

FLORIDA PUBLIC SERVICE COMMISSION

Item 5

VOTE SHEET

March 5, 2024

FILED 3/5/2024
DOCUMENT NO. 01033-2024
FPSC - COMMISSION CLERK

Docket No. 20230083-WS – Application for increase in water and wastewater rates in Orange County by Pluris Wedgefield, LLC.

Issue 1: Should OPC’s Request for Oral Argument on its Motion for Reconsideration of Order No. PSC-2023-0387-PCO-WS be granted?

Recommendation: No. Staff believes that the pleadings are sufficient on their face for the Commission to evaluate and rule on the Motion. However, if the Commission wants to exercise its discretion to hear oral argument, staff recommends that 5 minutes per party is sufficient.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

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Issue 2: Should OPC’s Motion for Reconsideration of Order No. PSC-2023-0387-PCO-WS be granted?

Recommendation: OPC’s Motion for Reconsideration should be granted in part and denied in part. With respect to the Specific Equity Adjustment, Management Fees, and Recovery of the Judgment and Legal Fees Associated with the Lawsuit, staff recommends that OPC’s Motion should be denied because it fails to raise a point of fact or law that the Commission overlooked or failed to consider in rendering its decision. Staff believes that the Equity Adjustments that were made are consistent with prior Commission practice. Staff further does not believe that there is any methodology from the prior rate case to support OPC’s position regarding Management Fees. Staff disagrees with OPC’s contention that reclassification of two recorded current and accrued liabilities as equity allows the Utility to recover the judgment and legal fees associated with a lawsuit against the Utility and constitutes retroactive ratemaking.

Staff agrees with OPC’s position regarding Advances from Associated Companies and Used and Useful; therefore, reconsideration is appropriate as to these issues. However, both of the adjustments urged by OPC would have the effect of raising interim rates. To avoid confusion and promote rate stability, staff recommends leaving interim rates unchanged due to the short time period during which interim rates will be in effect before PAA rates are established.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No, this docket should remain open to allow the Commission to address the Utility’s requested rates.

APPROVED