

Ruth Nettles

From: Trina Collins [TCollins@RSBattorneys.com]
Sent: Wednesday, February 04, 2009 2:27 PM
To: Filings@psc.state.fl.us
Cc: jphoy@uiwater.com; pcflynn@uiwater.com; dswain@milianswain.com; Frankden@nettally.com; Dale Buys; kyoung@psc.state.fl.us.; Martin Friedman; Christian W. Marcelli; Trina Collins
Subject: Filing in Docket No. 080248-SU; Tierra Verde Utilities, Inc.'s Application for an Increase in Wastewater Rates Increase in Pinellas County, Florida
Importance: High
Attachments: PSC Clerk 09 (AOM Initial Customer Notice).ltr.02-04-2009(3).pdf

- a. Martin S. Friedman, Esq.
Christian W. Marcelli, Esq.
Rose, Sundstrom & Bentley, LLP
Sanlando Center
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Longwood, FL 32779
Phone: (407) 830-6331
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Email: mfriedman@rsbattorneys.com
cmarcelli@rsbattorneys.com
- b. Docket No. 080248-SU; Tierra Verde Utilities, Inc.'s Application for an Increase in Wastewater Rates Increase in Pinellas County, Florida - Filing Tierra Verde Utilities, Inc.'s Notice of Filing of the Affidavit of Mailing and the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Tierra Verde Utilities, Inc.
- c. Tierra Verde Utilities, Inc.
- d. 6 Pages.
- e. Letter to Commission Clerk – 1 page; Notice of Filing – 1 page; Affidavit of Mailing – 1 page; and Initial Customer Notice - 3 pages.

DOCUMENT NUMBER-DATE

00888 FEB-4 8

FPSC-COMMISSION CLERK

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REPLY TO CENTRAL FLORIDA OFFICE

February 4, 2009

E-FILING

CENTRAL FLORIDA OFFICE
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MARTIN S. FRIEDMAN, P.A.
BRIAN J. STREET

CHRISTIAN W. MARCELLI, OF COUNSEL
(LICENSED IN NEW YORK ONLY)

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

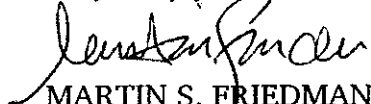
RE: Docket No. 080248-SU; Tierra Verde Utilities, Inc.'s Application for an Increase in Wastewater Rates Increase in Pinellas County, Florida
Our File No.: 30057.156

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is a Notice of Filing of the Affidavit of Mailing and the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Tierra Verde Utilities, Inc.

Should you or the Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,


MARTIN S. FRIEDMAN
For the Firm

MSF/tlc
Enclosures

cc: John P. Hoy, Chief Regulatory Officer (w/enclosures) (via e-mail)
Patrick C. Flynn, Regional Director (w/enclosures) (via e-mail)
Ms. Deborah Swain (w/enclosures) (via e-mail)
Mr. Frank Seidman (w/enclosures) (via e-mail)
Mr. Dale Buys, Division of Economic Regulation (w/enclosures) (via e-mail)
Keino Young, Esq., Office of General Counsel (w/enclosures) (via e-mail)

DOCUMENT NUMBER - DATE
00888 FEB -4 09
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of
TIERRA VERDE UTILITIES, INC.
for an increase in wastewater
rates in Pinellas County, Florida

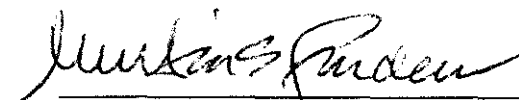
DOCKET NO. 080248-SU

NOTICE OF FILING

Applicant, TIERRA VERDE UTILITIES, INC., by and through its undersigned attorneys, hereby gives notice of filing in the above-referenced docket the Affidavit of Mailing evidencing that the Initial Customer Notice has been sent to the customers of Tierra Verde Utilities, Inc.

Respectfully submitted this 4th day of
February, 2009, by:

ROSE, SUNDSTROM & BENTLEY, LLP
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Longwood, FL 32799
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MARTIN S. FRIEDMAN
For the Firm

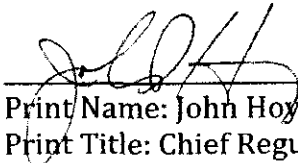
AFFIDAVIT OF MAILING

STATE OF ILLINOIS

COUNTY OF COOK

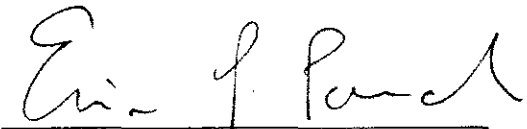
Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared John Hoy, who, after being duly sworn on oath, did depose on oath and say that he is the Chief Regulatory Officer of Utilities, Inc., the sole shareholder of Tierra Verde Utilities, Inc., and that on January 29, 2009, he did send by regular U.S. Mail, a copy of the Initial Customer Notice, attached hereto, to all customers of the utility.

FURTHER AFFIANT SAYETH NAUGHT.

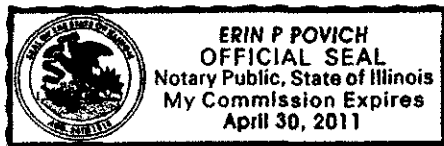


Print Name: John Hoy
Print Title: Chief Regulatory Officer

Sworn to and subscribed before me this 30th day of January, 2009, by John Hoy, who is personally known to me.



