250 gpm. All other plant components have remained unchanged Accordingly, we find that Account No. 307 is 37% over the years. used and useful and the remaining water treatment plant accounts are 100% used and useful.

Wastewater Treatment Plant

The wastewater treatment plant has a treatment capacity of 25,000 gpd. The average daily flow of the peak usage month during the test year was 6,000 gpd. We did not consider an allowance for margin reserve because a regression analysis indicated an insignificant growth rate. Calculations indicate that the wastewater treatment plant is 24% used and useful. In the previous rate case, we found this facility to be 52% used and useful based on estimated flows. In this case, we believe that it is more realistic to use the collection system connection data, rather than actual flows, because there will probably be no additional

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connections beyond the 55 connections that were originally designed for this development. Since there is no room for expansion, this facility will reach its connection capacity long before it reaches its flow capacity. Accordingly, using the methodology described for determining the used and useful percentage for the collection system, we find that the wastewater treatment facility is 66% used and useful.

Water Distribution and Wastewater Collection Systems

The water distribution system has the capacity to serve 245 equivalent residential connections (ERCs). The number of test-year ERCs was 192.5. With no connections added for margin reserve considerations, we find that the water distribution system is 79% used and useful. The wastewater collection system has the capacity to serve 55 ERCs. The number of test-year's ERCs was 36.5. With no connections added for margin reserve considerations, we find that the wastewater collection system is 66% used and useful.

Test Year Rate Base

AWI's rate base includes depreciable plant in service, plant held for future use, contributions-in-aid-of-construction (CIAC), accumulated depreciation, accumulated amortization of CIAC, and working capital allowance. Pursuant to Order No. 11336, issued November 18, 1982, depreciable plant-in-service, plant-held-for future-use, and CIAC balances were determined as of November 30, 1981. We used the amounts set forth in Order 11336 and updated them for this case. Further adjustments were necessary to reflect test-year changes, used and useful determinations, and pro forma plant improvements. AWI has been held in trust since the death of its original owner. AWI's trustee has not kept a general ledger; accordingly, we used AWI's check registers and invoices to determine the appropriate adjustments. A discussion of each component follows.

Utility Plant in Service

AWI has two interconnected water treatment facilities (each with a well and a hydropneumatic tank), one percolation pond, a backup generator, and a 25,000 gpd wastewater treatment plant. In Order No. 11336, issued November 18, 1982, AWI's plant-in-service balances were \$80,903 for water and \$87,176 for wastewater. In addition to adjusting the plant to reflect the previously ordered balances, we made adjustments to reflect \$20,261 for water plant additions and \$31,546 for wastewater plant additions up to the test year. Test year additions for water, less water meter retirements, adjusted to reflect the average test year balances, total \$10,201.

Wastewater additions for the test year, adjusted to reflect the average test year balances, total \$6,207.

Pro forma wastewater plant adjustments total \$3,334. This amount includes \$1,986.57 for an irrigation system to dispose of effluent, and \$1,346.75 to replace and repair pipe work at the wastewater treatment plant. AWI has had problems with the capacity of its percolation pond. To alleviate this problem, AWI has removed excess vegetation near the pond, and it has installed a circulation fountain system. AWI has obtained a construction permit from the Department of Environmental Protection (DEP) to modify its effluent disposal system. One alternative is that AWI can install spray irrigation equipment to spray the property surrounding the pond with the treated effluent. The wastewater treatment facility has also had problems with nitrate removal. AWI needs to adjust the air supply and wastewater flows at different locations in the plant.

We believe that it is appropriate to require AWI to make the improvements listed above. These improvements will enable AWI to meet DEP's requirements. Accordingly, we shall hold this docket open for six months from the effective date of this Order so that staff can verify completion of the pro forma plant improvements.

Based on the above, we find that the total plant in service is \$111,364 for water and \$128,262 for wastewater to be appropriate.

Land

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We did not assign any land value in Order No. 11336, and we will not assign any land value now. Our investigation shows that AWI received its land as a result of an intercompany transfer, and it has not assigned any value to the land.

Plant Held for Future Use

Plant held for future use has been calculited based on the non-used and useful percentages of plant net of accumulated depreciation. We find the appropriate reductions to rate base to be \$10,576 for water and \$17,234 for wastewater.

Contributions-in Aid-of-Construction (CIAC)

The CIAC balances reflected in Order No. 11336 were \$15,535 for water and \$17,651 for wastewater. In Order No. 11336, wastewater CIAC had been imputed to reflect 80% capacity. AWI still has not reached 80% capacity; therefore, we will not imput CIAC for this case, resulting in a reduction to wastewater CIAC of

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\$11,026. We have added all actual additions to CIAC, up to the test-year (\$7,500 for water and \$6,000 for wastewater), plus the average test-year balance of test-year additions (\$150 for water and \$600 for wastewater). Based on the above, we find that the appropriate total CIAC is \$23,185 for water and \$13,225 for wastewater.

