

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: January 10, 2018

TO: Docket No. 20160101-WS - Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.

FROM: Carlotta S. Stauffer, ^{CS} Commission Clerk, Office of Commission Clerk

RE: Updated Index of Record on Appeal for **Citizens of the State of Florida, etc. v. Florida Public Service Commission**, 1st District Court of Appeal Case No. 1D17-4425

Attached for placement in Docket No. 20160101-WS is the updated index of the record on appeal. The updated index provides volume and page numbers.

Updated 1D17-4425 INDEX (BY DATE)

PSC Docket No. 20160101-WS

Pursuant to Rule 9.200(d)(1)(B), Fla.R.App.P., each Volume has a cover sheet containing the name of the lower tribunal and the style and number of the case.

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** *[THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT
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12/20/2016	Memorandum dated December 20, 2016 from Commission's Walter Trierweiler to all parties of record and interested persons advising of informal meeting to be held January 3, 2017 at 2:00 p.m., Room G-105, Gunter Building, 2540 Shumard Oak Blvd, Tallahassee	5829
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01/05/2017	Commission's <u>confidential</u> working papers Volume 2 of 2 for Utilities, Inc. for rate case audit (Audit Control No. 2016-259-1-1) [x-ref DN 00627-2017]	5877-5945
**	<i>[THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 00143-2017, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER]</i>	
01/05/2017	Memorandum from Lynn M. Deamer dated January 5, 2017 to CLK with attached audit report for Utilities, Inc.; any response by utility should be sent to CLK (Audit Control No. 16-259-1-1)	5946-5978
01/05/2017	Utilities, Inc.'s notice of filing; with attached affidavits of publication evidencing that the service and technical hearing notices were published in Charlotte, Highlands, Lee, Pinellas, and Pasco Counties; includes copies of newspaper publications	5979-5985

01/06/2017	Utilities, Inc.'s motion for temporary protective order of certain information submitted in response to OPC's third request for PODs (No. 6)	5986-5988
**	<i>[Notice of service of request filed December 13, 2016 and response filed on January 5, 2017]</i>	
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01/06/2017	Memorandum dated January 6, 2017 from Commission's Carlotta S. Stauffer to Commission's Dale N. Mailhot, APA, requesting permission, pursuant to APM 11.04.C.6.d (2) (b), to make OPC a copy of confidential document number 00143-2017; with attached copy of request by OPC (document number 00159-2017); includes noted approval by Commission's Dale N. Mailhot; and receipt date of January 6, 2017 by OPC	5990-5991
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**	<i>[Notice of service of request filed December 13, 2016 and response filed on January 5, 2017; confidential document 00178-2017 is located in the sealed portion of the appeal record]</i>	
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**	<i>[THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 00178-2017, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER]</i>	

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** [THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT
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05/24/2017 Commission’s Walter Trierweiler’s request for change
to June 5, 2017 Commission conference; requests
permission to late-file recommendation by 12:00 p.m.
on May 25, 2017; with noted approval by Commission’s
Braulio L. Baez and Chairman's office 190298

05/25/2017	Memorandum dated May 25, 2017, from Commission’s GCL, AFD, and ENG for June 5, 2017, Commission conference, Item 3	190299-190308
06/05/2017	Commission vote sheet, from June 5, 2017, Commission conference, Item Number 3	190309-190310
06/12/2017	Transcript of Commission conference, Item 3, held June 5, 2017, in Tallahassee, Florida	190311-190328
06/15/2017	Utilities, Inc.’s letter dated June 15, 2017, with attached interim rate revenue report for November 2016 and December 2016 and January 2017 through April 2017, pursuant to Rule 25-30.360(6), FAC and Commission Order PSC-2016-0526-PCO-WS.....	190329-190333
06/20/2017	Summertree and A. Ryan’s post-hearing brief	190334-190368
06/20/2017	Utilities, Inc.’s post-hearing statement of issues and positions <i>[See Volume 952 for continued pages]</i>	190369-190412