Print Name: Erin Povich
NOTARY PUBLIC
My Commission Expires: April 30, 2011



BEFORE THE PUBLIC SERVICE COMMISSION

INITIAL CUSTOMER NOTICE

TO THE CUSTOMERS OF
TIERRA VERDE UTILITIES, INC.
AND
ALL OTHER INTERESTED PERSONS

RE: DOCKET NO. 080248-SU

APPLICATION FOR INCREASE IN WASTEWATER RATES IN PINELLAS COUNTY
BY TIERRA VERDE UTILITIES, INC.

JANUARY 29, 2009

BACKGROUND

Tierra Verde Utilities, Inc. (the "Utility") is a wastewater utility whose corporate offices are located at 200 Weathersfield Avenue, Altamonte Springs, Florida. The Utility's wastewater facilities are located in Pinellas County, Florida.

The Utility filed an application with the Florida Public Service Commission (the "Commission") for increased wastewater rates for its Pinellas County customers on August 27, 2008. The application was assigned Docket No. 080248-SU, and November 26, 2008, was established as the official date of filing.

As reported in its Minimum Filing Requirements ("MFRs") filed with its application to the Commission, the Utility's revenues per books are \$690,922, with operating expenses per books of \$651,051, for its wastewater system, resulting in a net operating income of \$39,871, per books, before adjustments. The rate increase application has been filed by the Utility because of inadequate earnings. Copies of the MFRs will be available for inspection at the following locations:

St. Petersburg Public Library
South Branch
2300 Roy Hanna Drive S
St. Petersburg, FL 33712

Office Hours:
Monday, Wednesday, Friday, Saturday:
9:00 a.m. to 6:00 p.m.
Tuesday and Thursday
9:00 a.m. to 9:00 p.m.
Sunday (Closed)

Tierra Verde Utilities, Inc.
 200 Weathersfield Avenue
 Altamonte Springs, FL 32714

Office Hours:
 Monday through Friday 8:00 a.m. to 4:30 p.m.

A "Rate Case Synopsis" will also be available, along with the application and MFRs. The test period for setting rates is the historical average thirteen-month period ended December 31, 2007.

The following tentative schedule was established by the Commission for the remaining major events in the Utility's rate case:

<u>Schedule Item</u>	<u>Due Date</u>
Staff Audit Report	11/21/2008 (completed)
Customer Meeting	02/26/2009
Staff's Proposed Agency Action ("PAA") Recommendation	04/09/2009
Agenda Conference on PAA Rates	04/21/2009
PAA Order	05/11/2009
Protest Period Expires	06/01/2009

CURRENT AND PROPOSED CHARGES

The current and proposed rates and charges follow. These rates are subject to change based on information gathered at the customer meeting, further Staff review, and the final decision by the Commissioners.

TIERRA VERDE UTILITIES, INC.				
<u>Residential</u> <i>(Bi-Monthly Service Rates)</i>	<u>Rates Prior to</u> <u>Filing</u>	<u>Utility's</u> <u>Requested</u> <u>Interim Rates</u>	<u>Utility</u> <u>Requested</u> <u>Final Rates</u>	<u>Commission</u> <u>Approved</u> <u>Interim Rates</u>
Base Facility Charge all Meter Sizes:	\$74.23	\$87.82	\$107.69	\$86.90
Gallonage Charge – Per 1,000 gallons	\$0	\$0	\$0	\$0

TIERRA VERDE UTILITIES, INC. (continued)

<u>General Service</u> <i>(Bi-Monthly Service Rates)</i>	<u>Rates Prior to</u> <u>Filing</u>	<u>Utility's</u> <u>Requested</u> <u>Interim Rates</u>	<u>Utility</u> <u>Requested</u> <u>Final Rates</u>	<u>Commission</u> <u>Approved</u> <u>Interim Rates</u>
Base Facility Charge by Meter Size:				
5/8" x 3/4"	\$48.28	\$57.12	\$70.04	\$56.25
1"	\$120.71	\$142.81	\$175.13	\$140.64
1 1/2"	\$241.40	\$285.60	\$350.22	\$281.26
2"	\$386.24	\$456.96	\$560.36	\$450.01
3"	\$772.48	\$913.92	\$1,120.71	\$900.01
4"	\$1,207.00	\$1,428.00	\$1,751.12	\$1,406.28
6"	\$2,414.00	\$2,855.99	\$3,502.23	\$2,812.55
Gallage Charge – Per 1,000 gallons (20,000 gallon cap)	\$2.30	\$2.80	\$3.44	\$2.76

SERVICE AVAILABILITY CHARGES

The Utility is not requesting any changes to its service availability charges. Even though not requested to do so, the Commission may review and adjust service availability charges.

MISCELLANEOUS SERVICE CHARGES

The Utility is not requesting any changes to its miscellaneous service charges. Even though not requested to do so, the Commission may review and adjust miscellaneous service charges.

Written comments regarding the Utility's service or the requested final rate increases may be sent to the Commission at the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

All comments should refer to Docket No. 080248-SU, which is the docket number that has been assigned to this case. Complaints regarding service may be made to the Commission's Division of Regulatory Compliance and Consumer Assistance at the following toll-free number: 1-800-342-3552.

If you have any questions, please call the Utility's office at (800) 272-1919.
Tierra Verde Utilities, Inc.