Accumulated Depreciation

The accumulated depreciation balances reflected in Order No. 11336 were \$26,067 for water and \$42,687 for wastewater. Additions up to the test year have totaled \$25,875 for water and \$26,533 for wastewater. Water additions for the test year, less retirement of meters, adjusted to reflect the average test year balances, total \$1,944. Test-year additions for wastewater, adjusted to reflect the average test-year balances, total \$2,549. Consistent with this Commission's practice, we calculated accumulated depreciation using a rate of 2.5% up to the test year, and those rates prescribed by Rule 25-30.140, Florida Administrative Code, for the test year. In addition, we have added one year of pro forma plant depreciation, or \$222, for wastewater, to reach the total amounts of \$53,886 for water and \$71,991 for wastewater.

Accumulated Amortization of CIAC

In Order No. 11336, the accumulated amortization balances reflected were \$1,833 for water and \$2,199 for wastewater. In order to be consistent with our adjustment to eliminate the imputation of CIAC, we have reduced accumulated amortization of CIAC by \$1,341. Additions up to the test year total \$5,299 for water and \$2,782 for wastewater. Test-year additions to accumulated amortization, adjusted to reflect the average test-year balances, total \$412 for water and \$288 for wastewater. Amortization of CIAC has been calculated using a rate of 2.5% prior to the test year and the composite rate during the test year. Accordingly, we find that the appropriate total balances of accumulated amortization of CIAC are \$7,544 for water and \$3,928 for wastewater.

Working Capital Allowance

Pursuant to Rule 25-30.443, Florida Administrative Code, we have used the one-eighth of operation and maintenance expense formula approach for calculating working capital allowance. Applying this formula, we find that a working capital allowance of \$3,269 for water and \$922 for wastewater (based on O&M of \$26,149 for water and \$7,377 for wastewater) is appropriate.

Rate Base

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Based on the foregoing, we find that the appropriate balance of test-year rate base is \$34,530 for water and \$30,662 for wastewater.

CAPITAL STRUCTURE

Our calculations of AWI's capital structure are depicted on Schedule No. 2. Based on our staff audit, AWI's capital structure includes mostly long-term debt, with interest rates ranging from 4% to 12%. Pursuant to Order No. PSC-93-1107-FOF-WS, issued July 29, 1993, the test-year average equity ratio yields a return of 8.81% when the current leverage formula, approved in that order, is used. Applying the weighted-average method to the total capital structure yields an overall rate-of-return of 7.34% with a range from 7.32% to 7.35%. AWI's test-year average equity and debt balances have been adjusted down on a pro rata basis to match its total rate base.

NET OPERATING INCOME

AWI's net operating income is shown on Schedules Nos. 3 and 3-A for water and wastewater, respectively, with our adjustments on Schedule 3-B. The major items and adjustments are discussed below.

Test Year Operating Revenue

AWI recorded water system revenues of \$17,175 and wastewater system revenues of \$5,443 during the test period. A revenue check shows that AWI charges its approved rates and that the customers have been correctly billed.

Operating Expenses

AWI recorded operating expenses of \$24,911 for water and \$9,421 for wastewater. These expenses include operation and maintenance (O&M) expenses, depreciation expense (net of related amortization of CIAC), and taxes other than income taxes.

We have traced AWI's test-year operating expenses to its invoices. We have also made adjustments to reflect unrecorded test-year expenses and to reflect allowances for plant operations.

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Operation and Maintenance Expenses

AWI charged \$21,863 for water O&M and \$9,152 for wastewater O&M during the test year. Explanations of AWI's recorded expenses and our allowances follow:

1) <u>Purchased Power</u> - AWI recorded purchased power expense of \$2,048 for water and \$2,163 for wastewater during the test year. This expense has been reduced by \$70 each for water and wastewater to remove non-utility lighting expenses.

2) <u>Materials and Supplies</u> - AWI did not record any expenses in this account; however, AWI's level of unaccounted-for water is 21.26%. Since there do not appear to be any significant leaks in its system, this level probably represents the improper reporting of older meters. We have therefore, included a pro forma water expense of \$900 to cover the replacement of 15 meters each year.

3) <u>Contractual Services</u> - AWI recorded contractual services expenses of \$18,771 for water and \$5,124 for wastewater during the test year. We have reduced the wastewater contractual amount by \$2,200 in order to reflect amortization of engineering expenses associated with obtaining a wastewater treatment plant operating permit. We have also added \$1,200 to the wastewater account to reflect an annual allowance to remove vegetation in the percolation pond. During the test year, AWI incurred laboratory testing costs related to potable water for primary inorganic, primary organic, and secondary chemicals at a cost of \$548. Because DEP requires this series of testing every three years, we have allowed a yearly amount of \$182.67 (\$548/3) for contractual services. AWI has also shown that, in 1994, it will spend approximately \$6,370 for mandatory DEP water testing. We have, therefore, also allowed an amortized expense of \$2,068 for laboratory testing. These adjustments result in a total increase to water contractual services of \$1,703 (\$2,068 - \$365 amortization of existing tests).

4) <u>Insurance Expense</u> - AWI did not record any expense in this account during the test year. We have added pro forma expenses of \$1,866 for water and \$207 for wastewater for liability insurance based on the actual cost of insurance paid on January 13, 1994, after the test year ended.