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06/20/2017	[Continuation] Utilities, Inc.’s post-hearing statement of issues and positions	190413-190425
06/20/2017	Seminole County’s post-hearing statement of positions and post-hearing brief	190426-190447
06/20/2017	Seminole County’s proposed findings of fact and conclusions of law	190448-190455
06/20/2017	OPC’s post-hearing brief	190456-190583
06/23/2017	Commission Order PSC-2017-0243-FOF-WS granting OPC's request for oral argument; denying OPC's motion for reconsideration; docket to remain open pending resolution of underlying issues	190584-190591
06/26/2017	OPC’s letter dated June 26, 2017, advising of a scrivener's error in post-hearing brief filed on June 20, 2017, Issue 7, last sentence on page 16; and Issues 44 and 48, positions and arguments.....	190592

07/18/2017 Utilities, Inc.'s letter dated July 18, 2017 with attached interim revenue reports for November 2016, December 2016, and January 2017 through July 2017, pursuant to Commission Order PSC-2016-0526-PCO-WS190593-190596

07/20/2017 FAR notice of special Commission conference to be held August 3, 2017, following Internal Affairs Meeting which commences immediately after the Commission Conference; Room 148 Easley Building, Tallahassee, Florida; for publication in July 21, 2017, Florida Administrative Register.....190597-190598

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07/21/2017 Memorandum dated July 21, 2017, from Commission's AFD, ECO, ENG, and GCL for August 3, 2017, Special Commission conference, Item 1A
[See Volume 954 for continued pages]190599-190798

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07/21/2017 [Continuation] Memorandum dated July 21, 2017, from Commission's AFD, ECO, ENG, and GCL for August 3, 2017, Special Commission conference, Item 1A
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07/21/2017 [Continuation] Memorandum dated July 21, 2017, from Commission's AFD, ECO, ENG, and GCL for August 3, 2017, Special Commission conference, Item 1A190999-191025

08/01/2017 Email dated August 1, 2017 from Commission's Greg Shafer, ECO, to Commission's Braulio L. Baez requesting approval to make oral modifications to Special Commission conference Item 1A, at August 3, 2017 Commission conference; with approval from Commission's Braulio L. Baez191026-191053

08/01/2017 Memorandum dated August 1, 2017 from Commission's Walter Trierweiler to Commission's Carlotta S. Stauffer with attached correspondence from Utilities, Inc.191054-191057

08/02/2017	Email dated August 2, 2017 from Commission's Cheryl Bulecza-Banks, AFD, to Commission's Braulio L. Baez requesting approval to make oral modifications to Special Commission conference Item 1A, at August 3, 2017 Commission conference; with approval from Commission's Braulio L. Baez	191058-191061
08/03/2017	Commission vote sheet, from August 3, 2017, Commission conference, Item Number 1A	191062-191124
08/10/2017	Transcript of Special Commission conference, Item 1A, held August 3, 2017, in Tallahassee, Florida <i>[See Volume 956 for continued pages]</i>	191125-191198

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08/10/2017	[Continuation] Transcript of Special Commission conference, Item 1A, held August 3, 2017, in Tallahassee, Florida	191199-191289
08/21/2017	Utilities, Inc.'s letter dated August 20, 2017, with attached interim rate revenue report for November 2016, December 2016, January 2017 through July 2017, pursuant to 25-30.360(6) FAC and Commission Order PSC-2016-0526-PCO-WS	191290-191293
08/31/2017	Utilities, Inc.'s affidavit of mailing copies of the final rate customer notice to all customers of the utility in Charlotte, Highlands, Lake, Lee, Marion, Orange Pasco, Pinellas, Polk, and Seminole Counties	191294
**	<i>[Commission note: The notice referenced in the affidavit of mailing was not included; see affidavit with attached notice filed on August 31, 2017]</i>	
08/31/2017	Utilities, Inc.'s affidavit of mailing copies of the final rate customer notice to all customers of the utility in Charlotte, Highlands, Lake, Lee, Marion, Orange Pasco, Pinellas, Polk, and Seminole Counties	191295-191343
**	<i>[Commission note: This filing includes the notice referenced in the affidavit of mailing which was not included in filing on August 31, 2017]</i>	

