

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to establish rates for a new class of service for residential wastewater only (RWO) service in all jurisdictional service areas included in Docket No. 950495-WS and currently without authorized RWO rates by Florida Water Services Corporation.

DOCKET NO. 970328-SU
ORDER NO. PSC-97-0561-FOF-SU
ISSUED: May 20, 1997

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

Florida Water Services Corporation (Florida Water or utility) is a Class A utility providing water and wastewater service to approximately 152 service areas in 25 counties. In 1994, Florida Water recorded total company operating revenues of \$23,498,289 and \$16,985,104 for water and wastewater, respectively. The resulting total company net operating income for that same period was \$3,445,315 for water and \$2,690,791 for wastewater. Florida Water reported that in 1994, it had 102,514 water customers and 43,131 wastewater customers for the total utility.

In the rate case processed under Docket No. 950495-WS, the utility requested a uniform wastewater rate structure applicable to all jurisdictional service areas. Among various other types of service rates included as part of their request in that docket was a uniform residential wastewater only (RWO) rate for all jurisdictional service areas. By Order No. PSC-96-1320-FOF-WS, issued October 30, 1996, we approved a capband, rather than uniform, wastewater rate structure.

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As a result of the approved rate structure, we ordered an RWO rate for the nine service areas where RWO customers existed. We further ordered that the RWO rate be calculated on a per service area basis. An RWO rate was included in Order No. PSC-96-1320-FOF-WS for those areas where customers existed. For those areas with no RWO customers, a rate was not included.

On March 18, 1997, the utility filed a petition requesting that we approve rates for a new class of service for RWO service in all of Florida Water's service areas under our jurisdiction which do not currently have RWO rates. It appears the utility has calculated this rate on a per service area basis. With this filing, the utility has submitted tariff sheets reflecting their proposed RWO rates along with supporting documentation for the proposed rates.

On March 26, 1997, the Office of Public Counsel (OPC) filed a Notice of Intervention in this docket. By Order No. PSC-97-0435-FOF-SU, issued on April 17, 1997, we acknowledged OPC's intervention.

SUSPENSION

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

We have reviewed the filing and have considered the utility's proposed rates and the information filed in support of the request. Upon consideration, we find it reasonable and necessary to require further amplification and examination of the data supplied by the utility. Our review of the utility's application will include examination of the utility's claims that the annual revenue derived and the number of customers affected by this requested new class of service are inestimable and will not be significant because of the infrequent nature of the need for RWO rates. Therefore, we find it appropriate to suspend Florida Water Services Corporation's proposed tariff to add a new class of service for residential wastewater only rates pending further investigation.

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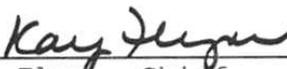
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Water Services Corporation's proposed tariff to add a new class of service for residential wastewater only rates is hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 20th day of May, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting



Kay Flynn, Chief
Bureau of Records

(S E A L)

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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.

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, 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.