

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960989-WS
certificates under grandfather) ORDER NO. PSC-96-1568-FOF-WS
rights to provide water and) ISSUED: December 23, 1996
wastewater service by Village)
Water, Ltd. in Polk County.)
_____)

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 GRANTING GRANDFATHER CERTIFICATES, SETTING RATES,
REQUIRING PAYMENT OF REGULATORY ASSESSMENT FEES FOR 1996,
REQUIRING AN ANNUAL REPORT FOR 1996, AND CLOSING DOCKET

BY THE COMMISSION:

Background

On August 28, 1996, Village Water, Ltd. (Village Water or utility) filed an application with this Commission for grandfather certificates to provide water and wastewater service in Polk County, Florida, pursuant to Section 367.171, Florida Statutes. The application was filed after the Board of County Commissioners of Polk County adopted a resolution on May 14, 1996, which made the utilities in the county subject to the provisions of Section 367, Florida Statutes.

Village Water has been in existence since 1972. The utility currently provides water service to approximately 137 residential customers and 34 general service customers. In addition, Village Water provides wastewater service to 29 general service customers.

Application

The application is in compliance with Section 367.171, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the application contains a filing fee in the amount of \$1,000 (\$500 for water and \$500 for wastewater), pursuant to Rule 25-30.020, Florida Administrative Code. Village Water also provided evidence that it owns the land upon which its facilities are located.

DOCUMENT NUMBER-DATE

13633 DEC 23 96

FPSC-RECORDS/REPORTING

Adequate service territory and systems maps and a territory description have been provided as required by Rule 25-30.035(9), (10), and (11), Florida Administrative Code. A description of the territory Village Water has requested to serve is shown on Attachment A of this Order, which by reference is incorporated herein.

As stated previously, Village Water has been in existence, providing service to its customers, since 1972. In addition, according to the Department of Environmental Protection, there are no outstanding notices of violation against Village Water.

In view of the foregoing, we find it appropriate to grant Village Water Certificates Nos. 585-W and 503-S, to serve the territory shown on Attachment A of this Order.

Rates and Charges

Village Water's rates and charges in effect at the time this Commission received jurisdiction were approved by Polk County in a rate case. The rates and charges became effective on October 1, 1990. In addition, on November 24, 1996, this Commission approved a pass-through rate increase to recognize the difference in regulatory assessment fees for this utility. Village Water's current rates and charges are shown below:

Monthly Service Rates
Water

Residential Service:

Minimum Charge:	\$	12.50
Gallonage Charge (per 1,000 gallons)	\$	2.43

General Service:

Minimum Charge:		
3/4"	\$	12.50
1"	\$	31.26
1 1/2"	\$	62.51
2"	\$	100.02
3"	\$	200.04
4"	\$	312.59
8"	\$	1,000.19
Gallonage Charge (per 1,000 gallons)	\$	2.43

Monthly Service Rates
Wastewater

Residential Service:

Minimum Charge:	N/A
Gallonage Charge:	N/A

General Service:

Minimum Charge:	
3/4"	\$ 41.50
1"	\$ 103.75
1 1/2"	\$ 207.48
2"	\$ 331.97
3"	\$ 663.95
4"	\$1,037.41
8"	\$3,319.73
Gallonage Charge (per 1,000 gallons)	\$ 3.78

Customer Deposits
Water

<u>Meter Size</u>	<u>Residential</u>	<u>General Service</u>
5/8" x 3/4"	\$25.00	\$ 50.00
1"	N/A	\$ 50.00
1 1/2"	N/A	\$100.00
2"	N/A	\$125.00
4"	N/A	\$150.00
8"	N/A	\$300.00

Customer Deposits
Wastewater

<u>Meter Size</u>	<u>Residential</u>	<u>General Service</u>
5/8" x 3/4"	N/A	\$ 50.00
1"	N/A	\$100.00
1 1/2"	N/A	\$150.00
2"	N/A	\$200.00
4"	N/A	\$450.00
8"	N/A	\$900.00

Meter Test Deposits

<u>Meter Size</u>	<u>Charge</u>
5/8" x 3/4"	\$ 15.00
1" and 1 1/2"	\$ 20.00
2" and over	Actual Cost

Miscellaneous Service Charges

Initial Connection Fee	\$ 15.00
Normal Reconnection Fee	\$ 15.00
Violation Reconnection Fee	\$ 25.00
Premises Visit Fee	\$ 15.00
Temporary Absence Disconnection	\$ 15.00
Theft of Service	\$100.00
Late Charge	\$ 3.00
Returned Check Charge	\$ 20.00
Fire Hydrant Charge	\$500.00
Reconnect Charge	\$ 25.00
(Same day service on overtime)	

Service Availability Charges

Customer Connection (Tap-in) Charge:

<u>Meter Size</u>	<u>Water</u>	<u>Wastewater</u>
5/8" x 3/4"	\$ 200.00 (*)	\$ 600.00 (*)
5/8" x 3/4"	\$ 650.00 (**)	\$ 900.00 (**)
1"	\$ 1,660.00	\$ 2,600.00
1 1/2"	\$ 3,680.00	\$ 6,000.00
2"	\$ 6,500.00	\$10,900.00
4"	\$27,600.00	\$48,000.00

*Residential Service
 **General Service

Backflow Preventor Installation Fee:
 Actual Cost (all meter sizes)

Main Extension Charge:
 Actual Cost (all meter sizes)

Meter Installation Fee:
 Actual Cost (all meter sizes)

We find these rates and charges to be reasonable and they are approved. Village Water shall continue to charge the rates and charges until authorized to change by this Commission in a subsequent proceeding. Village Water has filed a tariff reflecting the rates and charges approved herein. The tariff shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets.

Regulatory Assessment Fees and Annual Report

According to Rule 25-30.120(2), Florida Administrative Code, "any utility which is subject to this Commission's jurisdiction on or before December 31 of that year or for any part of that year, whether or not the utility has actually applied for or been issued a certificate" is required to pay regulatory assessment fees. In addition, Rule 25-30.110(3), Florida Administrative Code, states that "[t]he obligation to file an annual report for any year shall apply to any utility which is subject to this Commission's jurisdiction as of December 31, 1996 of that year, whether or not the utility has actually applied for or been issued a certificate."

As stated previously, we received jurisdiction over the utilities in Polk County by Resolution adopted by the Polk County Board of County Commissioners on May 14, 1996. Therefore, we find it appropriate to require Village Water to pay regulatory assessment fees for 1996 from the jurisdictional date, May 14, 1996. We also find it appropriate to require Village Water to file an annual report for 1996 from the jurisdictional date. Village Water shall pay the 1996 regulatory assessment fees and file a 1996 annual report with this Commission by March 31, 1997.

It is, therefore,

ORDERED by the Florida Public Service Commission that Village Water, Ltd., Post Office Box 2211, Lakeland, Florida 33806, is hereby granted Certificates Nos. 585-W and 503-S to provide water and wastewater service in the territory shown on Attachment A of this Order. It is further

ORDERED that the rates and charges set forth in the body of this Order are hereby approved. Village Water, Ltd. shall charge the rates and charges until authorized to change by the Commission in a subsequent proceeding. Village Water, Ltd.'s tariff, which reflects the rates and charges approved herein, shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets. It is further

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ORDERED that Village Water, Ltd. shall pay regulatory assessment fees for 1996 from the jurisdictional date, May 14, 1996, through December 31, 1996. The regulatory assessment fees shall be paid by March 31, 1997. It is further

ORDERED that Village Water, Ltd. shall file an annual report for 1996 from the jurisdictional date, May 14, 1996, through December 31, 1996. The annual report shall be filed by March 31, 1997.

By ORDER of the Florida Public Service Commission, this 23rd day of December, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

ALC

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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 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 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 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.

ATTACHMENT A

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VILLAGE WATER, LTD.

Water and Wastewater Service Area

In Township 28 South, Range 24 East, Polk County, Florida:

Section 24:

The Southwest 1/4 of Southeast 1/4.

Section 25:

The West 3/4 Less the North 1/8 of Northwest 1/4.

Section 26:

The South 1/2 of the Northeast 1/4 less the North 247 feet thereof, and the Southeast 1/4.

Section 35:

The East 1/2.

Section 36:

All Less (a) the Southeast 1/4 of Southeast 1/4 and (b) that part of the Southwest 1/4 of Southeast 1/4 described as: begin at the intersection of the West line of the Southwest 1/4 of Southeast 1/4 of Section 36 with North right-of-way line of State Road 540, being 19 feet North of the Southwest corner of the Southwest 1/4 of Southeast 1/4, run thence North 519 feet, thence turn right an angle of 89 degrees from North to East and run East 587.38 feet, thence turn left an angle of 45 degrees from East to Northeast and run Northeast 331.75 feet, thence turn left an angle of 44 degrees 30 feet from Northeast to North and run North 549 feet, more or less, to the North line of the Southwest 1/4 of Southeast 1/4, thence run East 509 feet, more or less, to the Northeast corner of Southwest 1/4 of Southeast 1/4, thence South 1314 feet, more or less, to the North right-of-way line of State Road South 540, thence Westerly along said North right-of-way line 1321.84 feet to the point of beginning.

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ATTACHMENT A

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Section 26:

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ less the North $\frac{1}{8}$ of the East $\frac{3}{4}$ of the said Northeast $\frac{1}{4}$; and also, the North 247 feet of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$; and also, the Southeast $\frac{1}{4}$ of the North $\frac{1}{4}$; and also the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$; and also, the South $2 \frac{1}{2}$ acres of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Section 35:

The Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.