

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in DeSoto County by Lake Suzy Utilities, Inc.

DOCKET NO. 960799-WS
ORDER NO. PSC-97-0808-FOF-WS
ISSUED: July 3, 1997

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER RECALCULATING AND CORRECTING AFPI CHARGES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Background

On April 14, 1997, we approved Allowance for Funds Prudently Invested (AFPI) charges for Lake Suzy Utilities, Inc. as part of the utility's staff assisted rate case. On May 12, 1997 Proposed Agency Action (PAA) Order No. PSC-97-0540-FOF-WS was issued listing the Commission-approved AFPI charges.

The utility submitted a customer notice for staff's approval. After staff's approval, the notice was mailed to customers. The utility also submitted revised tariff sheets consistent with Order No. PSC-97-0540-FOF-WS. During the tariff revision, it was discovered that the AFPI charges listed in the PAA Order were incorrect for the period July through December 1997.

DOCUMENT NUMBER DATE

06740 JUL-35

ORDER NO. PSC-97-0808-FOF-WS
DOCKET NO. 960799-WS
PAGE 2

Corrected AFPI Charges

The previously approved AFPI charges have been recalculated to reflect the correct charges for the period July through December 1997. The correct charges are shown on revised Schedule No. 5 attached to this Order. Revised Schedule No. 5 is incorporated herein by reference. The corrected AFPI charges shall be effective on the date of the Commission's vote provided revised tariff sheets have been approved and future customers have been noticed pursuant to Rule 25-22.0408, Florida Administrative Code. The utility shall provide a notice to all persons in the service area who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the application was filed. Tariff sheets shall be approved upon staff's verification that tariff sheets are consistent with the Commission's decision and the customer notice is adequate.

Closing Docket

Upon expiration of the protest period, if no timely protest is received within 21 days from the issuance of the Order, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Lake Suzy Utilities, Inc.'s previously approved allowance for funds prudently invested charges are corrected and revised as set forth herein. It is further

ORDERED that the revised allowance for funds prudently invested charges shall be effective on the date of the Commission's vote provided revised tariff sheets have been approved and future customers have been noticed pursuant to Rule 25-22.0408, Florida Administrative Code. It is further

ORDERED that Lake Suzy Utilities, Inc. shall provide a notice to all persons in the service area who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the application was filed. It is further

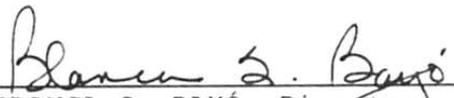
ORDER NO. PSC-97-0808-FOF-WS
DOCKET NO. 960799-WS
PAGE 3

ORDERED that tariff sheets will be approved upon staff's verification that tariff sheets are consistent with the Commission's decision and the customer notice is adequate. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 3rd day of July, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LAJ

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on July 24, 1997.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

REVISED JUNE 12, 1997
 SCHEDULE NO. 5
 DOCKET NO. 960799-WS

COMPANY: Lake Suzy Utilities, Inc.
 SEWER TREATMENT PLANT
 TEST YEAR ENDED JUNE 30, 1996

Allowance for Funds Prudently Invested
 Schedule of Charges:

| | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 |
|-----------|-------|----------|--------|--------|--------|----------|----------|
| | ----- | ----- | ----- | ----- | ----- | ----- | ----- |
| January | | 106.13 | 290.87 | 485.40 | 694.04 | 918.16 | 1,014.33 |
| February | | 121.29 | 306.43 | 502.08 | 711.94 | 937.40 | 1,014.33 |
| March | | 136.45 | 321.99 | 518.75 | 729.83 | 956.63 | 1,014.33 |
| April | | 151.61 | 337.55 | 535.43 | 747.73 | 975.86 | 1,014.33 |
| May | | 166.77 | 353.12 | 552.10 | 765.62 | 995.10 | 1,014.33 |
| June | | 181.93 | 368.68 | 568.77 | 783.52 | 1,014.33 | 1,014.33 |
| July | 15.16 | 197.49 * | 385.35 | 586.67 | 802.75 | 1,014.33 | 1,014.33 |
| August | 30.32 | 213.05 * | 402.03 | 604.57 | 821.99 | 1,014.33 | 1,014.33 |
| September | 45.48 | 228.62 * | 418.70 | 622.46 | 841.22 | 1,014.33 | 1,014.33 |
| October | 60.64 | 244.18 * | 435.38 | 640.36 | 860.46 | 1,014.33 | 1,014.33 |
| November | 75.80 | 259.74 * | 452.05 | 658.25 | 879.69 | 1,014.33 | 1,014.33 |
| December | 90.96 | 275.30 * | 468.73 | 676.15 | 898.93 | 1,014.33 | 1,014.33 |

* Corrected Charges