5) <u>Regulatory Commission Expense</u> - AWI recorded a \$150 SARC filing fee for each system in this account. We have reduced this amount by \$113 per system to reflect the amortization of the filing fee over four years.

6) <u>Miscellaneous Expense</u> - AWI recorded \$1000 as the fee for renewal of its wastewater plant operating permit in this account. In accordance with Rule 25.30.433(P), Florida Administrative Code, we have reduced this amount by \$800 to reflect its amortization over five years.

Depreciation Expense

AWI did not record any depreciation expense. Applying the prescribed depreciation rates to the appropriate used and useful plant-in-service account balances, and then offsetting that by applying the composite depreciation rates to the appropriate CIAC account balances, yields the appropriate depreciation expenses net of CIAC of \$3,183 for water and \$3,234 for wastewater.

Taxes Other Than Income

AWI recorded \$3,049 for water and \$269 for wastewater in this account. We have increased these amounts by \$47 for water and \$85 for wastewater to reflect the 4.5% regulatory assessment fee applicable to the test-year revenues. We have also increased these amounts by \$838 for water and \$366 for wastewater to reflect the increase in revenues approved herein.

REVENUE REQUIREMENT

Based upon the adjustments discussed above, we find it appropriate to increase revenues by \$18,623 (108.4%) for water and \$8,138 (149.5%) for wastewater. These annual revenues will allow AWI to recover its expenses and give it the opportunity to earn a 7.34% return on its investment.

RATES AND RATE STRUCTURE

We have calculated a base facility/gallonage charge rate structure for water and wastewater service based on test-year data. This is our preferred rate structure, because it is designed to provide for the equitable sharing by the rate-payers of both the fixed and variable costs of providing service. The fixed costs of providing service are recovered through the base facility charge, while the variable costs are recovered through the gallonage charge.

The rates approved hereunder are designed to produce total annual revenues of \$35,798 for water and \$13,581 for wastewater. These approved rates will be effective for service rendered on or after the stamped approval date on AWI's revised tariff sheets pursuant to Rule 25-30.475(1), Florida Administrative Code. The

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rates may not be implemented until proper notice has been received by the customers. AWI shall provide proof of the date notice was given no later than 10 days after the date of the notice.

If the effective date of the new rates falls within a regular billing cycle, the initial bills at the new rate may be pro-rated. The old charge shall be pro-rated based on the number of days in the billing cycle before the effective date of the new rates. The new charge shall be pro-rated based on the number of days in the billing cycle on or after the effective date of the new rates. In no event shall the rates be effective for service rendered prior to the stamped approval date.

The following is a schedules of AWI's previously approved rates and the rates approved herein. This schedule includes the rates in effect prior to the effective date of the emergency rates approved in Order No. PSC-93-1844-FOF-WS, issued December 28, 1993.

MONTHLY WATER RATES GENERAL AND RESIDENTIAL SERVICE

Base Facility Charge

<u>Meter Size</u> 5/8"x3/4" 3/4" 1" 1-1/2" 2" 3" 4" 6"	Rates Prior To Emergency <u>Rates</u> \$ 4.68	Current Approved Emergency <u>Rates</u> \$ 5.92	Commission's Approved Rates \$ 8.24 12.35 20.59 41.18 65.89 131.78 205.91 411.81
<u>Gallonage Charge,</u> per 1,000 gallons	\$ 0.46	\$ 0.58	\$ 1.22

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MONTHLY WASTEWATER RATES GENERAL AND RESIDENTIAL SERVICE

Base Facility Charg	<u>e</u> Rates Prior To Emergency	Current Approved Emergency	Commission's Approved
<u>Meter Size</u> 5/8"x3/4" 3/4" 1" 1-1/2" 2" 3" 4" 6"	<u>Rates</u> \$ 7.53	<u>Rates</u> \$ 12.98	Rates \$ 13.63 20.45 34.08 68.15 109.04 218.08 340.75 681.51
<u>Gallonage Charge,</u> <u>per 1,000 gallons</u> (6,000 gallon cap)	\$ 1.07	\$ 1.85	\$ 3.84

Applying the 1992 test-year to those water customers with an average water consumption of 5,963.54 gallons per month per customer, we get the following rates for an average monthly water bill:

	Average Monthly Bill Prior to Emergency Rates	Average Monthly Bill Using Approved Rates	Percent Increase
Base Facility Charge	\$ 4.68	\$ 8.24	109%
Gallonage Charge	<u>\$ 2.74</u>	<u>\$ 7.28</u>	
Total	\$ 7.42	\$ 15.52	

Using the 37 test-year wastewater customers with an average wastewater use of 4,420.29 gallons per month per customer, an average residential monthly wastewater bill comparison will be as follows:

	Average Monthly Bill Prior to Emergency <u>Rates</u>	Average Monthly Bill Using Approved Rates	Percent <u>Increase</u>
Base Facility Charge	\$ 7.53	\$ 13.63	150%
Gallonage Charge	<u>\$ 4.73</u>	<u>\$ 16.97</u>	
Total	\$12.26	\$ 30.60	

Statutory Rate Reduction and Recovery Period

Under Section 367.0816, Florida Statutes, rate case expense is to be amortized over a four-year period, at the conclusion of which rates are to be reduced by the amounts attributable to rate case expense. Accordingly, at the conclusion of the four-year amortization period, revenues shall be reduced by a total of \$39 per system annually to remove rate case expense grossed-up for regulatory assessment fees. The effect of the revenue reduction results in rate decreases as shown on Schedules Nos. 4 and 4-A.