09/19/2017	Utilities, Inc.’s letter dated September 19, 2017, with attached interim rate revenue report for November 2016 and December 2016 and January 2017 through September 2017 pursuant to Rule 25-30-.360(6),FAC and Commission Order PSC-2016-0526-PCO-WS; final rates went into effect on September 4, 2017	191344-191347
09/25/2017	Commission Final Order 2017-0361-FOF-WS approving in part Utilities, Inc.’s application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties; interim refunds shall be made as set forth; docket to remain open for Commission staff’s verification that Utility has completed the approved refunds, revised tariff sheets and customer notices have been filed; Utilities, Inc. to submit a letter confirming that the adjustments for all applicable NARUC USOA primary accounts have been made; once required actions are completed, docket to be closed administratively <i>[See Volume 957 for continued pages]</i>	191348-191398

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9/25/2017	[Continuation] Commission Final Order 2017-0361-FOF-WS approving in part Utilities, Inc.’s application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties; interim refunds shall be made as set forth; docket to remain open for Commission staff’s verification that Utility has completed the approved refunds, revised tariff sheets and customer notices have been filed; Utilities, Inc. to submit a letter confirming that the adjustments for all applicable NARUC USOA primary accounts have been made; once required actions are completed, docket to be closed administratively <i>[See Volume 958 for continued pages]</i>	191399-191598
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09/25/2017 [Continuation] Commission Final Order 2017-0361-FOF-WS approving in part Utilities, Inc.'s application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties; interim refunds shall be made as set forth; docket to remain open for Commission staff's verification that Utility has completed the approved refunds, revised tariff sheets and customer notices have been filed; Utilities, Inc. to submit a letter confirming that the adjustments for all applicable NARUC USOA primary accounts have been made; once required actions are completed, docket to be closed administratively
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10/04/2017 Commission Amendatory Order PSC-2017-0361A-FOF-WS amending scrivener's error on page 221, in table 64 for Labrador, the refund amount should be changed from \$114,329 to \$83,236; Commission Order No. PSC-2017-0361-FOF-WS is reaffirmed in all other respects 191696

10/20/2017 OPC's notice of administrative appeal of Commission Order PSC-2017-0361-FOF-WS
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Progress Docket

Pursuant to Rule 9.200(d)(1)(A), Fla.R.App.P, the document filing index for Docket No. 20160101-WS has been incorporated into the record immediately after the index.

Hearing Transcript

Pursuant to Rule 9.200(d)(1)(A), Fla.R.App.P, the hearing transcript is incorporated at the end of the record and has not been renumbered.

- 05/11/2017 Transcript Volume 1, pages 1 to 154, of May 8, 2017 hearing in Tallahassee, Florida
- 05/11/2017 Transcript Volume 2, pages 155 to 279, of May 8, 2017 hearing in Tallahassee, Florida
- 05/11/2017 Transcript Volume 3, pages 280 to 452, of May 9, 2017 hearing in Tallahassee, Florida
- 05/12/2017 Transcript Volume 4, pages 453 to 699, of May 9, 2017 hearing in Tallahassee, Florida
- 05/12/2017 Transcript Volume 5, pages 700 to 999, of May 9, 2017 hearing in Tallahassee, Florida
- 05/15/2017 Transcript Volume 6, pages 1000 to 1133, of May 10, 2017 hearing in Tallahassee, Florida
- 05/15/2017 Transcript Volume 7, pages 1134 to 1297, of May 10, 2017 hearing in Tallahassee, Florida
- 05/15/2017 Transcript Volume 8, pages 1298 to 1413, of May 10, 2017 hearing in Tallahassee, Florida
- 05/15/2017 Transcript Volume 9, pages 1414 to 1572, of May 10, 2017 hearing in Tallahassee, Florida