

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Aqua Utilities Florida, Inc. to
establish residential wastewater only rates.

DOCKET NO. 120157-WS
ORDER NO. PSC-12-0355-PCO-WS
ISSUED: July 9, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Aqua Utilities Florida, Inc. (AUF or Utility) is a wholly-owned subsidiary of Aqua America, Inc. (AAI). AUF provides water and wastewater service to 58 water and 27 wastewater systems in 17 counties under the Commission's jurisdiction. Water and wastewater rates were last established for this Utility in a rate case initiated in 2010.¹

On May 1, 2012, the Utility filed a request to establish a Residential Wastewater Only (RWO) rate applicable to all systems within each of the Utility's two wastewater rate bands serving residential customers. In the Utility's last rate proceeding, the Commission established RWO rates for those systems within Wastewater Rate Band 2 which had existing RWO customers. These systems were the Jungle Den, Lake Gibson Estates, Sunny Hill, and Zephyr Hills systems. The Utility is requesting that a RWO rate be established that would apply to all systems within each of the two wastewater rate bands which serve residential customers.

According to AUF's request, some residential customers of systems without a current RWO rate have installed private wells to replace the water service provided by the Utility. Because the wastewater bills for these customers are based upon metered water consumption, the installation of a private well precludes the Utility from properly calculating a wastewater bill for these customers. The establishment of a RWO rate applicable to all customers within each wastewater rate band would alleviate this problem.

This order addresses the suspension of AUF's proposed RWO tariff sheets. We have jurisdiction pursuant to Section 367.091, Florida Statutes (F.S).

¹ See Order No. PSC-12-0102-FOF-WS, issued Mar 5, 2012, in Docket No. 100330-WS, In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

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Pursuant to Section 367.091(6), F.S., we may withhold consent to operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding its consent. We find that the tariff shall be suspended to allow our staff sufficient time to review the application and gather all pertinent information to present an informed recommendation on the proposed tariff. We find that this reason is a good cause consistent with the requirements of Section 367.091(6), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff shall be suspended to allow our staff sufficient time to review the application and gather all pertinent information to present an informed recommendation on the proposed tariff. It is further

ORDERED that this docket shall remain open pending the Commission's action on the Utility's request to establish RWO rates for each of the wastewater rate bands serving residential customers.

By ORDER of the Florida Public Service Commission this 9th day of July, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CMK

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.

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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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.