

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for establishment of wastewater allowance for funds prudently invested (AFPI) charges in Highlands, Lake, Marion, Pasco and Pinellas Counties, by Utilities, Inc. of Florida.

DOCKET NO. 20170223-SU  
ORDER NO. PSC-2017-0477-PCO-SU  
ISSUED: December 21, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman  
ART GRAHAM  
RONALD A. BRISÉ  
DONALD J. POLMANN  
GARY F. CLARK

ORDER SUSPENDING UTILITIES INC. OF FLORIDA'S  
PETITION FOR APPROVAL OF PROPOSED TARIFFS

BY THE COMMISSION:

**Background**

Utilities, Inc. of Florida (UIF or Utility) is a Class A utility providing water and wastewater services to 27 systems in the following counties: Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole. The Utility reported in its 2015 annual report, water operating revenues in the amount of \$2,350,825 and \$1,396,201 for wastewater.

On October 16, 2017, the Utility filed an application to establish allowance for funds prudently invested (AFPI) wastewater charges for LUSI, Labrador, Lake Placid, Mid County, and UIF-Marion systems, including tariff sheets reflecting the requested charges. UIF is requesting the wastewater AFPI charges as a result of the Commission finding in Order No. PSC-2017-0361-FOF-WS that the previously mentioned wastewater systems were less than 100 percent used and useful.

Section 367.081(6), Florida Statutes (F.S.), provides that the Commission may, for good cause, withhold consent of implementation of the requested rates within 60 days after the date the rate request is filed. This recommendation addresses the suspension of UIF's proposed tariff sheets. We have jurisdiction pursuant to Section 367.091(6), F.S.

**Decision**

Pursuant to Section 367.091(6), F.S., the Commission may withhold consent to 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. Due to the finding that these systems were less than 100 percent used and useful, the tariff shall be suspended to allow sufficient time for Commission staff to review the application and gather all pertinent information to present us with an informed recommendation on the proposed tariffs. Our order is for good cause consistent with the requirement of Section 367.091(6) F.S. Based on the above, UIF's proposed tariff to establish AFPI charges for LUSI, Labrador, Lake Placid, Mid County, and UIF-Marion wastewater systems shall be suspended.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Utilities, Inc. of Florida's proposed tariff to establish AFPI charges for LUSI, Labrador, Lake Placid, Mid County, and UIF-Marion wastewater systems are suspended pending further review. It is further

ORDERED that this docket shall remain open pending our decision on the proposed tariffs.

By ORDER of the Florida Public Service Commission this 21st day of December, 2017.

*Carlotta S. Stauffer*  
CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

WLT

**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.