

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for staff-) DOCKET NO. 950515-WS
assisted rate case in Martin) ORDER NO. PSC-96-0629A-FOF-WS
County by Laniger Enterprises of) ISSUED: June 5, 1996
America, Inc.)
_____)

NOTICE OF PROPOSED AGENCY ACTION
AMENDATORY ORDER

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.036, Florida Administrative Code.

By Proposed Agency Action (PAA) Order No. PSC-96-0629-FOF-WS, issued May 10, 1996, the Commission granted final rates and charges to Laniger Enterprises of America, Inc. (the utility) for its system in Martin County. Several portions of that order incorrectly stated the Commission's vote in this matter. On page 18 of that Order, the Commission addressed the utility's revenue requirement. Order No. PSC-96-0629-FOF-WS allowed the utility an annual increase in revenue of \$17,980 (28.62%) for water. The \$17,980 increase and the percentage of 28.62 are incorrect. The appropriate amount of increase in revenue should be \$18,436, and the appropriate percentage should be 29.34. Therefore, the last paragraph of page 18 is hereby amended to read as follows:

The utility is allowed an annual increase in revenue of \$18,436 (29.34%) for water and an annual increase of \$10,610 (10.24%) for wastewater. This will allow the utility the opportunity to recover its expenses and earn a 9.8% return on its investment.

On page 20 of Order No. PSC-96-0629-FOF-WS, the Commission approved monthly water rates (phase I) for both multi-residential (per unit) and general service. The Order indicates that the approved rates for multi-residential (per unit) are \$18.82 and \$96.20 for general service. The \$18.82 and \$96.20 rates are incorrect. The appropriate rates should be \$18.92 for multi-residential (per unit) and \$96.80 for general service. Therefore, the last paragraph on page 20 is hereby amended to read as follows:

DOCUMENT NUMBER-DATE

06142 JUN-5 96

FPSC-RECORDS/REPORTING

MONTHLY WATER RATES (PHASE I)

Flat Rate

Multi-Residential (per unit)	\$18.92
General Service	\$96.80

On page 21 of Order No. PSC-96-0629-FOF-WS, the Commission approved multi-residential and general service monthly water rates (phase II). The Order indicates that the approved rate for multi-residential (per unit) is \$10.30. The \$10.30 figure is incorrect. The appropriate rate should be \$10.37 for multi-residential (per unit). The Order also indicates that the approved rates for general service according to meter size are as follows:

5/8" x 3/4"	\$ 10.30
3/4"	15.45
1"	25.75
1-1/2"	51.50
2"	82.40
3"	164.80
4"	257.50
5"	515.00

The Order further indicates that the approved gallonage charge per 1,000 gallons for metered connections is \$3.41. All of these figures for general service and the gallonage charge for metered connections are also incorrect. Therefore, the table setting forth the Multi-residential and General Service Monthly Water Rates (Phase II) on page 21 of the Order is hereby amended to read as follows:

MULTI-RESIDENTIAL AND GENERAL SERVICE
MONTHLY WATER RATES (PHASE II)

Metered Rates

Base Facility Charge

Commission Approved Rates

Multi-Residential (per unit) \$ 10.37

General Service

Meter Size

5/8" x 3/4" 10.37

3/4" 15.56

1" 25.93

1-1/2" 51.85

2" 82.96

3" 165.92

4" 259.25

6" 518.50

Gallonage Charge

Per 1,000 gallons \$ 3.42
(all metered connections)

Order No. PSC-96-0629-FOF-WS shall be reaffirmed in all other respects.

Although the protest period to Order No. PSC-96-0629-FOF-WS has expired, since the rates as contained in that Order are being amended, substantially affected persons shall have the opportunity to protest the matters set forth in this Order within the specified time frame.

Based on the foregoing, it is,

ORDERED that Order No. PSC-96-0629-FOF-WS is hereby amended as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-96-0629-FOF-WS is hereby affirmed in all other respects. It is further

ORDERED that all provisions of this Order are issued as proposed agency action and shall become final, unless an

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appropriate petition in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto.

By ORDER of the Florida Public Service Commission, this 5th day of June, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 26, 1996.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the effective date 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.