

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

State of Florida



Blanca S. Bayó, Director
Division of Records and Reporting
(904) 413-6770

Public Service Commission

DATE: January 12, 1996

TO: Parties of Record

FROM: Blanca S. Bayó, Director *BSB*
Division of Records and Reporting

RE: DOCKET NO. 920199-WS - Application for rate increase in Brevard, Charlotte/Lee, Citrus, Clay, Duval, Highlands, Lake, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, Volusia, and Washington Counties by Southern States Utilities, Inc., Collier County by Marco Shores Utilities; Hernando County by Spring Hill Utilities; and Volusia County by Deltona Lakes Utilities.
DOCKET NO. 930880-WS - Investigation into appropriate rate structure for Southern States for all regulated systems in Bradford, Brevard, Citrus, Clay, Collier, Duval, Hernando, Highlands, Lake, Lee/Charlotte, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.
DOCKET NO. 950495-WS - Application for rate increase and increase in service availability charges, by Southern States for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

This is to inform you that Chairman Clark has reported the following communication in the above referenced dockets.

- Letter dated January 2, 1996, from the Honorable Charles Dusseau, Secretary, Florida Department of Commerce.

A copy of Secretary Dusseau's letter and Chairman Clark's response, copies of which are attached, is being made a part of the record in these proceedings. Pursuant to Section 350.042, F.S., any party who desires to respond to an ex parte communication may do so. The response must be received by the Commission within 10 days after receiving notice that the ex parte communication has been placed on the record.

BSB/pc

Attachments

cc: Rob Vandiver/w/letter



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-
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DATE: January 11, 1996

TO: Blanca Bayó, Director of Records and Reporting

FPSC-RECORDS/REPORTING

FROM: Susan F. Clark, Chairman *SFC*

RE: Letter in Response to letter from Secretary of Commerce Charles Dusseau regarding Docket Nos. 920199-WS, 930880-WS and 950495-WS

Please find attached a copy of my letter in response to a letter of January 2, 1996, from Secretary of Commerce Charles Dusseau. Because this letter is a response to a letter which addresses matters relevant to pending proceedings, it is necessary to place this memorandum and attachment on the records of the above-referenced proceedings pursuant to section 350.042, Florida Statutes. Please give notice of this communication to all parties to the dockets and inform them that they have 10 days from receipt of the notice to file a response.

Attachment

State of Florida

Susan F. Clark
Chairman



Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6040
FAX (904) 487-1716

Public Service Commission

January 11, 1996

The Honorable Charles Dusseau
Secretary
Florida Department of Commerce
Collins Building
107 West Gaines Street
Tallahassee, Florida 32399-0001

Dear Secretary Dusseau:

Thank you for your letter of January 2, 1996, regarding Southern States Utilities, Inc. (SSU).

The Commission's decisions regarding SSU's rates have been arrived at after careful consideration of testimony and evidence presented in public hearings. At the present time, SSU has an application for rate increase pending before the Commission. Also, the Commission's decisions in three other pivotal cases involving SSU are either pending reconsideration by the Commission or are on appeal in the First District Court of Appeal.

Due to the fact that many cases involving SSU are pending before the Commission, I am unable to make any statements about the matters raised in your letter. However, I have instructed Mr. Rob Vandiver, the Commission's General Counsel, to work with your office to the extent necessary for you to understand this Agency's proceedings and its decisions affecting SSU. In fact, Mr. Vandiver met on January 4th with Mr. Nels Roseland of the Governor's Office and Mr. Nick Leslie of your office. Our staff will continue to be available to your office in this capacity.

Sincerely,


Susan F. Clark
Chairman

c: Rob Vandiver

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FLORIDA DEPARTMENT OF COMMERCE
Secretary Charles Dusseau

GOVERNOR
Lawton Chiles

January 2, 1996

Office of the
Secretary
(904) 488-3104
Fax (904) 922-9150

Economic
Development
(904) 488-6300
Fax (904) 922-9595

International Trade
and Development
(904) 488-6124
Fax (904) 487-1407

Tourism
(904) 922-8887
Fax (904) 922-9329

Administrative
Services
(904) 488-9377
Fax (904) 921-2174

Susan F. Clark, Chairperson
Florida Public Service Commission
Gunther Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0855

Dear Commissioner Clark:

I recently received a copy of a letter sent to Governor Chiles by Mr. Arend Sandbulte, Chairman and CEO of Minnesota Power in Duluth, Minnesota. As you are aware, Minnesota Power owns Southern States Utilities, a water and wastewater utility company based in Apopka. This letter outlined his corporation's concerns regarding the PSC's recent uniform rate ruling pertaining to Southern States Utilities (PSC-95-1292-FOF-WS).

Businesses frequently contact this Department with concerns about regulatory decisions, and the PSC under your leadership has been very supportive of our efforts to ensure a fair and favorable setting for economic development in Florida. Your recent cooperation on the economic development expenditures issue and the telephone area code issue are good examples. However, as you can imagine, one of the basic elements for business survival in any marketplace is a predictable and stable business climate. Without it, business managers are unable to make informed decisions which can often make the difference between business survival and failure. An unpredictable environment, even in a regulated setting, can put tremendous financial pressure on firms such as SSU, which may lead them to rethink their investment in Florida and could cause businesses considering Florida as a site for expansion to go elsewhere.

In this case, I have asked a member of our staff, Nick Leslie, to consult with your staff and with the Water Policy Office in the Department of Environmental Protections. Nick will advise me on the reasoning behind the Commission's order and on what, if any, recourse might be available to Southern States Utilities. Nick can be reached at 487-2568.

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Florida Public Service Comm.
Commissioner Clark

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FLORIDA

Collins Building
107 West Gaines Street
Tallahassee, Florida 32399-2000

Susan F. Clark, Chairperson
January 2, 1996
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As always, I appreciate the cooperation of the Commission and thank you for your attention to this issue.

Sincerely,

A handwritten signature in cursive script that reads "Charles Dusseau". The signature is written in dark ink and is positioned below the word "Sincerely,".

Charles Dusseau
Secretary of Commerce

CD:ss

cc: Governor Lawton Chiles
Jeff Sharkey

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