

STATE OF FLORIDA



COMMISSIONERS:
ART GRAHAM, CHAIRMAN
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

DIVISION OF ENGINEERING
TOM BALLINGER
DIRECTOR
(850) 413-6910

Public Service Commission

August 27, 2018

Mr. L. E. Dlouhy
Windstream Utilities Company
P. O. Box 4201
Ocala, FL 34478-4201
dlouhy@embarqmail.com

VIA EMAIL & US MAIL

Re: Docket No. 20180150-WU - Application for transfer of water facilities to City of Ocala Water and Sewer, and cancellation of Certificate No. 427-W, by Windstream Utilities Company.

Dear Mr. Dlouhy:

Staff has reviewed Windstream Utilities Company's (Windstream) application for transfer of water facilities to the City of Ocala Water and Sewer, and cancellation of its certificate. After reviewing this information we find the application to be deficient. The specific deficiency is identified as:

Deficiency

1. Regulatory Assessment Fees.

- a. Pursuant to Rule 25-30.120(1), Florida Administrative Code (F.A.C.), as applicable and as provided in Section 350.113, Florida Statutes, each utility shall remit a fee based upon its gross operating revenue. This fee shall be referred to as a regulatory assessment fee. Each utility shall pay a regulatory assessment fee in the amount of 0.045 of its gross revenues derived from intrastate business.
- b. According to Rule 25-30.120(2), F.A.C., the obligation to remit the regulatory assessment fees for any year shall apply to any utility that is subject to this Commission's jurisdiction on or before December 31 of that year or for any part of that year.
- c. Pursuant to Rule 25-30.038(g), F.A.C., the applicant should provide a statement regarding the disposition of any outstanding regulatory assessment fees, fines or refunds owed. Our records indicate that Windstream has filed regulatory assessment fees up to December 31, 2017. The regulatory assessment fees for the period of January 1, 2018, through the transfer date of July 10, 2018, have not been received.

Enclosed with this letter please find the Small Water Utility Regulatory Assessment Fee Return form.

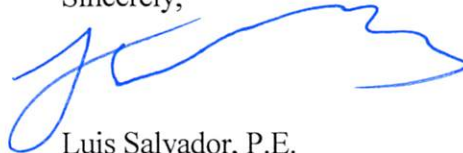
L. E. Dlouhy
Page 2
August 27, 2018

We will be unable to proceed with the transfer process until the deficiency identified in this letter has been corrected. The correction should be submitted as soon as possible, but no later than September 24, 2018, to the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Should you have any questions concerning the information in this letter, please feel free to contact Mr. Luis Salvador by phone at (850) 413-6226 or email lsalvado@psc.state.fl.us for technical questions, or Ms. Tony Joy McCoy, Public Utility Analyst, at (850) 413-6532 or email TMcCoy@psc.state.fl.us for questions related to the Regulatory Assessment Fees. Please include the docket number on all submissions to the Commission Clerk.

Sincerely,



Luis Salvador, P.E.
Engineering Specialist
Division of Engineering

LS:jp

Enclosure

cc: Office of Commission Clerk (Docket No. 20180150-WU)

Small Water Utility Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:
1/1/2018 TO 12/31/2018

WU385-18-W-0-R
 Windstream Utilities Company
 P. O. Box 4201
 Ocala, FL 34478-4201

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 0604001
 _____ 003001

\$ _____ E

\$ _____ P 0604001
 _____ 004010

\$ _____ I

Postmark Date _____

Initials of Preparer _____

(Name of Utility)	(Address)	(City/State)	(Zip)
-------------------	-----------	--------------	-------

