

MEMORANDUM

March 8, 1996

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FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (AGARWAL) RA JAS
RE: DOCKET NO. ⁹⁵¹⁵⁹³ 931216-WS - APPLICATION TO MODIFY SERVICE
AVAILABILITY CHARGES IN FLAGLER COUNTY BY PALM COAST
UTILITY CORPORATION.

0346-FOF

Attached is an ORDER SUSPENDING REVISED SERVICE AVAILABILITY CHARGES to be issued in the above-referenced docket. (Number of pages in Order - 3)

RKA/dp

Attachment

cc: Division of Water and Wastewater (Washington, Starling)

I: 951593OR.RA

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for approval) DOCKET NO. 951593-WS
of revised service availability) ORDER NO. PSC-96-0346-FOF-WS
charges in Flagler County by) ISSUED: March 11, 1996
Palm Coast Utility Corporation)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER SUSPENDING REVISED SERVICE AVAILABILITY CHARGES

BY THE COMMISSION:

Palm Coast Utility Corporation (Palm Coast or utility) is a Class A utility providing water and wastewater service for 121 customers in Flagler County. According to its December 31, 1994 annual report, the utility was serving 14,617 water customers (approximately 14,846 equivalent residential connections (ERCs) and 9,868 wastewater customers (approximately 12,435 ERCs). During the twelve months ended December 31, 1994, the utility recorded operating revenues of \$6,188,768 for water service and \$2,904,576 for wastewater service. Its recorded operating income was \$747,192 and \$303,166, respectively, for water and wastewater service.

On December 27, 1995, the utility filed an application for authority to increase its system capacity charges for water and wastewater service pursuant to Section 367.101, Florida Statutes. The filing fee was paid on December 27, 1995, which was designated the official filing date for this proceeding pursuant to Section 367.083, Florida Statutes. The utility's present service availability fees were established in Dockets Nos. 810485-WS and 840092-WS, Orders Nos. 12957 and 14174, issued February 6, 1984 and March 14, 1985, respectively. The test year for this proceeding is the projected year 1995.

The utility is requesting the following changes in its service availability charges: to increase its water plant capacity fee from \$766 to \$1,500 per ERC, and increase its wastewater plant capacity fee from \$1,466 to \$1,600 per ERC.

DOCUMENT NUMBER-DATE

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Pursuant to Rule 25-30.580, Florida Administrative Code, the utility requested increasing its charges toward the guideline maximums based on the adjusted cost of plant in service established for the projected year 1995 and contributions projected to be received through the buildout years of the treatment plants. This docket was opened concurrent with a rate increase application pending in Docket No. 951056-WS.

Section 367.091(5), Florida Statutes, states that the Commission 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 that consent. If the Commission does not withhold consent, the new rate schedules may be assumed in effect after 60 days. Because we have not completed our analysis of the utility's tariff filing, we find it appropriate to suspend Palm Coast's proposed service availability charges pending further investigation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Palm Coast Utility Corporation's revised tariff filing containing proposed increases in service availability charges, filed on December 27, 1995, is hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 11th day of March, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Hagan
Chief, Bureau of Records

(S E A L)

RKA

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), 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.