AWI shall file revised tariff sheets no later than one month prior to the actual date of the required rate reduction. AWI shall file a proposed customer notice setting forth the lower rates and the reason for the reduction.

If AWI files this reduction in conjunction with a price index or pass-through rate adjustment, separate data shall be filed for the price index and/or pass-through increase or decrease and the reduction in the rates due to the amortized rate case expense.

SERVICE AVAILABILITY CHARGES

The appropriate service availability charges are the existing water system capacity charge of \$150 and the wastewater system capacity charge of \$600 established in Order No. 11336.

AWI's historical growth has been approximately five water customers and one wastewater customer per year. Based on the slow historical growth pattern, AWI's wastewater plant will be fully depreciated before it has been built-out. The water plant will be built-out in four years and will have to be expanded to accommodate additional connections, and AWI has not said whether it intends to expand its plant in the future.

Rules 25-30.580 (1)(a) and (b), Florida Administrative Code, establish guidelines for maximum and minimum CIAC levels for jurisdictional utilities. We find it appropriate to retain AWI's current water system capacity charge of \$150 and wastewater system capacity charge of \$600 which will not cause AWI's contribution to exceed the maximum 75% level.

MISCELLANEOUS SERVICE CHARGES

AWI's current tariff contains no provision for miscellaneous service charges. However, we find the following charges to be appropriate:

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	Water	Wastewater
Initial Connection	\$15.00	\$15.00
Normal Reconnection	\$15.00	\$15.00
Violation Reconnection	\$15.00	Actual Cost
Premises Visit (in lieu of disconnection)	\$10.00	\$10.00

The four types of miscellaneous service charges are:

- <u>Initial Connection</u>: This charge will be levied for initiation of service at a location where service did not previously exist.
- 2) <u>Normal Reconnection</u>: This charge will be levied for transfer of service to a new customer account at a location previously served, or reconnection of service subsequent to a customer's requested disconnection.
- 3) <u>Violation Reconnection</u>: This charge will be levied prior to reconnection of an existing customer after disconnection of service for cause in accordance with Rule 25-30.320(2), Florida Administration Code, including a delinguent bill payment.
- 4) <u>Premises Visit (in lieu of disconnection)</u>: This charge will be levied whenever a service representative visits a premises for the purpose of discontinuing service for non-payment of a due and collectible bill, but the service representative elects not to discontinue service either because the customer pays the service representative or the customer otherwise makes satisfactory arrangements to pay the bill.

These charges are designed to reflect more accurately the costs associated with each service and to place the burden of payment on the person who incurred the cost (the "cost causer"), rather than on the entire rate-paying body. Therefore, based on the above discussion, AWI shall submit revised tariff pages to incorporate the above charges.

TEMPORARY RATES IN THE EVENT OF PROTEST

This Order proposes an increase in water and wastewater rates. A timely protest might delay what appears to be a justified rate increase, resulting in an unrecoverable loss of revenue to AWI. Therefore, in the event of a protest filed by a party other than AWI, we order that the approved rates be issued as temporary rates.

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The approved temporary rates collected by AWI shall be subject to the refund provisions discussed below.

AWI shall be authorized to collect the temporary rates upon staff's approval of an appropriate form of security for any potential refund and a copy of the proposed customer notice. The security shall be in the form of a bond or a letter of credit in the amount of \$18,224. Alternatively, AWI could establish an escrow agreement with an independent financial institution.

If AWI chooses a bond as security, the bond shall contain wording to the effect that it will be terminated only under the following conditions:

- 1) The Commission approves the rate increase; or
- If the Commission denies the increase, the utility shall refund the amount collected that is attributable to the increase.

If AWI chooses a letter of credit as a security, it shall contain the following conditions:

- The letter of credit is irrevocable for the period it is in effect; and
- The letter of credit will be in effect until a final Commission order is rendered, either approving or denying the rate increase.

If security is provided through an escrow agreement, the following conditions shall be part of the agreement:

- No refunds in the escrow account may be withdrawn by the utility without the express approval of the Commission;
- 2) The escrow account shall be an interest bearing account;
- If a refund to the customers is required, all interest earned by the escrow account shall be distributed to the customers;
- If a refund to the customers is not required, the interest earned by the escrow account shall revert to the utility;
- All information on the escrow account shall be available from the holder of the escrow account to a Commission representative at all times;

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- 6) The amount of revenue subject to refund shall be deposited in the escrow account within seven days of receipt;
- 7) This escrow account is established by the direction of the Florida Public Service Commission for the purpose(s) set forth in its order requiring such account. Pursuant to <u>Cosentino v. Elson</u>, 263 So.2d 253 (Fla. 3d DCA 1972), escrow accounts are not subject to garnishments;
- The Director of Records and Reporting must be a signatory to the escrow agreement.

