

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of new class of
service for reuse water service in Lee County,
by Forest Utilities, Inc.

DOCKET NO. 130276-SU
ORDER NO. PSC-14-0040-PCO-SU
ISSUED: January 15, 2014

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING REUSE WATER TARIFF

BY THE COMMISSION:

Forest Utilities, Inc. (Forest or Utility) is a Class B wastewater utility serving approximately 2,478 customers in Lee County. Forest's 2012 annual report shows annual operating revenue of \$859,351 and a net operating loss of \$65,924. The Utility's service area lies in the South Florida Water Management District and it is located in the designated water resource caution area of the district.

On November 20, 2013, Forest filed an application for approval of a new class of service for reuse water service along with a proposed tariff sheet for its reuse rate. This order addresses the suspension of Forest's proposed tariff sheet. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

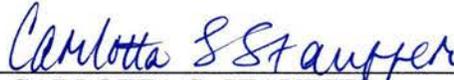
Pursuant to Section 367.091(6), F.S., we may withhold consent to the operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding its consent. Our staff sent a data request to the Utility on December 20, 2013 and the Utility's response is due on January 13, 2014. We find that there is good cause pursuant to Section 367.091(6), F.S., to suspend the proposed reuse water rate tariff in order to allow our staff sufficient time to review the application and gather all pertinent information to present an informed recommendation on the proposed tariff for our consideration.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the reuse water service rate tariff requested by Forest Utilities, Inc. is hereby suspended in accordance with Section 367.091(6), F.S., It is further

ORDERED that this docket shall remain open pending our final decision on the proposed new class of service for reuse water.

By ORDER of the Florida Public Service Commission this 15th day of January, 2014.



CARLOTTA S. STAUFFER

Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SBr

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.