	# _____	# _____	# _____
Florida Public Service Commission Certificate			
WATER OPERATING REVENUES			
1. Unmetered Water Revenues (460)	\$ _____	\$ _____	\$ _____
MEASURED WATER REVENUES			
2. Residential Revenues (461.1)	_____	_____	_____
3. Commercial Revenues (461.2)	_____	_____	_____
4. Industrial Revenues (461.3)	_____	_____	_____
5. Revenues from Public Authorities (461.4)	_____	_____	_____
6. Multiple Family Dwelling Revenues (461.5)	_____	_____	_____
7. TOTAL METERED SALES	\$ _____	\$ _____	\$ _____
FIRE PROTECTION REVENUES			
8. Public Fire Protection (462.1)	_____	_____	_____
9. Private Fire Protection (462.2)	_____	_____	_____
10. TOTAL FIRE PROTECTION REVENUE	\$ _____	\$ _____	\$ _____
11. Other Sales to Public Authorities (464)	_____	_____	_____
12. Sales to Irrigation Customers (465)	_____	_____	_____
13. SALES FOR RESALE (466)	_____	_____	_____
14. Interdepartmental Sales (467)	_____	_____	_____
15. TOTAL WATER SALES (Lines 1+7+10+11+12+13+14)	\$ _____	\$ _____	\$ _____
OTHER WATER REVENUES			
16. Guaranteed Revenues (Include Revenues from A.F.P.I. Charges) (469)	_____	_____	_____
17. Forfeited Discounts (470)	_____	_____	_____
18. Miscellaneous Service Revenues (471)	_____	_____	_____
19. Rents From Water Property (472)	_____	_____	_____
20. Interdepartmental Rents (473)	_____	_____	_____
21. Other Water Revenues (474) Describe:	_____	_____	_____
<i>Describe:</i>	_____	_____	_____
22. TOTAL OTHER WATER REVENUES (Lines 16+17+18+19+20+21)	\$ _____	\$ _____	\$ _____
23. TOTAL WATER OPERATING REVENUES (Lines 15+22)⁽¹⁾	\$ _____	\$ _____	\$ _____
24. Less: Expense for Purchased Water From FPSC-Regulated Utility	(_____)	(_____)	(_____)
25. NET WATER OPERATING REVENUES (Line 23 Less Line 24)	_____	_____	_____
26. REGULATORY ASSESSMENT FEE DUE - (Multiply Line 25 by 0.045) (If more than \$25, enter amount. If less, enter \$25) ⁽²⁾	_____	_____	_____
27. Less: Approved Prior-Period Credit	_____	(_____)	_____
28. NET REGULATORY ASSESSMENT FEE (Line 26 Less Line 27)	_____	\$ _____	_____
29. Penalty for Late Payment	_____	_____	_____
30. Interest for Late Payment	_____	_____	_____
31. Extension Payment Fee (see "5. Extension" on back)	_____	_____	_____
32. TOTAL AMOUNT DUE (Line 28 + 29 + 30)	_____	\$ _____	_____

⁽¹⁾These amounts must agree with Annual Report Schedule F-3
⁽²⁾As provided in Section 350.113, Florida Statutes, the Minimum Annual Fee is \$25 (see Item #7 on back)

If service was purchased from a regulated utility, please insert its name: _____

I, the undersigned owner/officer of the above-named vendor, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Utility Official)	(Title)	(Date)
(Please Print Name)	Telephone Number (_____)	Fax Number (_____)

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Small Water Utility)

1. **WHO MUST FILE:** Each small regulated utility under the jurisdiction of the Florida Public Service Commission (Commission) for any part of the 12-month period, January 1 through December 31, preceding the due date as reflected in the following paragraph. A small utility is defined as a utility with annual revenues of less than \$200,000 based on the most recent prior calendar year.
2. **WHEN TO FILE:** To avoid payment of penalties and interest, the Regulatory Assessment Fee Return form must be filed or postmarked before March 31 for the report period January 1 through December 31. However, if March 31 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty.
3. **FEES:** Each Commission-regulated utility shall pay the presently established percentage (Line 26) of its gross operating revenues derived from intrastate business. (Gross Operating Revenues are defined as the total revenues before expenses.) To assure an accurate recording of your fee payment, it is most important that you identify each certificate number in the appropriate space.
4. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 29). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 30).
5. **EXTENSION:** A utility, for good cause shown in a written request, may be granted up to a 30-day extension. A request must be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/AIT 124), two weeks prior to the filing date. If an extension is granted, a charge shall be added to the amount due:

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a utility may file a return and remit payment based upon estimated gross operating revenues by checking the "Estimated Return" space in the top left-hand corner on the reverse side. If such return is filed by the normal due date, the utility shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period.

6. **AUTHORITY:** The authority to collect regulatory assessment fees is granted to the Commission by Section 350.113 and 367.145, Florida Statutes.
7. **REGULATORY ASSESSMENT FEE DUE:** Amounts are due and payable to the Commission by March 31. If there are no revenues *OR* if revenues are insufficient to generate a minimum annual fee, remit the minimum fee. A **Regulatory Assessment Fee Return** must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.
8. **FEE ADJUSTMENTS:** Computation errors and/or differences in gross operating revenues reported for regulatory assessment fee purposes and those reported in the annual report may cause adjustments to amounts paid to the Commission. You will be notified as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment.
9. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. However, if you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

10. **ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Accounting & Finance at (850) 413-6900 or at the above-referenced address, changing the Attention Line.