Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 040006-WS Date Docketed: 01/02/2004 Title: Water and wastewater industry annual reestablishment

of authorized range of return on common equity for water and wastewater utilities pursuant to Section

367.081(4)(f), F.S.

Company: Water and Wastewater Utilities

Expiration: Official Filing Date: Last Day to Suspend: MMS AUS CCA (ECR) **EXT GCL** PIF Referred to: ("()" indicates OPR) Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT Program Module A6(b) IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Staff Assignments Due Dates Current CASR revision level Previous Current OPR Staff 1. 2. 3. 4. 5. 6. 7. 8. Staff Counsel 9. 10. 11. **OCRs** 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. Recommended assignments for hearing 31. and/or deciding this case: 32. 33. Commission Panel Full Commission Full Commission
Hearing Examiner 34. Staff 35. Date filed with CCA: 36. 37. Initials: OPR 38. Staff Counsel 39.

			- Hear	ing (Officer	(s)	
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

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	- Prehearing Officer							
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				No.				
Approved:								

Assignments are as follows:

Section 3 - Chairman Completes

Section 1 - Bureau of Records and Hea g Services Completes

Declar No. 040000 NO. Deta Deducted 01/02/2004 Tiells No. 04/02/2004

Docket No. $\underline{040006\text{-WS}}$ Date Docketed: $\underline{01/02/2004}$ Title: Water and wastewater industry annual reestablishment

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Last Day to Sus	pend:									
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Hearing Examiner	Staff	34.								
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Date filed with	CCA: 01/08/2004	36								
Initials: OPR										
	Counsel	$$ $\begin{vmatrix} 38 \\ 39 \end{vmatrix}$. $$		***************************************						
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ection 3 - Chair	man Completes	Assignm	ents are	as foll	ows:					

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is

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assigned the full Commission decides the case.

Hearing Officer(s)

BD

Commissioners

JB

BZ DS

Approve	ed: BB/rt	
Date:	01/08/2004	1

DV

ADM

- Prehearing Officer

BD

Commissioners

JB

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ALL

Section 1 - Bureau of Records Complet

Docket No. 040006-WS

Date Docketed: 01/02/2004

Title: Water and wastewater industry annual reestablishment

of authorized range of return on common equity for water and wastewater utilities pursuant to Section

367.081(4)(f), F.S.

Company: Water and Wastewater Utilities

Official Filing Date:				Expi	ration:							
Last Day to Sus	pend:											
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	Staff Assignments				AND SUB:				413-67	70		
										Due	Dates	
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			Revi	se Capi	tal Mark	ets				NONE	12/30/	2004
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Commissioners

JB

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BZ DS

- Prehearing Officer						
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Approved: 133/fms

Date: 07/28/2004

ALL

Marguerite Lockard

PSC-04-0587-PAA-WS

From:

Janice Banka

Sent:

Thursday, June 10, 2004 11:06 AM

To: Subject: CCA - Orders / Notices Order / Notice Submitted

Date and Time:

6/10/2004 11:04:00 AM

Docket Number:

040006-WS

Filename / Path:

040006\040006or.aev.doc

Notice of Proposed Agency Action Order Establishing Authorized Range of Returns on Common Equity for Water and Wastwater Utilities with attachments.

Number of pages in order - 11.

Thanks "J"

192 mailes.

12000-05

CCA Official Filing 7/2/2004**********

11:03 AM*********

Matilda Sanders****1

Matilda Sanders

L 0643-CO

From:

Jackie Schindler

Sent:

Friday, July 02, 2004 11:03 AM

To: Subject: CCA - Orders / Notices Order / Notice Submitted

Date and Time:

7/2/2004 11:02:00 AM

Docket Number:

040006-ws

Filename / Path:

040006co.aev.doc

a consummating order has been moved to gc orders for issuance today

thanks

js

123/27

DATE:

July 19, 2004

TO:

