

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Disposition of gross-up  
funds collected by Eagle Ridge  
Utilities, Inc. In Lee County.

DOCKET NO. 961077-SU  
ORDER NO. PSC-98-0314-FOF-SU  
ISSUED: February 23, 1998

The following Commissioners participated in the disposition of  
this matter:

J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA

ORDER AUTHORIZING CREDIT TO CONTRIBUTIONS-IN-AID-OF-CONSTRUCTION  
ACCOUNT FOR UNCLAIMED REFUNDS AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

Eagle Ridge is a Class B wastewater utility providing service  
to 606 customers in Lee County. According to its 1996 annual  
report, the utility reported operating revenues of \$374,953 and  
net operating income of 15,030.

By Order No. PSC-97-0647-FOF-SU, issued on June 6, 1997, we  
required Eagle Ridge Utilities, Inc. (Eagle Ridge), to refund a  
total of \$13,876, in contributions-in-aid-of-construction (CIAC)  
gross-up for the fiscal years ended December 31, 1993 and 1994,  
respectively. On November 17, 1997, Eagle Ridge implemented the  
refund.

UNCLAIMED REFUNDS

In compliance with Order No. PSC-97-0647-FOF-WS, Eagle Ridge  
implemented the refund and submitted copies of the canceled checks.  
However, for 1993, there was \$181.59, or 1.37 percent of the total  
refunds ordered, in unclaimed refunds. By correspondence dated  
January 7, 1998, Eagle Ridge requested that it be allowed to treat  
the unclaimed refunds as cash CIAC.

Eagle Ridge provided a list of each individual check, payee  
and amount remaining unclaimed, and an explanation of the efforts

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FPSC-RECORDS/REPORTING

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undertaken to complete the refund. Specifically, Eagle Ridge advised that it mailed the refund checks to the last known mailing address of each contributor. Further, Eagle Ridge advised that they were able to track down a forwarding address, but were unsuccessful as the party had moved again leaving no forwarding address.

According to the utility's 1996 annual report, the utility is 92.97 percent contributed, which is in excess of the 75 percent maximum level of contribution established by Rule 25-30.580 (1) (a), Florida Administrative Code. If the \$181.59 in unclaimed refunds is credited to CIAC, the utility will be 92.98 percent contributed. While the utility appears to be over-contributed, the .01 percent increase is not material. Based on the foregoing, Eagle Ridge shall be allowed to credit CIAC in the amount of \$181.59 in unclaimed refunds.

CLOSING OF DOCKET

There is no further action to be taken in this docket, and the docket shall be closed.

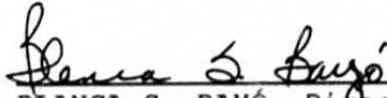
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request of Eagle Ridge Utilities, Inc., to credit its contributions-in-aid-of-construction account in the amount of \$181.59 for unclaimed refunds shall be granted. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission this 23rd  
day of February, 1998.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

RRJ

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.