



Florida Public Service Commission

SPECIAL REPORT

DECEMBER 2009

Application for an increase in wastewater rates by

Ni Florida, LLC

DOCKET NO. 090182-SU

On July 21, 2009, Ni Florida, LLC (Ni Florida) filed an application with the Florida Public Service Commission (PSC or Commission) for an increase in wastewater rates. Ni Florida is a Class A utility serving approximately 1 industrial, 145 commercial, and 2,589 residential wastewater customers in Pasco County.

QUESTIONS & ANSWERS

1 Is there an opportunity for public input on this rate case?

Yes. As part of the evaluation process for Ni Florida's rate request, the Commission staff will conduct a customer meeting to allow customer feedback about Ni Florida and the rate setting process. Customer comments, written and oral, will be taken into consideration when the Commission reaches a decision.

CUSTOMER MEETING

**Wednesday, December 16, 2009
6:00 p.m.**

West Pasco Government Center
7530 Little Road
New Port Richey, FL 34654

2 Why is Ni Florida requesting a rate increase?

Ni Florida is requesting a rate increase to cover increasing operating costs and to earn a fair rate of return on its investment.

3 When was Ni Florida's last approved rate increase?

This is Ni Florida's first rate case before the Commission.

To check if a meeting has been canceled, look on the Commission's Web site (www.floridapsc.com) under the Hot Topics link on the home page.

Cancellation can also be confirmed by calling the Office of the General Counsel at (850) 413-6199.

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4 Presently, how much is the average monthly wastewater bill for a residential customer?

Currently, the average monthly wastewater bill for a residential customer is \$30.90.

5 Using Ni Florida's proposed rates, how much would the average monthly wastewater bill be for a residential customer?

Using Ni Florida's proposal, the average monthly wastewater bill for a residential customer would be \$39.09.

6 What if I can't make the customer meeting or prefer not to speak? Are there other ways to comment on the issue?

Any person who wants to comment or provide information to the Commission regarding this matter may do so orally at the meeting or in writing. Correspondence will be placed in the docket file. Written comments should be mailed to:

*Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850*

The PSC will also accept faxes and e-mails.

Fax number: 1-800-511-0809

Internet e-mail address:
contact@psc.state.fl.us

Please be sure to include the docket number, **090182-SU**.

Customer comments are placed on the consumer side of the docket file and are taken into consideration by the Commissioners in

reaching their decision. In accordance with Florida Statutes, the PSC will also consider Ni Florida's quality of service and other matters. If you have questions, call the Florida Public Service Commission's Division of Service, Safety & Consumer Assistance at 1-800-342-3552.

7 Who can answer technical or legal questions?

For technical questions, contact:

Curt Mouring
(850) 413-6427

Bart Fletcher
(850) 413-7017

Patti Daniel
(850) 413-6808

Stan Rieger
(850) 413-6970

For legal questions, contact:

Anna Williams
(850) 413-6076

8 Where on the Internet can I obtain more detailed information?

Detailed docket information is available on the PSC Web site at www.floridapsc.com. Click on **Dockets and Filings/Dockets** and then type in the docket number, 090182.

9 When will the PSC make a decision?

The PSC staff is scheduled to file a recommendation with the Commission on January 28, 2010. The Commissioners are expected to vote on this matter at the February 9, 2010 Agenda Conference.

