

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of miscellaneous service charges tariff filing by Aloha Utilities, Inc. for water and wastewater services in the Aloha Garden System and the Seven Springs System in Pasco County.

DOCKET NO. 980906-WS
ORDER NO. PSC-98-1246-FOF-WS
ISSUED: September 21, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER APPROVING TARIFF CHANGE FOR MISCELLANEOUS SERVICE CHARGES

BY THE COMMISSION:

BACKGROUND

Aloha Utilities, Inc. (Utility), is a class A water and wastewater utility located in Pasco County. The utility consists of two divisions -- the Aloha Gardens and the Seven Springs. Both divisions have water and wastewater systems. At the end of the year 1997, the utility served a total of 11,359 water customers, of which 11,153 were residential and 206 were commercial; and 10,861 wastewater customers, of which 10,700 were residential and 161 were commercial. According to the utility's 1997 annual report, the utility had total annual revenues of \$5,162,824, with operating expenses of \$4,594,922, resulting in net operating income of \$567,902 for 1997.

Currently the utility has only one miscellaneous service charges tariff sheet, which applies to the Aloha Gardens wastewater system only. On July 17, 1998, the utility requested miscellaneous service charges tariff sheets to be applicable to both water and wastewater systems for all its divisions.

DOCUMENT NUMBER-DATE

10348 SEP 21 88

FPSC-RECORDS/REPORTING

MISCELLANEOUS SERVICE CHARGES

Currently the utility has only one miscellaneous service charges tariff sheet, which applies only to the Aloha Gardens wastewater system. This tariff sheet was established by Order No. PSC-92-0578-FOF-SU, issued June 29, 1992. In that order, we acknowledged that miscellaneous service charges were appropriate, and that customers who receive both water and wastewater services from the utility would be charged the approved charges for both services only if multiple actions beyond the utility's control were required. However, because the rate case proceeding was only for the Aloha Gardens wastewater system, the miscellaneous service charges tariff sheet was only approved for the Aloha Gardens wastewater system.

Therefore, on July 17, 1998, the utility requested that miscellaneous service charges be applicable to both water and wastewater systems for all divisions. The utility's proposed miscellaneous service charges are the same as those in the utility's existing tariff.

Rule 25-30.460, Florida Administrative Code, allows utilities to assess charges for miscellaneous services. The purpose of such charges is to provide a means by which the utility can recover its costs of providing miscellaneous services for those customers who require the services. Costs are therefore borne by the cost causer rather than the general body of customers.

In consideration of the foregoing, we find that the utility's request for miscellaneous service charges tariff sheets is reasonable and should be approved. Pursuant to Rule 25-30.475(2), Florida Administrative Code, the tariff sheets shall be effective for service rendered on or after the stamped approval date on the tariff sheets.

EFFECTIVENESS OF MISCELLANEOUS SERVICE CHARGES
AND CLOSING OF DOCKET

If a protest is filed within 21 days of the issuance of the Order, this tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that the request for miscellaneous service charges tariff filed by Aloha Utilities, Inc., for the Seven Springs water and wastewater systems and the Aloha Gardens water system shall be approved. It is further

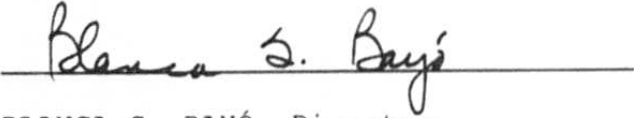
ORDERED that pursuant to Rule 25-30.475(2), Florida Administrative Code, the tariff sheets shall be effective for service rendered on or after the stamped approval date on the tariff sheets. It is further

ORDERED that the tariff revision approved herein is interim in nature and shall become final unless a substantially affected person files a petition for a formal proceeding which is received by the Director, Division of Records and Reporting, by the date in the Notice of Further Proceedings set forth below. It is further

ORDERED that if a protest is filed within 21 days of issuance of the Order, the tariff shall remain in effect with any charges held subject to refund pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 21st day of September, 1998.


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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 12, 1998.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the date this Order becomes final, 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.