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## Public Service Commission

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COMMISSION CLERK

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** November 30, 2017

**TO:** Office of Commission Clerk (Stauffer)

**FROM:** Division of Economics (Friedrich, Hudson) *SH MF*  
Office of the General Counsel (Taylor) *WDT JSA*

**RE:** Docket No. 20160220-WS – Application for original water and wastewater certificates in Sumter County, by South Sumter Utility Company, LLC.

**AGENDA:** 12/12/17 – Regular Agenda – Tariff Filing – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Graham

**CRITICAL DATES:** 12/11/17 (60-Day Suspension Date Waived by the Utility to 12/12/17)

**SPECIAL INSTRUCTIONS:** None

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### Case Background

On October 11, 2016, South Sumter Utility Company, L.L.C. (South Sumter or utility) filed its application for original water and wastewater certificates in Sumter County. Simultaneously, with its application, the utility filed a Motion for Temporary Rule Waiver of Rules 25-30.033(1)(p) and (q) for filing support for rates and charges and tariffs required in the rate setting process. On February 24, 2017, the Commission granted the utility's request for a temporary waiver and Original Certificate Nos. 669-W and 571-S for its water and wastewater systems.<sup>1</sup>

On October 12, 2017, the utility filed its petition to establish initial rates and charges. Section 367.081(6), Florida Statutes (F.S.), provides that the Commission may, for good cause, withhold consent of implementation of the requested rates within 60 days after the date the rate request is

<sup>1</sup>Order No. PSC-17-0059-PAA-WS, issued February 24, 2017, in Docket No. 20160220-WS, *In re: Application for original water and wastewater certificates in Sumter County, by South Sumter Utility Company, LLC*

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Date: November 30, 2017

filed. The original 60-day statutory deadline for the Commission to suspend the utility's initial rates and charges is December 11, 2017. However, by letter dated November 15, 2017, the utility agreed to extend the statutory time frame by which the Commission is required to address the suspension of South Sumter's initial rates and charges to December 12, 2017. This recommendation addresses the suspension of the utility's requested final rates. The Commission has jurisdiction pursuant to Section 367.081(6), F.S.

### Discussion of Issues

**Issue 1:** Should the utility's initial water and wastewater rates and charges be suspended?

**Recommendation:** Yes. The utility's initial water and wastewater rates and charges should be suspended. (Friedrich)

**Staff Analysis:** Pursuant to Section 367.091(6), F.S., the Commission may withhold consent to operation of any or all portions of new rate schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding consent. Staff is recommending that the tariff be suspended to allow staff sufficient time to review the application and gather all pertinent information to present the Commission an informed recommendation on the proposed tariff. In efforts for staff to gather additional information related to this case, the utility and staff participated in an informal conference call on November 11, 2017 and staff's first data request was sent on November 22, 2017. Staff believes that this reason is a good cause consistent with the requirement of Section 367.091(6), F.S. Based on the above, the utility's initial water and wastewater rates and charges should be suspended

**Issue 2:** Should this docket be closed?

**Recommendation:** This docket should remain open pending the Commission's final action on the utility's request to establish its original water and wastewater rates. (Taylor)

**Staff Analysis:** This docket should remain open pending the Commission's final action on the utility's request to establish its original water and wastewater rates.