PSC Commissioners



COMMISSIONER
Nancy Argenziano



COMMISSIONER
Lisa Polak Edgar



CHAIRMAN
Matthew M. Carter II



COMMISSIONER
Nathan A. Skop



COMMISSIONER
David E. Klement

Matthew Mark Carter II was appointed to the Florida Public Service Commission by Governor Jeb Bush for a four-year term beginning January 2006 and was subsequently elected Chairman by his fellow commissioners for the years 2008 and 2009. Chairman Carter serves on the National Association of Regulatory Utility Commissioners (NARUC) Committee on Water, the Committee on Critical Infrastructure, and the Committee on International Relations. Chairman Carter is also active in NARUC activities designed to improve regulated companies' minority business procurement practices. Chairman Carter sought appointment to the Committee on Water in particular because he recognizes the stress that Florida's rapid population growth is placing on existing water resources, and the important role water and wastewater utility regulation will have on the development of future conservation efforts and water supply alternatives in Florida, as well as the health and economic vitality of the State. Chairman Carter hopes to foster an open dialogue concerning water policies in the State with an aim toward maximizing the effectiveness of partnerships between various state agencies having regulatory jurisdiction over water use. Chairman Carter is the son of the late Rev. Matthew and Pearl Carter. He was born in Douglas, Georgia and educated in the public schools there. He graduated from Atkinson County High School (in Pearson). After graduation from high school, he volunteered for the United States Army. In the Army, he served in the Presidential Honor Guard in Washington, D.C. and the First Armored Division in Germany. After being honorably discharged from the Army, Chairman Carter attended Tallahassee Community College where he graduated with honors, and was later inducted into the TCC Alumni Association's Hall of Fame. He then attended Florida State University and graduated with a Bachelor's of Science in Mass Communications and was commissioned a Second Lieutenant in the United States Army Reserve and later the Florida National Guard. After a tour of duty with the 124th Infantry in the Panama Canal Zone, Chairman Carter returned to Tallahassee where he set up a public relations firm that, for over ten years, concentrated on political campaigns. Afterward, he entered into the financial investment industry and worked as a financial consultant for Waddell & Reed, Florida Professional Services Group, and Merrill Lynch. Chairman Carter left Merrill Lynch to complete law school at the Florida State University College of Law. After graduation, he became a member of the Florida Bar and a Minister of the Gospel of Jesus Christ. As an attorney, he specialized in business law. He also served as a communications consultant and senior manager for private industry and governmental agencies. Chairman Carter's prior government leadership includes service as the Director of the Division of Land Sales, Deputy Secretary of the Department of Management Services, and multiple senior staff positions with the Florida House of Representatives. Chairman Carter has a Master's degree in Theological Science from Smith Chapel Bible University, a Doctor of Ministry degree from Gulf Coast College & Seminary, and was also awarded an honorary Doctor of Divinity degree from the St. Thomas Christian College. Chairman Carter is currently pastor of the Beulah Hill Missionary Baptist Church in Gretna, Florida, where he once served as President of the Congress of Christian Education (Union Baptist Association) and Vice Moderator for the Gadsden County Baptist Association (Southern Baptist Convention). He has also written the book *The 90% Rule – How to Get Out of Debt and Prosper and Why It's Important*. Chairman Carter is married to the former Rita Taylor (of Enigma, Georgia) and they have two beautiful children.

Lisa Polak Edgar was reappointed to the Florida Public Service Commission (PSC) by Governor Charlie Crist for a four-year term beginning January 2009. From January 2006 to January 2008, she served as Chairman and participated as a member of the Florida Energy Commission and the Governor's Action Team on Energy and Climate Change. During her first term, Commissioner Edgar worked to develop policies to strengthen the state's electric infrastructure to better prepare for, and withstand, storm events; to establish net metering and interconnection rules that encourage customer participation and renewable energy development; to further the diversification of Florida's fuel supply; to effectively reform the collection and distribution of universal service funds; and to broaden stakeholder participation. She is a member of the National Association of Regulatory Utility Commissioners Board of Directors and the Telecommunications Committee. Commissioner Edgar serves on the Federal Communications Commission Universal Service Joint Board and the U.S. Department of Transportation Technical Pipeline Safety Standards Committee. She is a member of Leadership Florida. Prior to joining the PSC, Commissioner Edgar served as Deputy Secretary for the Florida Department of Environmental Protection (DEP). Her responsibilities at DEP included oversight of the agency's \$2.1 billion budget, fiscal and strategic planning, accountability measures, information technology, administrative services, geological survey, and coordination between the state and federal government on environmental issues, including oil and gas drilling on the Outer Continental Shelf. Commissioner Edgar represented the State of Florida on the Minerals Management Service Outer Continental Shelf (OCS) Policy Committee from 1993-2004, and on the Subcommittees on Environmental Studies in OCS Areas under Moratoria and OCS Hard Minerals. During her career in public service, Commissioner Edgar has also served as chief analyst on Environmental Policy for the Office of Policy and Budget, Executive Office of the Governor; senior cabinet aide in the Department of Agriculture and Consumer Services; staff counsel and legislative analyst for the Florida Senate Committees on Reapportionment and Regulated Industries;

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PSC Commissioners *continued*

completed the Harvard Kennedy School of Government Program for Senior Executives in State and Local Government; and co-taught a special topics graduate course on the Everglades at Florida A&M University. Commissioner Edgar received a Bachelor of Science and a Juris Doctorate from Florida State University and is a member of the Florida Bar. She studied in London during her undergraduate education and in Yugoslavia during law school. She and her husband are raising their two young children in Tallahassee.