In no instance shall the maintenance and administration costs associated with the refund be borne by the customers. These costs are the responsibility of, and should be borne by, AWI. Irrespective of the form of security chosen by AWI, an account of all monies received as result of the rate increase shall be maintained by AWI. This account must specify by whom and on whose behalf such monies were paid. If a refund is ultimately required, it shall be paid with interest calculated pursuant to Rule 25-30.360(4), Florida Administrative Code.

AWI shall maintain a record of the amount of the appropriate security, and the amount of revenues that are subject to refund. In addition, after the increased rates are in effect, AWI shall file reports with the Division of Water and Wastewater no later than 20 days after each monthly billing. These reports shall indicate the monthly and total amounts of revenues collected under the increased rates.

Conformity with 1984 NARUC Uniform System of Accounts

During the test year, AWI did not keep its books in conformity with the Uniform System of Accounts (USOA). Paragraph (1) of Rule 25-30.115, Florida Administrative Code, entitled "Uniform System of Accounts for Water and Sewer Utilities", states:

> Water and Sewer Utilities shall, effective January 1, 1986, maintain its [sic] accounts and records in conformity with the 1984 NARUC Uniform System of Accounts adopted by the National Association of Regulatory Utility Commissioners.

We find that AWI has the expertise to convert and maintain its records in conformity with Rule 25-30.115, Florida Administrative Code. Therefore, AWI shall convert and maintain its books and

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records in conformity with the 1984 NARUC Uniform System of Accounts.

This docket shall remain open at least six months from the effective date of the Order so that the staff may verify that pro forma plant improvements have been completed. After AWI has completed the requirements ordered by the Commission and DEP and after AWI has submitted and has had approved revised tariff sheets reflecting the new rates, this docket may be closed administratively. However, if AWI fails to complete the pro forma plant improvements as scheduled, staff will prepare a follow-up recommendation and we may initiate show cause proceedings against AWI.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the application of Astor West, Inc., for an increase in its water and wastewater rates in Marion County is hereby approved as set forth in the body of this Order. It is further

ORDERED that Astor West, Inc., is authorized to charge the new rates and charges as set forth in the body of this Order. It is further

ORDERED that each of the findings made in the body of this Order are by reference incorporated herein. It is further

ORDERED that all of the matters contained in the schedules attached hereto are by reference incorporated herein. It is further

ORDERED that these approved rates will be effective for service rendered on or after the stamped approval date on the revised tariff sheets. The revised tariff sheets will be approved upon Staff's verification that the tariff sheets are consistent with the Commission's decision, that the proposed customer notice is adequate, and any required security is provided. In no event shall the rates be effective for services rendered prior to the stamped approval date. It is further

ORDERED that, prior to the implementation of the approved rates and charges, Astor West, Inc., shall submit and have approved a proposed notice of the increased rates and charges and the reasons therefor, which shall be provided to its customers no later than with the first billing under the rates approved herein. The notice will be approved upon Staff's verification that it is consistent with our decision. Astor West, Inc., shall provide

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proof of the date notice was given no later than 10 days after the date of the notice. It is further

ORDERED that all pro forma plant improvements herein ordered shall be completed within six months of the date of this Order. It is further

ORDERED that all provisions of this Order, except for the granting of temporary rates in the event of protest, subject to refund, are issued as proposed agency action and shall become final, unless an appropriate petition in the form provided by Rule 25-22.029, Florida Administration Code, is received by the Director of the Division of Records and Reporting at 101 East Gaines Street, Tallahassee, Florida 32399-0807, by the date set forth in the Notice of Further Proceedings or Judicial Review. It is further

ORDERED that, pursuant to Section 367.0816, Florida Statutes, the revenues approved herein shall be reduced by a total of \$39 per system annually to reflect the removal of rate case expense grossed up for regulatory fees immediately upon expiration of the four-year amortization period. Astor West, Inc., shall file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than thirty days prior to the expiration of the four-year amortization period. It is further

ORDERED that the miscellaneous service charges approved herein shall be effective for service rendered on or after the stamped approval date on its revised tariff sheets. It is further

ORDERED that Astor West, Inc., shall bring its books and records into and henceforth maintain them in conformity with the 1984 NARUC Uniform System of Accounts. It is further

ORDERED that, pursuant to Rule 25-30.360, Florida Administrative Code, in the event of a protest by any substantially affected person other than the utility, Astor West, Inc., is authorized to collect the approved rates on a temporary basis, subject to refund, provided that Astor West, Inc., has furnished satisfactory security for any potential refund. It is further

ORDERED that this docket shall remain open so that Staff may verify that the pro forma plant improvements have been completed. Upon Staff's verification that Astor West, Inc., has complied with this Order in all respects, this docket may be closed administratively.

By ORDER of the Florida Public Service Commission, this <u>16th</u> day of <u>June</u>, <u>1994</u>.

