

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 970029-WS
new class of service for bulk) ORDER NO. PSC-97-0314-FOF-WS
wastewater service in Martin) ISSUED: March 24, 1997
County by Hydratech Utilities,)
Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Background

Hydratech Utilities, Inc. (Hydratech or utility) is a Class A water and wastewater utility providing service to approximately 5,169 water and 4,389 wastewater customers in Martin County. According to its 1995 annual reports, the utility reported gross operating revenues of \$1,210,078 and \$963,550 for water and wastewater, respectively. A net operating income of \$119,558 was reported for water along with a net operating loss of \$14,873 for wastewater.

On January 7, 1997, the utility filed an application pursuant to Section 367.091, Florida Statutes, for approval of a new class of service to provide bulk wastewater service within its wastewater only service territory. The utility and Martin County are currently negotiating a bulk service wastewater agreement whereby the utility will provide bulk wastewater service to the County. The County will in turn provide individual wastewater service to approximately 166 existing equivalent residential connections (ERCs) in two phases behind the bulk meter and ultimately to 301 such connections at build out.

Suspension

The utility has requested approval of a new class of service in order to provide bulk wastewater service within its wastewater

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only service territory. The utility is currently negotiating with Martin County to provide the service to the County as the utility's bulk service customer. The utility and the County have agreed upon a bulk service rate of \$16.81 per ERC. The rate was calculated based upon the average bill for Hydratech's metered water customers.

Pursuant to Section 367.091(5), Florida Statutes, the rate schedules proposed by the utility shall become effective within sixty days after filing, unless the Commission votes to withhold consent to implementation of the requested rates.

We have reviewed the filing and have considered the proposed rate and the information filed in support of the application. Upon consideration, we find it reasonable and necessary to require further amplification and explanation of this data and to require production of corroborative information, if necessary. Our review of the utility's application will include further examination by staff accountants, engineers, and rate specialists. Therefore, we find it appropriate to suspend Hydratech Utilities, Inc.'s proposed tariff to add a new class of service to provide bulk wastewater service pending further investigation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Hydratech Utilities, Inc.'s proposed tariff to add a new class of service to provide bulk wastewater service within its wastewater only service territory is hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 24th day of March, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting



Kay Flynn
Chief, Bureau of Records

(S E A L)

KMJ

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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.

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, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.