Before her appointment to the Florida Public Service Commission in May of 2007, **Commissioner Argenziano** served more than 10 years in the Florida legislature. She was first elected to the Florida House of Representatives in 1996 (District 43) and served there until her election in 2002 to the Florida Senate (District 3). While serving in the legislature, she served on many different committee and council assignments including Environmental Preservation, Governmental Oversight (Chair), Comprehensive Planning, Criminal Justice (Chair), Criminal Justice Appropriations, Regulated Industries, Rules and Calendar, Agriculture (Chair), Administrative Procedure, Public Service Commission Oversight, Ethics and Elections, Health Policy, Elder Affairs (Chair), Healthcare Council (Chair), Crime and Punishment, Water Resource Management, and Utilities and Communication. Senator Argenziano's legislative career has focused on protection of the elderly and other vulnerable citizens, resource protection, and full participation of the citizens in their government. Notable legislation which she has sponsored includes nursing home reform, "local sources first" (water use), two pharmacy discount programs, a law providing for clearing the courtroom for victim sex crime testimony, enhanced penalties for crimes against the elderly, Public Counsel representation in utility rates cases, protection of our springs, a "scambusters" program for the protection of consumers, and protection for our children from sexual predators (the Jessica Lunsford Act), just to mention a few. Commissioner Argenziano has one son, Joseph, who has proudly served his country for 14 years in the United States Air Force. Commissioner Argenziano is a member of the National Association of Regulatory Utility Commissioners (NARUC).

Commissioner Nathan A. Skop was appointed to the Florida Public Service Commission by Governor Charlie Crist for a four-year term beginning January 2007. Commissioner Skop currently serves on the National Association of Regulatory Utility Commissioners (NARUC) Committee on Consumer Affairs and the Committee on Energy Resources and the Environment. Prior to his appointment, Commissioner Skop gained over thirteen years of engineering, manufacturing, operations, program management, and financial management experience working for Fortune 500 corporations. Commissioner Skop began his professional career as a nuclear project engineer with the Electric Boat Division of General Dynamics Corporation in Groton, Connecticut. As a member of the Advanced Propulsion Plant Technology Program he participated in the design, integration and qualification testing of nuclear submarine propulsion system turbomachinery for the USS SEAWOLF (SSN 21), and participated in the initial criticality and power range testing of the USS SANTA FE (SSN 763) nuclear submarine reactor plant. Commissioner Skop continued his professional career as a specialist engineer with the Propulsion Systems and Customer Service divisions of the Boeing Commercial Airplane Group in Seattle, Washington. While serving in these positions he participated in the design, integration, and test of Engine Build-Up installations for Pratt & Whitney engines installed on Boeing 777 aircraft, and supported General Electric aircraft engines installed on Boeing 747, 767, and 777 aircraft. Prior to attending law school, Commissioner Skop gained substantial renewable energy and energy industry experience as a business manager with FPL Energy (an unregulated subsidiary of FPL Group) through managing nine renewable wind energy projects located in Altamont Pass, California, and a coal fired co-generation plant located in Stockton, California. Commissioner Skop's extensive power generation experience includes renewable energy (wind and solar), fossil fuel (combined cycle, gas turbine, co-generation, and coal), and nuclear power. Commissioner Skop graduated from the University of Florida with a BS in Aerospace Engineering in 1991. He later earned an MBA with concentrations in financial management and investment analysis from Rensselaer Polytechnic Institute in 1996, and a JD from the University of Florida Levin College of Law in 2006. Commissioner Skop also holds a graduate level certificate in environmental management from the Hartford Graduate Center and attended an executive education program focusing on mergers and acquisitions at the Wharton School of Business at the University of Pennsylvania. Commissioner Skop is a member of the Florida Bar and recently had a case comment published in the Journal of Technology Law & Policy for the Levin College of Law at the University of Florida. Commissioner Skop was raised in Sanford, Florida. Prior to relocating to Tallahassee to serve in his current position, Commissioner Skop previously lived in Gainesville and Palm Beach Gardens, Florida.