Dr. Mary Bane, Executive Director Richard D. Melson, General Counsel

David E. Smith, Attorney Supervisor, General Counsel

FROM:

Marlene K. Stern, Senior Attorney, General Counsel MKS

RE:

Contact with the Office of Public Counsel

Section 5.02.C of the Administrative Procedures Manual requires that an employee, who exercises regulatory responsibility, report any contact with a party to a proceeding, when that contact is related to employment by the party. Harold McLean, the Public Counsel, recently contacted me about employment in the Office of Public Counsel. The Office of Public Counsel is a party to the following open dockets to which I am assigned:

- 1. Docket No. 040007-EI Environmental Cost Recovery Clause (ECRC);
- Docket No. 040582-EI Petition by Florida Power & Light for Approval of Recovery Through the ECRC of Costs Associate With Section 316(b) of the Clean Water Act; and,
- 3. Docket No. 040472 Petition by Progress Energy Florida for Approval of Recovery Through the ECRC of Costs Associate With Section 316(b) of the Clean Water Act.

Docket No. 040007-EI is the docket for the annual hearing in the Environmental Cost Recovery Clause. The other two dockets are PAA dockets pertaining to the ECRC.

If you need additional information on this contact with the Public Counsel, or the dockets listed above, please let me know.

Blanca:

Please notify parties to any dockets on which Ms. Stern is assigned.

Mary A. Bane, Executive Director

Selen Kithelson hote pick Nelson DATE:

July 20, 2004

TO:

Mary Andrews Bane, Executive Director

Richard D. Melson, General Counsel

FROM:

Adrienne E. Vining, Senior Attorney, General Counsel

RE:

Report of Receipt of Contact Regarding Employment as Outlined in APM Sections

5.02(C)(1)(a) and (b)

Pursuant to Sections 5.02(C)(1)(a) and (b) of the Administrative Procedures Manual, I am reporting that I was contacted by Harold McLean regarding an attorney position with the Office of Public Counsel. I have not declined to be considered for the position.

State of Florida



Hublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

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

DATE:

July 19, 2004

TO:

Mary Andrews Bane, Executive Director Richard D. Melson, General Counsel

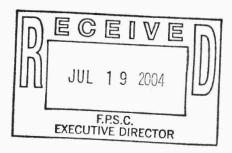
FROM:

Jennifer S. Brubaker, Senior Attorney, General Counsel

RE:

Notification pursuant to APM 5.02-8(1)(a)

In compliance with the requirements of APM 5.02-8(1)(a), this serves to notify you that I was informed by Harold McLean, Public Counsel for the State of Florida, of an employment opportunity that would soon be available in the Office of the Public Counsel. I have declined to pursue the opportunity.









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

DATE:

July 19, 2004

TO:

Richard D. Melson, General Counsel

Mary Andrews Bane, Executive Director

FROM:

Felicia R. Banks, Senior Attorney, General Counsel

RE:

Contacts Regarding Possible Employment

This notice is being provided pursuant to Section 5.02C of the Commission's Administrative Procedures Manual.

On Tuesday, July 13, 2004, Harold McLean contacted me by phone regarding possible employment opportunities with the Office of Public Counsel (OPC). Discussions regarding employment with OPC are ongoing.

Cc: Beth Keating, Attorney Supervisor, General Counsel

DATE:

July 19, 2004

TO:

Dr. Mary Bane, Executive Director Richard D. Melson, General Counsel

David E. Smith, Attorney Supervisor, General Counsel

FROM:

Marlene K. Stern, Senior Attorney, General Counsel MKS

RE:

Contact with the Office of Public Counsel

Section 5.02.C of the Administrative Procedures Manual requires that an employee, who exercises regulatory responsibility, report any contact with a party to a proceeding, when that contact is related to employment by the party. Harold McLean, the Public Counsel, recently contacted me about employment in the Office of Public Counsel. The Office of Public Counsel is a party to the following open dockets to which I am assigned:

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- 2. Docket No. 040582-EI Petition by Florida Power & Light for Approval of Recovery Through the ECRC of Costs Associate With Section 316(b) of the Clean Water Act; and,
- 3. Docket No. 040472 Petition by Progress Energy Florida for Approval of Recovery Through the ECRC of Costs Associate With Section 316(b) of the Clean Water Act.