BLANCA S. BAYÓ, Director Division of Records and Reporting

by: Kay Jugar Chief, Buread of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 7, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it

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satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

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ASTOR WEST, INC. SCHEDULE OF WATER RATE BASE TEST YEAR ENDING DECEMBER 31, 1993	SCHEDULE NO. 1 DOCKET NO. 931056-WS
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		TEST YEAR PER UTILITY	COMM. ADJUST. TO UTIL. BAL.	BALANCE PER COMM
UTILITY PLANT IN SERVICE	\$	0	\$ 111,364 A \$	111,364
LAND/NON-DEPRECIABLE ASSETS		0	0	0
PLANT HELD FOR FUTURE USE		0	(10,576)B	(10,576)
ACQUISITION ADJUSTMENT		0	0	0
CWIP		0	0	0
CIAC		0	(23,185)C	(23,185)
ACCUMULATED DEPRECIATION		0	(53,886)D	(53,886)
AMORTIZATION OF ACQUISITION ADJUSTMEN	١T	0	0	0
AMORTIZATION OF CIAC		0	7,544 E	7,544
WORKING CAPITAL ALLOWANCE		0	3,269 F	3,269
WATER RATE BASE	\$	0	\$ 34,530 \$	34,530

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ASTOR WEST, INC. SCHEDULE OF WASTEWATER RATE BASE TEST YEAR ENDING DECEMBER 31, 1993	SCHEDULE NO. 1-A DOCKET NO. 931056-WS
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		TEST YEAR		ADJUST. 1L. BAL.	 ALANCE R COMM
UTILITY PLANT IN SERVICE	\$	0\$	\$	128,262 A	\$ 128,262
LAND/NON-DEPRECIABLE ASSETS		0		0	0
PLANT HELD FOR FUTURE USE		0		(17,234)B	(17,234)
ACQUISITION ADJUSTMENT		0		0	0
CWIP		0		0	0
CIAC		0		(13,225)C	(13,225)
ACCUMULATED DEPRECIATION		0		(71,991)D	(71,991)
AMORTIZATION OF ACQUISITION ADJUSTMEN	ΙT	0		0	0
AMORTIZATION OF CIAC		0		3,928 E	3,928
WORKING CAPITAL ALLOWANCE		0	17 <u></u>	922 F	 922
WASTEWATER RATE BASE	\$	0	\$	30,662	\$ 30,662

AD.	OR WEST, INC. USTMENTS TO RATE BASE T YEAR ENDING DECEMBER 31, 1993	SCHEDULE NO. 1- DOCKET NO. 93105	
Α.	UTILITY PLANT IN SERVICE	WATER	WASTEWATER
	 To reflect plant at 11/30/81 per Order No. 11336 To reflect plant additions to 12/31/92 To add test year additions less meter retirements To reflect averaging adjustment To reflect pro forma plant additions 	\$ 80,903 20,261 20,401 (10,201) \$ 111,364	\$ 87,176 31,546 12,413 (6,207) 3,334 \$ 128,262
В.	PLANT HELD FOR FUTURE USE		
	 To reflect average non-used and useful plant To reflect average non-used and useful accumulated depreciation 	(24,146) 13,570 \$ (10,576)	(39,720) 22,486 \$(17,234)
C.	CONTRIBUTIONS IN AID OF CONSTRUCTION		
	 To reflect CIAC at 11/30/81 per Order No. 11336 To remove imputation to 80% capacity in Order No. 11336 To reflect additions to 12/31/92 To reflect test year additions To reflect averaging adjustment 	(15,535) (7,500) (300) <u>150</u> \$ <u>(23,185)</u>	(17,651) 11,026 (6,000) (1,200) <u>600</u> \$ (13,225)
D.	ACCUMULATED DEPRECIATION		
	 To reflect accumulated depreciation at 11/30/81 per Order No. 11336 To reflect additions to 12/31/92 To reflect test year additions less retirements To reflect averaging adjustment To reflect 1 year depreciation for pro forma 	(26,067) (25,875) (3,888) 1,944 \$(53,886)	(42,687) (26,533) (5,098) 2,549 (222) \$ (71,991)
E.	AMORTIZATION OF CIAC		
	 To reflect amortization of CIAC at 11/30/81 per Order No. 11336 To remove imputation to 80% capacity in Order No. 11336 To reflect additions to 12/31/92 To reflect test year additions To reflect averaging adjustment 	1,833 5,299 823 (411) \$	2,199 (1,341) 2,782 575 (287) \$ 3,928
F.	WORKING CAPITAL ALLOWANCE		
	1. To reflect 1/8 of operation and maintenance expenses	\$3,269_	\$922

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ASTOR WEST, INC. SCHEDULE OF CAPITAL STRUCTURE TEST YEAR ENDING DECEMBER 31, 1993

SCHEDULE NO. 2 DOCKET NO. 931056-WS

	P	ER UTILITY	COMM. ADJUST. TO UTIL. BAL.	BALANCE PER COMM.	PERCENT OF TOTAL	COST	WEIGHTED COST
LONG-TERM DEBT	\$	229,500	\$ (203,026)	\$ 26,474	40.61%	4.00%	1.62%
LONG-TERM DEBT		8,295	(7,338)	957	1.47%	8.00%	0.12%
LONG TERM DEBT		216,667	(191,673)	24,994	38.34%	9.00%	3.45%
LONG-TERM DEBT		42,728	(37,800)	4,929	7.56%	10.00%	0.76%
LONG-TERM DEBT		58,000	(51,309)	6,691	10.26%	12.00%	1.23%
EQUITY		9,950	(8,802)	1,148	1.76%	8.81%	0.16%
PREFERRED STOCK		0	0	0	0.00%	0.00%	0.00%
OTHER		0	0	0	0.00%	0.00%	0.00%
TOTAL	\$	565,140	\$ (499,949) \$	65,192	100.00%		7.34%