David E. Klement was appointed to the Florida Public Service Commission (PSC) by Governor Charlie Crist for a four-year term beginning January 2010. He joined the PSC in October 2009, when Governor Crist selected him to fill a Commissioner vacancy. Prior to his appointment, Commissioner Klement served as Director of the Institute for Public Policy & Leadership at the University of South Florida, where he created forums to address community needs, anticipated future challenges and the strategies to tackle them, and engaged students in leadership and civic opportunities. Commissioner Klement worked as a journalist for more than four decades, most recently serving as editorial page editor at *The Bradenton Herald*. In this capacity, he formulated editorial policy for the daily newspaper and authored editorials as well as regular personal columns. He formerly held the business editor and city editor positions at the *Herald*, which involved convening and moderating town hall meetings and creating public affairs programs on government access television. The Commissioner was also an editor and reporter at *The Detroit Free Press* and *The Daily Oklahoman* in Oklahoma City. He has received honors from the Southern Newspaper Publishers Association, the Society of Professional Journalists, and the Florida Press Association for his editorial writing. Commissioner Klement also shared the prestigious Pulitzer Prize with the newsroom staff of *The Detroit Free Press* in 1968 for coverage of the Detroit riots in 1967. A recent graduate of Leadership Florida, Commissioner Klement received a bachelor's degree in journalism from the University of North Texas and a master's degree in mass communications from the University of South Florida. He has served as a member of both the Manatee and the Sarasota Chambers of Commerce and served on the Boards of the U.S. Green Building Council, Myakka River Branch, and Manatee Educational Television (METV). He has been married to his wife, JoAnne, for 31 years. She is a former journalist and now is a public relations marketing consultant. They have two adult children and five grandchildren.

Wastewater Monthly Service Rates

	Rates Prior to Filing	Utility Requested Interim	Utility Requested Final	Staff Recommended Interim
<u>Residential</u>				
Base Facility Charge All Meter Sizes:	\$ 15.72	\$ 19.45	\$ 19.89	\$ 19.49
Gallonge Charge, per 1,000 Gallons (10,000 gallon cap)	\$ 5.17	\$ 6.41	\$ 6.54	\$ 6.41
<u>General/Multi-Residential Service</u>				
Base Facility Charge by Meter Size:				
3/4"	\$ 23.56	\$ 29.14	\$ 29.80	\$ 29.21
1"	\$ 39.26	\$ 48.58	\$ 49.67	\$ 48.68
1-1/2"	\$ 78.51	\$ 97.13	\$ 99.32	\$ 97.35
2"	\$ 125.63	\$ 155.42	\$ 158.92	\$ 155.78
3"	\$ 251.25	\$ 310.85	\$ 317.84	\$ 311.55
4"	\$ 392.56	\$ 485.67	\$ 496.61	\$ 486.78
6"	\$ 785.16	\$ 971.38	\$ 993.26	\$ 973.61
8"	\$ 1,256.24	\$ 1,554.18	\$ 1,589.20	\$ 1,557.75
10"	\$ 1,805.86	\$ 2,234.17	\$ 2,284.49	\$ 2,239.29
GS Gallonge Charge, per 1,000 Gallons	\$ 6.17	\$ 7.66	\$ 7.81	\$ 7.65
MR Gallonge Charge, per 1,000 Gallons	\$ 6.45	\$ 8.00	\$ 8.16	\$ 8.00
<u>Typical Residential Bills 5/8" x 3/4" Meter</u>				
3,000 Gallons	\$ 31.23	\$ 38.68	\$ 39.51	\$ 38.72
5,000 Gallons	\$ 41.57	\$ 51.50	\$ 52.59	\$ 51.54
10,000 Gallons	\$ 67.42	\$ 83.55	\$ 85.29	\$ 83.59
(Wastewater Gallonge Cap - 10,000 Gallons)				

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Name _____

Address _____

If you want to let the Public Service Commission know how you feel about this case, you may fill out this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

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STAMP

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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