

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

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09 SEP 20 AM 10:14
RECORDS AND REPORTING

DATE: SEPTEMBER 18, 2000

TO: MARY ANDREWS BANE, DEPUTY EXECUTIVE DIRECTOR/TECHNICAL

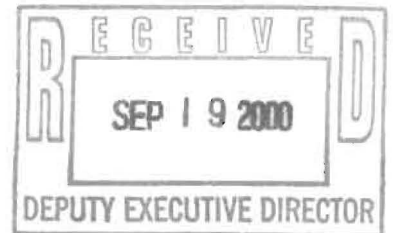
FROM: CATHERINE BEDELL, GENERAL COUNSEL *CB used*
 DIVISION OF REGULATORY OVERSIGHT (JOHNSON, REDEMANN) *PR RBM*
 DIVISION OF LEGAL SERVICES (BRUBAKER) *JB by used*

RE: DOCKET NO. 001219-WU - REQUEST FOR APPROVAL OF REVISIONS TO WATER TARIFF IN LEE COUNTY BY MHC-DEANZA FINANCING LIMITED PARTNERSHIP D/B/A BUCCANEER WATER SERVICE.
 COUNTY: LEE

The Office of General Counsel has requested that the language of page four of the above-referenced recommendation be revised to delete unnecessary and possibly confusing language. The substance of staff's recommendation is not affected in any way by the revisions. A copy of the revised page four is attached.

*OK
MAB
9/20/00*

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 Attachment
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DOCUMENT NUMBER-DATE
 11788 SEP 20 00
 FPSC-RECORDS/REPORTING

DOCKET NO. 001219-WU

DATE: SEPTEMBER 14, 2000

of the stated benefits of this arrangement is that in the event a disconnection is warranted, it would be accomplished through a less costly disconnection of water service rather than wastewater service. Another benefit to both Buccaneer and NFMU is that the customer has more incentive to pay a delinquent bill when both services are subject to disconnection, rather than just one service.

Staff has reviewed the filing and has considered the utility's proposed change to paragraph 17.0. ~~The cover letter included with the tariff filing states that it was filed to reflect the agreement made by the Buccaneer Estates Homeowners Association and MHC in the "Confidential Settlement Agreement". The Confidential Settlement Agreement was a separate settlement agreement relating to certain litigation between the Homeowners and the park owner, pursuant to Chapter 723, Florida Statutes, the execution of which was a condition precedent to the Commission's consideration of the mediated settlement in Docket No. 981781-SU.~~

The staff is recommending suspension of the tariff because for several reasons. ~~First, the staff has not been privy to the confidential settlement between MHC and the Buccaneer residents. Therefore, staff can not evaluate whether the tariff accurately codifies the settlement. Second, the unusual entire arrangement of a water company having the authority to discontinue water service for nonpayment of wastewater service provided by a non-related utility company is an unusual service arrangement, which merits further consideration and investigation. Therefore, the staff recommends the tariff be suspended pending further amplification and analysis by staff.~~