Docket No. 040007-EI is the docket for the annual hearing in the Environmental Cost Recovery Clause. The other two dockets are PAA dockets pertaining to the ECRC.

If you need additional information on this contact with the Public Counsel, or the dockets listed above, please let me know.

Blanca:

Please notify parties to any dockets on which Ms. Stern is assigned.

Mary A. Bane, Executive Director

Selen horrison hate were probe Welson DATE:

July 20, 2004

TO:

Mary Andrews Bane, Executive Director

Richard D. Melson, General Counsel

FROM:

Adrienne E. Vining, Senior Attorney, General Counsel

RE:

Report of Receipt of Contact Regarding Employment as Outlined in APM Sections

5.02(C)(1)(a) and (b)

Pursuant to Sections 5.02(C)(1)(a) and (b) of the Administrative Procedures Manual, I am reporting that I was contacted by Harold McLean regarding an attorney position with the Office of Public Counsel. I have not declined to be considered for the position.

State of Florida



Hublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

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

DATE:

July 19, 2004

TO:

Mary Andrews Bane, Executive Director

Richard D. Melson, General Counsel

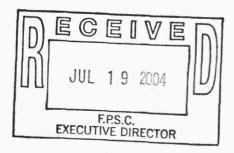
FROM:

Jennifer S. Brubaker, Senior Attorney, General Counsel

RE:

Notification pursuant to APM 5.02-8(1)(a)

In compliance with the requirements of APM 5.02-8(1)(a), this serves to notify you that I was informed by Harold McLean, Public Counsel for the State of Florida, of an employment opportunity that would soon be available in the Office of the Public Counsel. I have declined to pursue the opportunity.





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

DATE:

July 19, 2004

TO:

Richard D. Melson, General Counsel

Mary Andrews Bane, Executive Director

FROM:

Felicia R. Banks, Senior Attorney, General Counsel FPB

RE:

Contacts Regarding Possible Employment

This notice is being provided pursuant to Section 5.02C of the Commission's Administrative Procedures Manual.

On Tuesday, July 13, 2004, Harold McLean contacted me by phone regarding possible employment opportunities with the Office of Public Counsel (OPC). Discussions regarding employment with OPC are ongoing.

Cc: Beth Keating, Attorney Supervisor, General Counsel



Blanca, Please process the four "notice of Contact" memos as recommended by Mr. Melon in This memorandum.

1/20/04

Aublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAR BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

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

DATE:

July 20, 2004

TO:

Mary Andrews Bane, Executive Director

FROM:

Richard D. Melson, General Counsel

RE:

Contacts Regarding Employment

Four attorneys in my office have recently received contacts from the Office of Public Counsel regarding potential employment by that agency. This is my recommendation under Section 5.02(C)(1)(b) regarding changes in work assignments and/or notification to parties in dockets involving OPC to which these lawyers are assigned.

- Jennifer Brubaker declined to pursue the opportunity with OPC. I therefore recommend no change in work assignments and no notice to parties in any of the dockets to which she is assigned.
- Felicia Banks is assigned to only one docket to which OPC is a party (Docket No. 030869-TL). That case is now on appeal and Ms. Banks does not have any responsibility for the appeal. I therefore recommend no change in work assignments and no notice to parties to that docket.
- Marlene Stern is assigned to the four dockets to which OPC is a party. I 3. recommend no change in work assignments, but do recommend that notice of the contact be given to the parties to those four dockets:

Docket No. 040007-EI	Environmental Cost Recovery Clause
Docket No. 040086-EI	Petition by Allied Universal to Vacate Order Approving Settlement Agreement with Tampa Electric Company
Docket No. 040472-EI	Petition by Progress Energy Florida for Approval of Recovery Through the ECRC of Costs Associated with Section 316(b) of the Clean Water Act
	1
	Docket No. 040086-EI

FROM <u>BSD/gp</u>
Please handle.

