

State of Florida

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DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

April 6, 1995

Mr. Norwood Hope
Turkey Creek Utilities
2900 Turkey Creek Boulevard
Alachua, FL 32615-9513

Re: Docket No. [REDACTED] Application for certificates to provide water and wastewater service under grandfather rights in Alachua County by Family Diner, Inc. and Turkey Creek, Inc. d/b/a Turkey Creek Utilities

Dear Mr. Hope:

As you are aware, in Order No. PSC-93-1769-FOF-WS, issued December 9, 1993, the Public Service Commission voted to revive Orders Nos. PSC-93-0229-FOF-WS and PSC-93-0816-FOF-WS, making them final and effective. On January 6, 1994, Turkey Creek filed an appeal to the First District Court of Appeal (1st DCA). On March 27, 1995, the 1st DCA affirmed Order No. PSC-93-1769-FOF-WS, making it final and effective. Accordingly, the provisions of Order Nos. PSC-93-0229-FOF-WS and PSC-93-0816-FOF-WS continue to be in effect. Collectively, these orders required Turkey Creek Utilities (Turkey Creek) to refund monies collected pursuant to the two unauthorized rate increases, including interest, and reduced certain charges including the public fire protection charge, the service availability charges and the late fee. In addition, the utility was ordered to refund accrued interest on the returned customer deposits. Although Turkey Creek has been sold to the City of Alachua, Section 367.071(2), Florida Statutes, states that in a transfer, the transferor remains liable for any refunds of the utility. Therefore, Turkey Creek remains responsible for the refunds to its customers required by the above orders.

In order to complete the refunds required by Order Nos. PSC-93-0229-FOF-WS and PSC-93-0816-FOF-WS, please refer to Rule 25-30.360, Florida Administrative Code. With respect to the calculation of interest, pursuant to Rule 25-30.360(4)(a), Florida Administrative Code, the average monthly interest rate shall be based on the thirty day commercial paper rate for high grade, unsecured notes sold through dealers by major corporations in multiples of \$1,000 as regularly published in the Wall Street Journal. Since

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a motion for a stay of the refunds was not filed in accordance with Rule 25-22.061, Florida Administrative Code, interest has continued to accrue since the appeal was filed. Therefore, for your convenience, enclosed are the commercial paper rates for September 1992 through March 1995.

If you have any questions, please feel free to contact me.

Sincerely,



Edith H. Xanders
Regulatory Analyst

EHX

cc: Charles H. Hill
Division of Records and Reporting
Division of Legal Services (Sager)
City of Alachua
P.O. Box 9
Alachua, FL 32615

Enclosure

MEMORANDUM

03-Apr-95

To: Field Audit Supervisors

From: Division of Auditing and Finance (Causseaux) *ap*

Re: 30 Day Commercial Paper Rate

Listed below are the commercial paper rates to be used for conservation and fuel claims audits. A copy may be included in your workpapers.

		Rate on First Day of Month	Average For the Month
		-----	-----
1995	April	6.120	
1995	March	6.050	6.0850
1995	February	6.100	6.0750
1995	January	6.030	6.0650
1994	December	5.660	5.8450
1994	November	5.000	5.3300
1994	October	5.040	5.0200
1994	September	4.820	4.9300
1994	August	4.460	4.6400
1994	July	4.500	4.4800
1994	June	4.360	4.4300
1994	May	3.900	4.1300
1994	April	3.690	3.7950

Source: Wall Street Journal

13 Month Average = 5.056
 Decade Average = 6.292

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		-----	-----
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1995	March	6.050	6.0850
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1995	January	6.030	6.0650
1994	December	5.660	5.8450
1994	November	5.000	5.3300
1994	October	5.040	5.0200
1994	September	4.820	4.9300
1994	August	4.460	4.6400
1994	July	4.500	4.4800
1994	June	4.360	4.4300
1994	May	3.900	4.1300
1994	April	3.690	3.7950
1994	March	3.520	3.6050
1994	February	3.100	3.3100
1994	January	3.340	3.2200
1993	December	3.150	3.2450
1993	November	3.140	3.1450
1993	October	3.190	3.1650
1993	September	3.140	3.1650
1993	August	3.150	3.1450
1993	July	3.200	3.1750
1993	June	3.160	3.1800
1993	May	3.090	3.1250
1993	April	3.190	3.1400
1993	March	3.120	3.1550
1993	February	3.130	3.1250
1993	January	3.460	3.2950
1992	December	3.280	3.3700
1992	November	3.240	3.2600
1992	October	3.330	3.2850
1992	September	3.400	3.3650
1992	August	3.360	3.3800
1992	July	3.900	3.6300
1992	June	3.910	3.9050
1992	May	3.900	3.9050