

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for an increase in water and
wastewater rates in Charlotte, Highlands, Lake,
Lee, Marion, Orange, Pasco, Pinellas, Polk,
and Seminole Counties by Utilities, Inc. of Florida

Docket No. 160101-WS

PETITION FOR VARIANCE OR WAIVER OF A SPECIFIC PROVISION OF
RULE 25-30.437, FLORIDA ADMINISTRATIVE CODE

UTILITIES, INC. OF FLORIDA (“UIF”) by and through its undersigned attorneys and pursuant to Section 120.542, Florida Statutes, hereby petitions the Florida Public Service Commission for a variance or waiver of one specific requirement of Commission Form PSC/AFD 19-W (11/93) which form is incorporated by reference by Rule 25-30.437, Florida Administrative Code (“FAC”), as specifically identified below. In support of this Petition, Utilities, Inc. of Florida asserts the following:

1. The name and address of the Petitioner is:

Utilities, Inc. of Florida
200 Weathersfield Ave.
Altamonte Springs, FL 32714

2. The name, address and telephone number of the person to contact concerning this

Application is:

Martin S. Friedman, Esquire
Friedman & Friedman, P.A.
766 North Sun Drive, Suite 4030
Lake Mary, Florida 32746
Telephone: (407) 830-6331
Fax: (407) 878-2178
mfriedman@ff-attorneys.com

3. Petitioner has filed an application for a file and suspend rate increase. Information required in such a case includes the information contained in Commission Form PSC/AFD 19-W (11/93) which form is incorporated by reference by Rule 25-30.437, FAC (“MFRs”). Schedule E-

14 of the MFRs requires a billing analysis for each class of service by meter size. If a rate change has occurred during the test year, then a separate billing analysis coincided with each period must also be provided.

4. Although UIF provided the billing analysis, it did not provide separate billing analyses which coincides with each period of rate change during the test year. This resulted in deficiency 5e1 of the Commission's September 29, 2016 Deficiency Letter.

5. The requested waiver or variance is needed because in order to provide the detailed billing analyses with billing changes it will result in a substantial hardship as defined in Section 120.542(2), Florida Statutes, in that UIF will incur an inordinate amount of time to prepare these detailed billing analysis schedules which would also result in an additional 700 to 900 individual billing schedules.

6. In the instant case these detailed rate change billing analyses do not provide any meaningful information which would facilitate the Commission's review of UIF's rate request.

7. The application of this specific MFR requirement to the revenue requirement and rate setting requested by UIF in this Docket would lead to an unreasonable, unfair and unintended result. The purpose of this specific MFR requirement is achieved through the billing analysis schedules filed by UIF.

8. UIF has been authorized by Office of Public Counsel to represent that: "OPC does not oppose UIF's request for rule waiver as to deficiency 5(e)1 identified on the September 29, 2016 MFR deficiency letter".

WHEREFORE, UTILITIES, INC. OF FLORIDA requests this Commission, grant a waiver or variance of the referenced provision of Commission Form PSC/AFD 19-W (11/93) as

incorporated by reference in Rule 25-30.437, Florida Administrative Code.

Respectfully submitted this 8th day of
October, 2016, by:

FRIEDMAN & FRIEDMAN, P.A.
766 N. Sun Drive, Suite 4030
Lake Mary, FL 32746
Telephone: (407) 830-6331
Fax: (407) 878-2178
mfriedman@ff-attorneys.com

/s/ Martin S. Friedman

MARTIN S. FRIEDMAN
For the Firm

CERTIFICATE OF SERVICE

HEREBY CERTIFY that on the 8th day of October 2016, a true and correct copy of the foregoing has been served via email to:

Walter Trierweiler, Esquire
Office of General Counsel
wtrierwe@psc.state.fl.us

Erik Sayler, Esquire
Office of Public Counsel
SAYLER.ERIK@leg.state.fl.us

/s/ Martin S. Friedman

MARTIN S. FRIEDMAN