Docket No. 040582-EI

Petition by Florida Power & Light for Approval of Recovery Through the ECRC of Costs Associated with Section 316(b) of the Clean Water Act

I further recommend that the notice simply state that Ms. Stern "has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office."

4. Adrienne Vining is assigned to three dockets to which OPC is a party. I recommend no change in work assignments, but do recommend that notice of the contact be given to the parties to those three dockets:

Docket No. 000694-WS	Petition by Water Management Services, Inc. for limited proceeding to increase water rates in Franklin County
Docket No. 040001-EI	Fuel and purchased power cost recovery clause with generating performance incentive factor

Docket No. 040007-EI Environmental Cost Recovery Clause

I further recommend that the notice simply state that Ms. Vining "has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office."

Please let me know if you would like to discuss these recommendations.

RDM:mee

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Aublic Service Commission

July 21, 2004

Parties of Record in Dockets 040007-EI, 040086-EI, 040472-EI, and 040582-EI

COMMISSIONERS:

J. TERRY DEASON

LILA A. JABER

BRAULIO L. BAEZ, CHAIRMAN

RUDOLPH "RUDY" BRADLEY

CHARLES M. DAVIDSON

Re: Reporting Requirement for Employees Exercising Regulatory Responsibility

Dear Sir or Madam:

Pursuant to Section 5.02 C.1.b. of the Commission's Administrative Procedures Manual, you are hereby notified that Marlene Stern, Senior Attorney in the Office of General Counsel, has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office.

Sincerely,

Blanca S. Bayó

BSB:kf

cc: Mary A. Bane, Executive Director Richard Melson, General Counsel David Smith, Attorney Supervisor Marlene Stern, Senior Attorney STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Hublic Service Commission

July 21, 2004

Parties of Record in Dockets 000694-WS, 040001-EI, and 040007-EI

Re: Reporting Requirement for Employees Exercising Regulatory Responsibility

Dear Sir or Madam:

Pursuant to Section 5.02 C.1.b. of the Commission's Administrative Procedures Manual, you are hereby notified that Adrienne Vining, Senior Attorney in the Office of General Counsel, has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office.

Sincerely,

Blanca S. Bayó

BSB:kf

cc: Mary A. Bane, Executive Director Richard Melson, General Counsel David Smith, Attorney Supervisor Adrienne Vining, Senior Attorney



Blanca, Please proces the four "notice of Contact" Memos as recommended by Mr. Melson in This memorandum. MAB 1/20/04

Aublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

AH 9: (

DATE:

July 20, 2004

TO:

Mary Andrews Bane, Executive Director

FROM:

Richard D. Melson, General Counsel

RE:

Contacts Regarding Employment

Four attorneys in my office have recently received contacts from the Office of Public Counsel regarding potential employment by that agency. This is my recommendation under Section 5.02(C)(1)(b) regarding changes in work assignments and/or notification to parties in dockets involving OPC to which these lawyers are assigned.

- 1. Jennifer Brubaker declined to pursue the opportunity with OPC. I therefore recommend no change in work assignments and no notice to parties in any of the dockets to which she is assigned.
- 2. Felicia Banks is assigned to only one docket to which OPC is a party (Docket No. 030869-TL). That case is now on appeal and Ms. Banks does not have any responsibility for the appeal. I therefore recommend no change in work assignments and no notice to parties to that docket.
- 3. Marlene Stern is assigned to the four dockets to which OPC is a party. I recommend no change in work assignments, but do recommend that notice of the contact be given to the parties to those four dockets:

OFFICIAL FILE COPY	Docket No. 040007-EI	Environmental Cost Recovery Clause
AAASSIST. DIR	Docket No. 040086-EI	Petition by Allied Universal to Vacate Order Approving Settlement Agreement with Tampa Electric Company
ADM		
HR	Docket No. 040472-EI	Petition by Progress Energy Florida for Approval of Recovery Through the ECRC of Costs Associated
ITS		with Section 316(b) of the Clean Water Act
RCH Kau		
OTHER		
DATE 7/21/04		1
FROM BSD/GP	4	•
Dann hom	100	

Docket No. 040582-EI

Petition by Florida Power & Light for Approval of Recovery Through the ECRC of Costs Associated with Section 316(b) of the Clean Water Act

I further recommend that the notice simply state that Ms. Stern "has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office."

4. Adrienne Vining is assigned to three dockets to which OPC is a party. I recommend no change in work assignments, but do recommend that notice of the contact be given to the parties to those three dockets:

Docket No. 000694-WS	Petition by Water Management Services, Inc. for limited proceeding to increase water rates in Franklin County
Docket No. 040001-EI	Fuel and purchased power cost recovery clause with generating performance incentive factor

Docket No. 040007-EI Environmental Cost Recovery Clause

I further recommend that the notice simply state that Ms. Vining "has advised the Commission that she was contacted by the Office of Public Counsel regarding her interest in being considered for employment to fill a vacancy in that office."

Please let me know if you would like to discuss these recommendations.

RDM:mee

McWhirter Reeves

ATTORNEYS AT LAW

TAMPA OFFICE: 400 NORTH TAMPA STREET, SUITE 2450 TAMPA, FLORIDA 33602 P. O. BOX 3350 TAMPA, FL 33601-3350 (813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO: **TALLAHASSEE**

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

October 18, 2004

VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting Betty Easley Conference Center 4075 Esplanade Way Tallahassee, Florida 32399-0870

Re:

Docket No.: 040007-EI

Dear Ms. Bayo:

On behalf of the Florida Industrial Power Users Group (FIPUG), please find an electronic copy of FIPUG's Prehearing Statement in Word format on the enclosed disk.

Please acknowledge receipt of the disk on the extra copy of the letter and return the stamped copy to me. Thank you for your assistance.

Sincerely,

Timothy J. Perry

TJP Enclosure



Hublic Service Commission -M-E-M-O-R-A-N-D-U-M-

DATE: November 8, 2004

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and

Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division

of the Commission Clerk and Administrative Services

RE: DOCKET NO. 040007-EI, PREHEARING HELD 10/25/04.

RE: ENVIRONMENTAL COST RECOVERY CLAUSE.

DOCUMENT No: 11708-04, 10/29/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

(Comp

JF/rlm



Hublic Service Commission -M-E-M-O-R-A-N-D-U-M-

DATE: November 18, 2004

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and

Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division

of the Commission Clerk and Administrative Services

RE: DOCKET NO. 040007-EI, HEARING HELD 11/08/04.

RE: ENVIRONMENTAL COST RECOVERY CLAUSE.

DOCUMENT No: 12207-04, 11/17/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

JF/rlm



Hublic Service Commission -M-E-M-O-R-A-N-D-U-M-

DATE: November 23, 2004

TO: Blanca Bayó, Director, Commission Clerk and Administrative

Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services

RE: DOCKET NO. 040004-GU, HEARING HELD 11/08/04.

Attached for filing are Exhibits 1 through 12, representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:

Rute My

JF/rlm

CCA Official Filing 12/30/2004 3:04 PM******

Matilda Sanders*1

Matilda Sanders

PSC-05-0006-PG-WS

2

From:

Patti Zellner

Sent:

Thursday, December 30, 2004 2:34 PM

To:

CCA - Orders / Notices

Subject:

Order / Notice Submitted

Date and Time: Docket Number:

12/30/2004 2:32:00 PM 040006-WS and 050006-WS

Filename / Path:

040006oep05.aev.doc

ORDER ESTABLISHING 2005 DOCKET NUMBER

122F/29m