

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for revised tariff sheets, new service availability policy, and new refundable advance agreement, by Placid Lakes Utilities, Inc.

DOCKET NO. 060397-WU
ORDER NO. PSC-06-0774-TRF-WU
ISSUED: September 18, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

ORDER APPROVING REVISED TARIFF SHEETS FOR NEW SERVICE AVAILABILITY
POLICY AND REFUNDABLE ADVANCE AGREEMENT

BY THE COMMISSION:

Placid Lakes Utilities, Inc. (Placid Lakes or utility) is a Class B water-only utility in Highlands County. The system serves approximately 1,815 water customers. The utility's service area is located in a water use caution area in the Southwest Florida Water Management District (SWFWMD). Placid Lakes is a wholly-owned subsidiary of Lake Placid Holding Company (LPHC), the primary developer of the Placid Lakes subdivision. In its annual report, the utility reported net operating revenues of \$542,545 and a net operating income of \$63,048.

On May 16, 2006, Placid Lakes filed an application for revised tariff sheets, a new Service Availability Policy, and a new Refundable Advance Agreement.¹ We have jurisdiction pursuant to Section 367.091, Florida Statutes.

Until now, Placid Lakes did not have a service availability policy. A service availability policy is a section of a utility's tariff which sets forth a uniform method of determining service availability charges to be paid and conditions to be met by applicants in order to obtain service.

The utility's proposed Service Availability Policy lists its purpose and applicability. It also gives general provisions, the main extension rules, previously approved service availability charges, and special conditions. The appendix to the service availability agreement includes a refundable advance agreement.

¹ By Order No. PSC-06-0590-PCO-WU, issued July 7, 2006, in this docket, Placid Lake's request was suspended.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

As defined by Rule 25-30.515(16), Florida Administrative Code:

Refundable Advance means money paid or property transferred to a utility by the applicant for the installation of facilities which may not be used and useful for a period of time. The advance is made so that the proposed extension may be rendered economically feasible. The advance is returned to the applicant over a specified period of time in accordance with a written agreement as additional users connect to the system.

Placid Lakes' proposed Refundable Advance Agreement provides that the applicant requesting the installation of off-site mains or other facilities necessary to provide service pay the actual cost of the off-site mains or other facilities. The utility will collect fees from other applicants desiring water service within the qualified property based upon the applicant's hydraulic share of the facilities. Within sixty days of collection of the fees by the utility, a refund of said fees shall be made to the original applicant.

We find Placid Lakes' requested Service Availability Policy to be reasonable and consistent with the guidelines set forth in Rule 25-30.580, Florida Administrative Code. We also find it appropriate for the refundable advance agreement to be included for future applicants requesting the installation of off-site mains or other facilities necessary to provide service. Therefore, Placid Lakes' request for a new Service Availability Policy and Refundable Advance Agreement is approved.

The utility's Fourth Revised Tariff Sheet No. 2.0, Fifth Revised Tariff Sheet No. 23.0, Sixth Revised Tariff Sheet No. 28.0, Original Sheet Tariff Sheet Nos. 31.0-31.16, and the Refundable Advance Agreement are approved as filed. The utility shall file a proposed notice to reflect our decision for our staff's approval. The approved tariffs shall be effective for services rendered on or after the stamped approval date provided all persons in the service area who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the request was filed have received notice. The utility shall provide proof that those persons have received notice within 10 days after the date that the notice was issued.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Placid Lakes Utilities, Inc.'s Fourth Revised Tariff Sheet No. 2.0, Fifth Revised Tariff Sheet No. 23.0, Sixth Revised Tariff Sheet No. 28.0, and Original Sheet Tariff Sheet Nos. 31.0-31.16 for its new service availability policy and refundable advance agreement are approved as filed. It is further

ORDERED that Placid Lakes Utilities, Inc. shall file a proposed notice to reflect our decision herein for our staff's approval. The approved tariffs shall be effective for services rendered on or after the stamped approval date provided all persons in the service area who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the request was filed have received notice. It is further

ORDERED that Placid Lakes Utilities, Inc. shall provide proof that those persons have received notice within 10 days after the date that the notice was issued. It is further

ORDERED that if no timely protest is filed by a person whose interests are substantially affected within 21 days of the issuance of this Order, this docket shall be closed upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 18th day of September, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By:



Kay Flynn, Chief
Bureau of Records

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS

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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 9, 2006.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

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.