RANGE OF REASONABLENESS	LOW	HIGH	
RETURN ON EQUITY	7.81%	9.81%	
OVERALL RATE OF RETURN	7.32%	7.35%	

ASTOR WEST, INC. SCHEDULE OF WATER OPERATING INCOME TEST YEAR ENDING DECEMBER 31, 1993

SCHEDULE NO. 3 DOCKET NO. 931056-WS

	TEST YEAR PER UTILITY	COMM. ADJ. TO UTILITY	COMM. ADJUSTED TEST YEAR	ADJUST. FOR INCREASE	TOTAL PER COMM
OPERATING REVENUES	\$17,175_	\$0	\$ 17,175	\$ <u>18,623</u> D	\$ 35,798
OPERATING EXPENSES:					
OPERATION AND MAINTENANCE	21,863	4,286	A 26,149	0	26,149
DEPRECIATION (NET)	0	3,183	B 3,183	0	3,183
AMORTIZATION	0	0	0	0	0
TAXES OTHER THAN INCOME	3,049	47	C 3,095	838 E	3,933
INCOME TAXES	0	0	0	0	0
TOTAL OPERATING EXPENSES	\$24,911	\$ 7,515	\$32,427_	\$ 838	\$ 33,265
OPERATING INCOME/(LOSS)	\$(7,736)		\$ (15,252)		\$ 2,533
WATER RATE BASE	\$0		\$34,530		\$34,530
RATE OF RETURN	N/A		-44.17%		7.34%

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ORDER NO.	PSC-94-0744-FOF-WS
DOCKET NO.	931056-WS
PAGE 26	

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ASTOR WEST, INC. SCHEDULE OF WASTEWATER OPERATING INCOME TEST YEAR ENDING DECEMBER 31, 1993

SCHEDULE NO. 3-A DOCKET NO. 931056-WS

	TEST YEAR PER UTILITY	COMM. ADJ. TO UTILITY		COMM. ADJUSTED TEST YEAR	ADJUST. FOR NCREASE	P	TOTAL ER COMM
OPERATING REVENUES	\$5,443	\$ 0	\$	5,443	\$ 8,138 D	\$	13,581
OPERATING EXPENSES:							
OPERATION AND MAINTENANCE	9,152	(1,775)	А	7,377	0		7,377
DEPRECIATION (NET)	0	3,234	В	3,234	0		3,234
AMORTIZATION	0	0		0	0		0
TAXES OTHER THAN INCOME	269	85	С	355	366 E		721
INCOME TAXES	0	0		0	0	-	0
TOTAL OPERATING EXPENSES	\$9,421	\$ 1,544	\$	10,965	\$ 366	\$_	11,332
OPERATING INCOME/(LOSS)	\$(3,978)		\$	5 (5,522)		\$_	2,249
WASTEWATER RATE BASE	\$0		\$	30,662		\$_	30,662
RATE OF RETURN	N/A			-18.01%		12	7.34%

ASTOR WEST, INC. ADJUSTMENTS TO OPERATING INCOME TEST YEAR ENDING DECEMBER 31, 1993

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SCHEDULE NO. 3-B DOCKET NO. 931056-WS

Α.	OPERATION AND MAINTENANCE EXPENSES	WATER	WASTEWATER
	 Purchased Power a. To reflect removal of non-utility lighting expense 	\$(70)	\$(70)
	 Materials and Supplies To reflect Commission approved annual meter replacements 	900	
	 Contractual Services a. To amortize STP operating permit renewal expenses over 5 years b. To add Commission approved perc pond vegetation removal expense c. To reflect Commission approved testing expense 	1,703	(2,200) 1,200 (1,000)
	 Insurance Expense a. To add pro forma liability insurance expense 	1,866	207
	 Regulatory Commission Expense a. To reflect rate case filing fee amortized over four years 	(113)	(113)
	 Miscellaneous To amortize STP operating permit fee over 5 years 		(800)
	TOTAL O & M ADJUSTMENTS	\$ 4,286	\$ (1,775)
Β.	DEPRECIATION EXPENSE		
	 To reflect Commission calculated test year depreciation expense net of non-used and useful depreciation and amortization of CIAC 	\$3,183	\$3,234
C.	TAXES OTHER THAN INCOME		
	1. To reflect appropriate regulatory assessment fee on test year revenue	\$47	\$85
D.	OPERATING REVENUES		
	1. To reflect Commission's approved increase in revenue	\$ 18,623	\$ 8,138
E.	TAXES OTHER THAN INCOME		
	 To reflect additional regulatory assessment fee associated with recommended revenue requirement 	\$ 838	\$366_

