

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in  
Gulf County by ESAD Enterprises, Inc. d/b/a  
Beaches Sewer Systems, Inc.

DOCKET NO. 20160165-SU  
ORDER NO. PSC-2018-0584-FOF-SU  
ISSUED: December 17, 2018

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING REQUEST FOR DEADLINE EXTENSIONS  
BY ESAD ENTERPRISES, INC. D/B/A BEACHES SEWER SYSTEMS, INC.

BY THE COMMISSION:

**Background**

ESAD Enterprises, Inc. d/b/a Beaches Sewer Systems, Inc. (Beaches or Utility) is a Class C wastewater-only utility operating in Gulf County, Florida. Docket records indicate that the Utility serves approximately 316 residential and 4 general service wastewater customers, in addition to 45 prepaid connections. However, Beaches has recently communicated that approximately 76 homes within the Utility's service territory are uninhabitable and are not receiving wastewater service due to storm damage from Hurricane Michael. Water service is provided by the City of Port St. Joe.

Beaches filed an application for a staff-assisted rate case on July 12, 2016. By Order No. PSC-2017-0383-PAA-SU (the PAA Order) issued October 4, 2017, in this docket, the Florida Public Service Commission (Commission) approved a Phase I revenue requirement and rates.<sup>1</sup> The PAA Order provided that consideration of Phase II rates is conditioned upon Beaches completing certain pro forma operation and maintenance and plant items (Phase II pro forma items) within 12 months of the issuance of a Consummating Order in this docket, and submitting a copy of the final invoices and cancelled checks for all Phase II pro forma items within 60 days after this period.<sup>2</sup> The PAA Order also provided that if Beaches encountered any unforeseen

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<sup>1</sup>Order No. PSC-2017-0383-PAA-SU, issued October 4, 2017, in Docket No. 20160165-SU, *In re: Application for staff-assisted rate case in Gulf County by ESAD Enterprises, Inc. d/b/a Beaches Sewer Systems, Inc.*

<sup>2</sup> The Phase II pro forma items consisted of clearing vegetation from retention ponds, purchasing a portable generator and installing electrical hookups to supplement its operation, replacing two lift station pumps and a control panel, purchasing a blower, removing sand and grit from the wastewater treatment plant, and repairing the fencing surrounding the facility.

events that would impede the completion of the Phase II pro forma O&M and plant items, it should immediately notify the Commission in writing.

The Consummating Order was issued on October 27, 2017.<sup>3</sup> The Phase II pro forma items were to be completed by October 27, 2018, with their associated documentation to be submitted by December 27, 2018. On October 31, 2018, Beaches notified our staff that it would not be able to meet the October 27, 2018 deadline for completing the Phase II pro forma items. Beaches requested that it be granted an extension until December 26, 2018, to complete the Phase II pro forma items, and until January 26, 2019, to submit the final invoices and cancelled checks associated with those items.

This Order addresses Beaches' request for an extension of time to complete the Phase II pro forma items and to submit the associated documentation. We have jurisdiction pursuant to Sections 367.081, 367.0814, and 367.121, Florida Statutes.

### **Decision**

As discussed in the Background, Beaches' was given until October 27, 2018, to complete the Phase II pro forma items and until December 27, 2018, to submit copies of the final invoices and cancelled checks for the items. On October 31, 2018, Beaches notified our staff that it would not be able to meet these deadlines due to project completion delays caused by Hurricane Michael, an unforeseen event. Based on this information, we find it appropriate to grant Beaches extensions of time due to the delay caused by Hurricane Michael, an event outside of Beaches' control. Therefore, an extension shall be granted to December 26, 2018, for completion of Beaches' required Phase II pro forma items, and to January 26, 2019, for submission of copies of the final invoices and cancelled checks for all of the Phase II pro forma items.

Based on the foregoing, it is

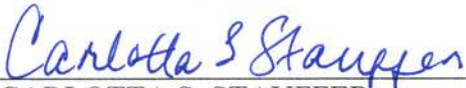
ORDERED by the Florida Public Service Commission that ESAD Enterprises, Inc. d/b/a Beaches Sewer Systems, Inc.'s request for a deadline extension to December 26, 2018, shall be granted for completion of the required Phase II pro forma items, and to January 26, 2019, for submission of copies of the final invoices and cancelled checks associated with those items. It is further

ORDERED that this docket shall remain open to allow Commission staff time to verify that the Phase II pro forma improvements have been made, and for a decision by the Commission on the appropriate Phase II revenue requirement and rates.

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<sup>3</sup>Order No. PSC-2017-0417-CO-SU, issued October 27, 2017, in Docket No. 20160165-SU, *In re: Application for staff-assisted rate case in Gulf County by ESAD Enterprises, Inc. d/b/a Beaches Sewer Systems, Inc.*

By ORDER of the Florida Public Service Commission this 17th day of December, 2018.



CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CWM/AJW

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, 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 after the issuance of this order, 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.