

ORIGINAL FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of GULF UTILITY) COMPANY for an increase in ) Wastewater Rates, approval of a ) decrease in Water Rates and ) approval of service availability ) charges in Lee County, Florida )

Docket No. 960329-WS

In Re: Application for increase in) rates and service availability ) charges in Lee County by Gulf ) Utility Company )

Docket No. 960234-WS

Filed: April 21, 1997

MOTION TO SUPPLEMENT THE RECORD

Gulf Utility Company (Gulf) files this its motion to supplement the record in this proceeding, and states:

1. At the hearing in this docket reference was made to Lee County reducing its reclaimed water rate to \$.04 per 1,000/gal.

2. In fact, the Board of County Commissioners of Lee County took such action on April 2, 1997. The Board decided to reduce the reclaimed water rate to \$.04 per 1,000/gal. for the period from March 1, 1997 through May, 1998. The purpose of such action is to encourage the use of reclaimed water. Attached hereto is a copy of a letter from the Minutes Supervisor for the Board of County Commissioners, along with a copy of the Board's Minutes, which shows the passage by the Board of the reduction of the reclaimed water rate to \$.04 per 1,000/gal.

WHEREFORE, Gulf Utility Company moves that the Commission approve this Motion to Supplement the Record and receive Board of County Commissioners' Minutes into the record in this proceeding.

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FPSC-RECORDS/REPORTING

**Charlie Green**  
Clerk Of Circuit Court  
Lee County, Florida

April 15, 1997

Mr. James Moore  
Gulf Utility Company  
P. O. Box 350  
Estero, FL 33928

Dear Mr. Moore:

Attached you will find a copy of Page 182 of the Draft Minutes of the Board of County Commissioners Meeting of April 02, 1997.

The Minutes Office is unable to certify the Minutes of the Board of County Commissioners Meetings until after they are approved by the Board. Approval is requested only after outstanding documents have been received.

Since there are still outstanding documents for this Meeting, we cannot certify Minutes at this time. As of this date, no objection has been received to these Minutes as written.

We will be happy to provide a certified copy following Board approval should you so desire.

Sincerely,



Mary L. Armentrout  
Minutes Supervisor

Attachment

6. INDEPENDENT DIVISIONS

No requests received.

7. PUBLIC SERVICE DIVISIONS

- (a) Request Board approve street name change of Orange River Boulevard to Lexington Avenue between Palm Beach Boulevard, west of I-75, and Lexington Avenue. This street name change is required to assist County forces and emergency response forces to identify the correct location of traffic crashes and other emergencies. This eliminates one of two intersections of Orange River Boulevard with Palm Beach Boulevard.

Commissioner Manning moved approval, seconded by Commissioner Albion, called and carried with Commissioner St. Cerny absent.

8. SOLID WASTE

No requests received.

9. TRANSPORTATION

- (a) Request Board approve Utility License Agreement and Underground Distribution Facilities Installation Agreement with Florida Power and Light Company for construction of Treeline Avenue from Alico Road to Corkscrew Road for a not-to-exceed cost of \$481,344.00. Florida Gulf Coast University and property owners along Treeline Avenue have requested the power line be installed underground rather than overhead. This action will allow the Florida Power and Light Company's facilities to be installed underground.

Commissioner Manning moved approval, seconded by Commissioner Albion, called and carried with Commissioner St. Cerny absent.

- (b) Request Board accept Easement Grant for a Bikepath/Walkway connecting County right-of-way to Lehigh Middle School and accept the Bikepath/Walkway for maintenance. This action provides the County with the right and authority to maintain an existing pedestrian walkway and conclusively establishes public right to use the existing Bikepath/Walkway traversing private residential property and leading to Lehigh Middle School. Costs, plus Recording Fees are \$989.21; Robert L. and Deirdre F. Waigand, owners.

PULLED FOR DISCUSSION

Commissioner Albion moved approval of this item, seconded by Commissioner Manning. Commissioner Albion thanked the Waigands for giving this Easement for a walkway to Lehigh Middle School. The motion was called and carried with Commissioner St. Cerny absent.

10. UTILITIES

- (a) Request Board approve the Low Demand Period Reclaimed Rate of \$0.04 per thousand gallons for reclaimed water used during the period from March 1, 1997, through May 31, 1998, to encourage use of the Fort Myers Beach Wastewater Treatment Plant (FMBWTP) reclaimed water by the reuse customers. This action is necessary to avoid possible discharge from the Fort Myers Beach Plant percolation pond system, and to further encourage cooperation and use of the reclaimed water, until a viable method of emergency disposal is available to prevent such discharges. This action lowers the reclaimed water rate which encourages the use of reclaimed water by the reuse customers.

PULLED FOR DISCUSSION

Since his family has property in this area, Commissioner Albion announced that he will be abstaining from voting on this item. Commissioner Manning moved approval of this item, seconded by Commissioner Judah, called and carried with Commissioner Albion abstaining and Commissioner St. Cerny absent.

- (b) Request Board approve Supplemental Task Authorization #1 to CN #97-02 with Hole Montes and Associates Inc., for the design of the Balla Road Collection System Improvements Project, CIP #7221. Engineering

DATED this 21st day of April, 1997.

Respectfully submitted,



B. Kenneth Gatlin  
Fla. Bar #0027966  
Gatlin, Schiefelbein & Cowdery  
1709-D Mahan Drive  
Tallahassee, Florida 32308  
(904) 877-5609

Attorneys for  
GULF UTILITY COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery to Ms. Maggie O'Sullivan, Esquire, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and by U.S. Mail to Mr. Stephen C. Reilly, Esquire, Office of Public Counsel, 111 W. Madison Street, Tallahassee, Florida 32399-1400, on this 21st day of April, 1997.



B. Kenneth Gatlin

ORIGINAL COPY

**GATLIN, SCHIEFELBEIN & COWDERY, P.A.**

**Attorneys at Law**

**The Mahan Station  
1709-D Mahan Drive  
Tallahassee, Florida 32308**

B. KENNETH GATLIN  
WAYNE L. SCHIEFELBEIN  
KATHRYN G. W. COWDERY

TELEPHONE (904) 877-5609  
TELECOPIER (904) 877-9031  
E-MAIL: bkgatlin@netally.com

April 21, 1997

**HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RE: Docket No. 960329-WS  
Application of GULF UTILITY COMPANY for  
an increase in Wastewater Rates, approval of a decrease in  
Water Rates and approval of Service Availability Charges in  
Lee County, Florida

Dear Ms. Bayo:

Enclosed for filing, on behalf of Gulf Utility Company, are an  
original and fifteen copies of a Motion to Supplement the Record.

Please acknowledge receipt of the foregoing by stamping the  
enclosed extra copy of this letter and return same to my attention.

Very truly yours,

B. Kenneth Gatlin

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
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BKG/met  
Enclosures

cc: Maggie O'Sullivan, Esq.  
Division of Legal Services  
Stephen C. Reilly, Office of Public Counsel

RECEIVED & FILED

FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

04021 APR 21 97

FPSC-RECORDS/REPORTING