> SCHEDULE NO. 3-C DOCKET NO. 931056-WS

TOTAL COMM. TOTAL

ASTOR WEST, INC. ANALYSIS OF WATER OPERATION AND MAINTENANCE EXPENSE TEST YEAR ENDING DECEMBER 31, 1993

	P	ER UTIL.	 DJUST.	PER	COMM.
(601) SALARIES AND WAGES - EMPLOYEES	\$	0	\$ 0 \$	5	0
(603) SALARIES AND WAGES - OFFICERS		0	0		0
(604) EMPLOYEE PENSIONS AND BENEFITS		0	0		0
(610) PURCHASED WATER		0	0		0
(615) PURCHASED POWER		2,048	(70)[1]		1,978
(616) FUEL FOR POWER PRODUCTION		0	0		0
(618) CHEMICALS		640	0		640
(620) MATERIALS AND SUPPLIES		0	900 [2]		900
(630) CONTRACTUAL SERVICES		18,223	0		18,223
DEP REQUIRED TESTING		548	1,703 [3]		2,251
(640) RENTS		0	0		0
(650) TRANSPORTATION EXPENSE		0	0		0
(655) INSURANCE EXPENSE		0	1,866 [4]		1,866
(655) REGULATORY COMMISSION EXPENSE		150	(113)[5]		38
(670) BAD DEBT EXPENSE		0	0		0
(675) MISCELLANEOUS EXPENSES	_	254	 0		254
	\$	21,863	\$ 4,286	\$	26,149

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ASTOR WEST, INC. ANALYSIS OF WASTEWATER OPERATION AND MAINTENANCE EXPENSE TEST YEAR ENDING DECEMBER 31, 1993 SCHEDULE NO. 3-D DOCKET NO. 931056-WS

		TOTAL ER UTIL		COMM. DJUST.	OTAL R COMM.
(701) SALARIES AND WAGES - EMPLOYEES	\$	0	\$	0	\$ 0
(703) SALARIES AND WAGES - OFFICERS		0		0	0
(704) EMPLOYEE PENSIONS AND BENEFITS		0		0	0
(710) PURCHASED SEWAGE TREATMENT		0		0	0
(711) SLUDGE REMOVAL EXPENSE		520		0	520
(715) PURCHASED POWER		2,163		(70)[1]	2,093
(716) FUEL FOR POWER PRODUCTION		0		0	0
(718) CHEMICALS		71		0	71
(720) MATERIALS AND SUPPLIES		0		0	0
(720) MATERIALS AND SOFT LLCG (730) CONTRACTUAL SERVICES		5,124		(1,000)[3]	4,124
		0		0	0
(740) RENTS		0		0	0
(750) TRANSPORTATION EXPENSE		0		207 [4]	207
(755) INSURANCE EXPENSE		150		(113)[5]	38
(765) REGULATORY COMMISSION EXPENSES		0		0	0
(770) BAD DEBT EXPENSE (775) MISCELLANEOUS EXPENSES	- ti.	1,124	_	(800)[6]	 324
	\$	9,152	\$	(1,775)	\$ 7,377

COMMISSION APPROVED RATE REDUCTION SCHEDULE

ASTOR WEST, INC. TEST YEAR ENDING DECEMBER 31, 1993

SCHEDULE NO. 4 DOCKET NO. 931056-WS

CALCULATION OF RATE REDUCTION AMOUNT AFTER RECOVERY OF RATE CASE EXPENSE AMORTIZATION PERIOD OF FOUR YEARS

MONTHLY WATER RATES

RESIDENTIAL AND GENERAL SERVICE	COMMIS APPRO RATE	VED	RATE REDUCTION
BASE FACILITY CHARGE: Meter Size:			
5/8"X3/4" 3/4" 1" 1-1/2" 2" 3" 4" 6"	\$	8.24 12.35 20.59 41.18 65.89 131.78 205.91 411.81	0.01 0.02 0.05 0.07 0.15 0.23 0.46
RESIDENTIAL GALLONAGE CHARGE PER 1,000 GALLONS	\$	1.2.2	0.00

COMMISSION APPROVED RATE REDUCTION SCHEDULE

ASTOR WEST, INC. TEST YEAR ENDING DECEMBER 31, 1993 SCHEDULE NO. 4-A DOCKET NO. 931056-WS

AFTER RECOVERY OF RATE CASE EXPENSE AMORTIZATION PERIOD OF FOUR YEARS

MONTHLY WASTEWATER RATES

RESIDENTIAL AND GENERAL SERVICE	COMMISSION APPROVED RATES		RATE REDUCTION
BASE FACILITY CHARGE: Meter Size:			
5/8*X3/4* 1* 1-1/4* 1-1/2* 2* 3* 4* 6*	\$	13.63 20.45 34.08 68.15 109.04 218.08 340.75 681.51	0.04 0.06 0.10 0.20 0.32 0.64 1.00 2.00
RESIDENTIAL GALLONAGE CHARGE PER 1,000 GALLONS	\$	3.84	0.01
GENERAL SERVICE GALLONAGE CHARGE PER 1,000 GALLONS	\$	4.60	0.00