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2025 COPY

September 8, 1997

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 920199-WS

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Motion to Provide Notice to Customers.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

*Charles J. Beck*  
Charles J. Beck  
Deputy Public Counsel

ACK 1  
AFA 1  
APP 1  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
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RECEIVED & FILED  
SEP 11 1997  
FPSC DIVISION OF RECORDS

DOCUMENT NUMBER-DATE

09000 SEP-8 1997 004284

FPSC-RECORDS/REPORTING

FILE COPY

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: 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 )  
(Deltona); Hernando County by )  
SPRING HILL UTILITIES (Deltona); )  
and Volusia County by DELTONA )  
LAKES UTILITIES (Deltona) )  
/

Docket no. 920199-WS

Filed: September 8, 1997

**MOTION TO PROVIDE NOTICE TO CUSTOMERS**

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, request the Commission to order Florida Water Services, Inc., f/k/a Southern States Utilities, Inc. ("Florida Water") to provide a notice to each of its customers informing them of the potential impact on them of refunds and surcharges currently being considered by the Commission. In support of this motion, the Citizens state the following:

1. Section 350.0611, Florida Statutes (1995) authorizes the Public Counsel to appear, in the name of the state or its citizens, in any proceeding or action before the Commission and to urge therein any position which he deems to be in the public interest.

DOCUMENT NUMBER-DATE 6788  
09000 SEP-85  
FPSC-RECORDS/REPORTING

2. On June 17, 1997, the First District Court of Appeal issued an order reversing the Commission's decision on remand from *Citrus County v. Southern States Utilities, Inc.*, 656 So.2d 1307 (Fla. 1st DCA 1995). In response to this reversal, Commission order no. PSC-97-1033-PCO-WS issued August 27, 1997 required Florida Water to provide information regarding potential refunds and surcharges and allowed parties to file briefs by September 30, 1997, to address the appropriate action the Commission should take.

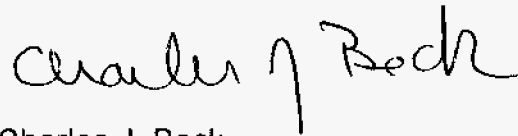
3. The information provided by Florida Water shows potential refunds and surcharges of hundreds and even thousands of dollars per customer. The potential impact of the refunds and surcharges exceeds the impact of many rate cases, yet customers to date have not been provided any information about the effect of this remand proceeding on the amount of money they may receive or may be required to pay.

4. It would be fundamentally unfair to customers if the Commission were to make a decision affecting individual customers by hundreds or even thousands of dollars without first providing a notice to customers about the potential amount of their individual refund or surcharge and providing a mechanism for customers to provide input to the Commissioners. The Commission should direct Florida Water to estimate the potential impact of these remand proceedings on the individual customers of each of its systems included in this docket. The notice should be sent to all affected

customers, whether they are subject to a potential refund or a potential surcharge, and should provide a mechanism that would allow customers to provide input to the Commissioners before a final decision is made.

Respectfully submitted,

JACK SHREVE  
Public Counsel

A handwritten signature in black ink that reads "Charles J. Beck". The signature is written in a cursive style with a large, prominent "C" and "B".

Charles J. Beck  
Deputy Public Counsel

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c/o The Florida Legislature  
111 West Madison Street  
Room 812  
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Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

Docket No. 920199-WS

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery\* to the following party representatives on this 8th day of September, 1997.

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Deputy Public Counsel