

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for establishment of  
wastewater allowance for funds prudently  
invested (AFPI) charges in Lake County.

DOCKET NO. 20190189-WS  
ORDER NO. PSC-2019-0546-PCO-WS  
ISSUED: December 23, 2019

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 SUSPENDING UTILITIES, INC. OF FLORIDA'S PROPOSED TARIFF

BY THE COMMISSION:

**Background**

Utilities, Inc. of Florida (UIF or utility) is a Class A utility providing water and wastewater services to 27 systems in the following counties: Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole. Within its 2018 annual report, the utility reported \$15,633,470 of water and \$19,795,636 of wastewater operating revenues.

On October 7, 2019, the utility filed an application to revise its existing allowance for funds prudently invested (AFPI) charges for its system formerly known as Lake Utility Services, Inc. (LUSI), along with tariff sheets reflecting the proposed charges. The utility is requesting to revise its existing AFPI charges for the LUSI wastewater system based on our remand decision in Order No. PSC-2019-0363-PAA-WS, issued August 27, 2019, which reduced the used and useful value of LUSI's wastewater treatment plant (WWTP) from 58.78 to 53.54 percent.<sup>1</sup>

This Order addresses the suspension of UIF's proposed tariff sheet. We have jurisdiction pursuant to Section 367.091(6), Florida Statutes (F.S.).

**Decision**

Pursuant to Section 367.081(6), F.S., we may withhold consent to the 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 its consent. Commission staff sent a data request to UIF on November 26, 2019, to obtain additional information in regards to the UIF's requested AFPI

<sup>1</sup>Order No. PSC-201900363-PAA-WS, issued August 27, 2019, in Docket No. 20160101-WS, In re: 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.

charges. Commission staff anticipates that they will receive UIF's response to this data request by December 23, 2019. In consideration of the current status of this docket, we find that it is appropriate, at this time, to allow Commission staff sufficient time to review UIF's application and gather all pertinent information to present us with an informed recommendation on the proposed tariff. We further find this reason to be good cause, consistent with the requirements of Section 367.081(6), F.S., to suspend UIF's proposed tariff. Therefore, we suspend UIF's proposed tariff establishing AFPI charges for the LUSI wastewater system.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Utilities, Inc. of Florida's proposed tariff to establish allowance for funds prudently invested charges for its Lake Utility Services, Inc. wastewater system are suspended. It is further

ORDERED by the Florida Public Service Commission that this docket shall remain open pending our final action on UIF's requested approval to revise existing AFPI wastewater charges for the LUSI wastewater system.

By ORDER of the Florida Public Service Commission this 23rd day of December, 2019.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
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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.

WLT

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.

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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.