

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate ) DOCKET NO. 911067-WS  
increase by GENERAL DEVELOPMENT )  
UTILITIES, INC. in Charlotte, ) ORDER NO. PSC-92-0095-FOF-WS  
DeSoto and Sarasota Counties )  
\_\_\_\_\_ ) ISSUED: 3/24/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
SUSAN F. CLARK  
J. TERRY DEASON  
BETTY EASLEY  
LUIS J. LAUREDO

ORDER SUSPENDING RATES AND SCHEDULES

BY THE COMMISSION:

General Development Utilities, Inc./West Coast Division (GDU or utility) is a Class A utility located in Charlotte, Desoto, and Sarasota Counties. The utility is a wholly-owned subsidiary of General Development Corporation. As of December 31, 1990, the utility had 6,605 water customers and 5,397 wastewater customers. This Commission has not previously considered this utility's rates within a full rate case nor has a rate of return on equity been set by this Commission.

On January 3, 1992, the utility filed its application for a rate increase. We determined that the utility's filing did not meet the minimum filing requirements because the utility failed to include all the required information. On January 16, 1992 the utility submitted the above, and that date was established as the official date of filing. The test year for final rate determination is a projected twelve-month period ending December 31, 1991. The interim test period is the twelve-months ended December 31, 1990. The utility has requested that this case be scheduled for a formal hearing and not be processed pursuant to the proposed agency action process, set forth in Section 367.081(8), Florida Statutes. The utility's request for interim water and wastewater rates will be considered separately, at a later date.

Pursuant to Section 367.081 (6), Florida Statutes, the utility may implement its proposed rates within sixty days of filing unless

DOCUMENT NUMBER-DATE

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FPC-RECORDS/REPORTING

ORDER NO. PSC-92-0095-FOF-WS  
DOCKET NO. 911067-WS  
PAGE 2

the Commission first acts to withhold consent to those rates. Further, the above referenced statute permits the proposed rates to go into effect, under bond, eight months after filing unless final action has been taken by the Commission.

According to our initial review of the filing, the utility has made substantial changes to its plant since receiving its certificate. Further, since the utility has not had a full rate case, its rate base has not been established by this Commission. In addition, the utility has proposed numerous adjustments to the rate base and operating income. Upon consideration of the above, we find it is reasonable and necessary to require further amplification, explanation and cross-examination of data filed by the utility, as well as additional and/or corroborative data. We, therefore, find it appropriate to suspend the proposed rates and schedules.

It is, therefore,

ORDERED by the Florida Public Service Commission that the rates and schedules proposed by General Development Utilities, Inc., are hereby suspended in accordance with Section 367.081(6), Florida Statutes.

By ORDER of the Florida Public Service Commission, this 24th day of MARCH, 1992.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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ORDER NO. PSC-92-0095-FOF-WS  
DOCKET NO. 911067-WS  
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 25-22.038(2), 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.