

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate  
increase in Polk County by Park  
Water Company Inc.

DOCKET NO. 991627-WU  
ORDER NO. PSC-00-1161-PCO-WU  
ISSUED: June 26, 2000

The following Commissioners participated in the disposition of  
this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER

ORDER SUSPENDING PROPOSED RATES

BY THE COMMISSION:

BACKGROUND

On May 14, 1996, the Board of County Commissioners of Polk County (County) adopted a resolution, pursuant to Section 367.171, Florida Statutes, declaring the water and wastewater utilities in the County subject to the provisions of Chapter 367, Florida Statutes. The resolution was acknowledged by this Commission by Order No. PSC-96-0896-FOF-WS, issued July 11, 1996, in Docket No. 960674-WS.

Park Water Company, Inc. (Park or utility) is a Class C utility which provides water service to approximately 743 single family residences, duplexes, mobile homes, and general service customers in the County. According to its application, the utility was incorporated in the State of Florida on September 12, 1955, under the name of Crooked Lake Park Water Company, Inc. However, the utility changed its name to Park Water Company, Inc. on September 9, 1996. According to the utility's filing, the utility had 1999 annual revenues of \$190,113 and operating expenses of \$185,460, resulting in a net operating income of \$4,653. Although Park is considered a Class C utility by National Association of Regulatory Utility Commissioners standards (annual revenues of less than \$200,000), it is not eligible for a staff assisted rate case since the company's annual revenues are above \$150,000. See Section

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367.0814(1), Florida Statutes. To obtain rate relief, the utility initiated this file and suspend rate case.

Park filed its application for a rate increase on October 29, 1999. However, we found several deficiencies in the minimum filing requirements which have subsequently been corrected. The official filing date is April 19, 2000. The utility requested that its application be processed using our Proposed Agency Action (PAA) procedure, and did not request interim rates. The utility's rate case is based on a historical base year of December 31, 1999.

Pursuant to Section 367.081(6), Florida Statutes, the utility may implement its proposed rates within sixty (60) days of filing unless we first act to withhold consent to those rates. The sixty-day statutory deadline for us to suspend the utility's requested rates is June 19, 2000. Further, Section 367.081(8), Florida Statutes, states that the utility may implement its requested rates, under bond and subject to refund, five (5) months after filing if we have not acted upon the requested rate increase or if our PAA action is protested by a party other than the utility.

We have reviewed the filing and considered the proposed rates, the revenues thereby generated, and the information filed in support of the rate application. We believe it is reasonable and necessary to require further amplification and explanation regarding this data, and to require production of additional and/or corroborative data. This further examination will include on-site investigations by our accountants and engineers. Based on the above, we order that the utility's proposed final rates shall be suspended. Accordingly, this docket shall remain open pending the completion of the rate case.

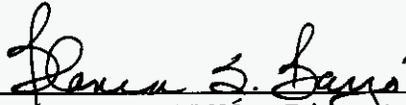
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the rates proposed by Park Water Company Inc., are hereby suspended in accordance with Section 367.081(6), Florida Statutes. It is further

ORDERED that this docket shall remain open.

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By ORDER of the Florida Public Service Commission this 26th  
day of June, 2000.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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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, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.