

REQUEST TO ESTABLISH DOCKET

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Date:	11/22/2010	Docket No.:	100446-SU	10 NOV 22 PM 2:37
1. From Staff / Division:	Bart Fletcher - Ecr			COMMISSION CLERK
2. OPR:	Bart Fletcher, Andrew Maurey, Jennifer Crawford			
3. OCR:	BOJ ALM			
4. Suggested Docket Title:	Settlement Proposal for Possible Overearnings by Tierra Verde Utilities, Inc. in Pinellas County			
5. Program/Module/Submodule Assignment:	A19			
6. Suggested Docket Mail List.				
a. Provide NAMES/ACRONYMS, if registered company.			<input type="checkbox"/> Provided as an Attachment	
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):		
SU682	Tierra Verde Utilities, Inc.	Patrick C. Flynn		
	200 Weathersfield Avenue	John Hoy		
	Altamonte Springs, FL 32714-4027			
b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)				
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):		
	Office of Public Counsel			
7. Check one: <input checked="" type="checkbox"/> Supporting Documentation Attached <input type="checkbox"/> To be provided with Recommendation				
Comments:				

COM _____
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November 18, 2010

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

RE: Docket No. 100000; Investigation into possible overearnings of Tierra Verde Utilities, Inc.
Our File No.: 30057.192

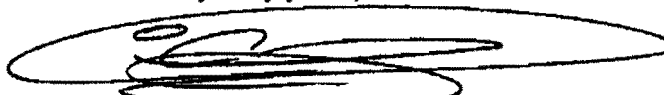
Dear Ms. Cole:

On September 13, 2010, Tierra Verde Utilities, Inc. (the "Utility"), the Office of Public Counsel and Staff of the Florida Public Service Commission held an informal meeting to discuss the alleged overearnings by Tierra Verde Utilities, Inc. In light of these discussions, Staff has requested that the Utility file a proposal to settle the above-referenced matter.

To that end, the Utility would agree to (1) withdraw its 2010 Index Application, (2) refund revenues collected from the 2009 index with interest, (3) reduce rates by the amount of the 2009 index, and (4) reduce rates by the rest of the 2009 overearnings. The Utility would agree that the rate reduction should be calculated based on the adjustments made in the last rate case (Docket No. 080248-SU), except that the calculations will recognize the Utility's investment to correct Inflow and Infiltration since the last rate case. This proposal would avoid the time and expense of multiple refunds and audits, and the customers would get an immediate benefit.

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

Very truly yours,



CHRISTIAN W. MARCELLI
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Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
November 18, 2010
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cc: Steven M. Lubertozi, Executive Director of Regulatory Accounting and Affairs (via e-mail)
Kirsten E. Weeks, Manager of Regulatory Accounting (via e-mail)
Patrick C. Flynn, Regional Director (via e-mail)
John Williams, Director of Government Affairs (via e-mail)
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