



**Conservation Billing Services, Inc.**   
 Turn-Key Water Sub-Metering Systems

February 29, 1996

Director, Divisions of Records and Reporting  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

960277-WS

RE: Application for Reseller Exemption for River Bend Apartments

Dear Director:

Enclosed please find an original signed Application for Reseller Exemption and four (4) copies of the same for the above-referenced property.

Please let me know if you have any questions. Thank you.

Sincerely,

CONSERVATION BILLING SERVICES, INC.

*Joseph Stranen*  
 Joseph Stranen  
 Comptroller

JS/ldm  
 Enclosures

DOCUMENT NUMBER - DATE  
 02635 MAR-5 96  
 FPSC-RECORDS/REPORTING

RECEIVED  
 MAR 5 7 54 AM '96  
 ADMINISTRATION  
 MAIL ROOM

CORPORATE OFFICES  
 5452 W. Crenshaw St. • Ste. 4 • Tampa, FL 33634-3007  
 Tel (813) 889-7676 • Fax (813) 889-7881  
 Sales & Service 1-800-884-4885

CENTRAL PROCESSING CENTER  
 90 S. Newtown St. Rd. • Ste. 3 • Newtown Square, PA 19073-4035  
 Tel. (610) 356-8015 • Fax (610) 356-8625  
 Billing 1-800-466-6668

**APPLICATION FOR RESELLER EXEMPTION  
SECTION 367.022(8), FLORIDA STATUTES  
RULE 25-30.060(3) (H), FLORIDA ADMINISTRATIVE CODE**

NAME OF SYSTEM: EPNG Building, LTD D/B/A/ River Bend Apartments

PHYSICAL ADDRESS OF SYSTEM: 2825 Winkler Avenue, Fort Myers, Florida  
33916

MAILING ADDRESS (IF DIFFERENT): c/o Conservation Billing Services, Inc.  
90 S. Newtown Street Road, Suite #3 Newtown Square, Pennsylvania 19073-4035

COUNTY: LEE

**PRIMARY CONTACT PERSON:**

NAME: Frank R. Manno c/o Conservation Billing Services, Inc.

ADDRESS: 90 S. Newtown Street Road, Suite #3 Newtown Square,  
Pennsylvania 19073-4035

PHONE #: (610) 356-8015

NATURE OF APPLICANT'S BUSINESS ORGANIZATION: (CORPORATION,  
PARTNERSHIP, SOLE PROPRIETOR, ETC.) Partnership

I believe this system to be exempt from the regulation of the Florida Public Service Commission pursuant to Section 367.022(8), Florida Statutes, for the following reasons;

1. Service is provided at a rate or charge that does not exceed the actual purchase price.
2. Reseller is aware of the requirements of Rule 25-30.111, Florida Administrative Code, regarding annual reporting requirements. (Rule Attached)
3. Reseller is aware of the requirements of Section 367.122, Florida Statutes, which deals with examination and testing of meters; and Rules 25-30.262 through 25-30.267, Florida Administrative Code, which explains the responsibilities of the utility owner for insuring the accuracy of the meters. (Statutes and Rules attached)

DOCUMENT NUMBER-DATE

02635 MAR-58

FPSC-RECORDS/REPORTING

**APPLICATION FOR RESELLER EXEMPTION**

4. The utility services provided are:  
Water Yes (Yes or No) Wastewater Yes (Yes or No)
- For utility service **not provided**, state how handled:  
\_\_\_\_\_
5. The service area is located at: 2825 Winkler Avenue, Fort Myers,  
Florida 33916
6. The City of Fort Myers (name of utility) provides service to the reseller.
7. Attached are current rates and charges of the provider in 6 above.
8. Attached is a schedule of the reseller's proposed rates and charges.
9. Attached is an explanation of the proposed method of billing customers separately, for both water and wastewater
10. Attached is a schedule showing that the amount billed will not exceed the amount paid for water, wastewater or both.
11. Attached is an explanation of the agreement between the reseller and the billing company ensuring that the reseller controls customer deposits.
12. Attached is an explanation of the reseller's policy fo. allocating the cost of water for the common areas.
13. Attached is an explanation of the reseller's policy for miscellaneous fees and charges. If the reseller is using a billing company, specifically state how the costs for those services will be paid.
14. Residents will be billed within eight (8) working days after the meters have been read.
15. If the residential complex is still under construction, the expected occupancy date is on or before:

N/A

APPLICATION FOR RESELLER EXEMPTION

Attached is Rule 25-30.111, Florida Administrative Code, which explains the annual reporting requirement of resellers. Also, attached is Section 367.122, Florida Statutes, which explains the responsibility of the reseller to examine and test meters. Rules 25-30.262 through 25-30.267, Florida Administrative Code, expand on the reseller's responsibilities for meter accuracy, meter test methods, meter testing equipment, periodic meter tests, meter tests by request and recordation of meter tests. The attached rules should be read, as acknowledged on the application and retained by the Reseller.

I am aware that pursuant to Section 837.06, Florida statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in S. 775.082, S. 775.083, S. 775.084.

By EPNG Building, Ltd.

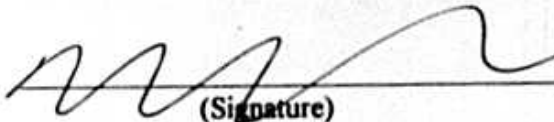
By G-PRB Building, Inc. it's general partner

By Norton Herrick, President

(Applicant please print or type)

2-17-96

(Date)

  
(Signature)

President

(Title)

- \*\* If applicant is not the Owner of property for which the exemption is being requested, a Letter of Authorization from the Owner must be attached to application.

When you finish filling out the application, the original and four copies of the application and all attachments should be mailed to:

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

### ATTACHMENT NO. 7

City of Fort Myers-Utilities Service Department's uniform tariff rate for a General Service customer charge with twelve (12) 2" meters and two (2) 1 1/2" meters is as follows:

Water administration fee $[(\$4.90 \times 14) + 240]$	\$ .29
Water usage charge for first 3,000 gallons	\$ 2.22/1,000 gallons
Water usage charge for above 3,000 gallons	\$ 2.45/1,000 gallons
Sewer administration fee $[(\$4.90 \times 14) + 240]$	\$ .29
Sewer usage charge	\$3.59/1,000 gallons

### ATTACHMENT NO. 8

River Bend Apartments will charge the following rate for twelve (12) 2" and two (2) 1 1/2" meters as follows:

Water administration fee $[(\$4.90 \times 14) + 240]$	\$ .29
Water usage charge for first 3,000 gallons	\$ 2.22/1,000 gallons
Water usage charge for above 3,000 gallons	\$ 2.45/1,000 gallons
Sewer administration fee $[(\$4.90 \times 14) + 240]$	\$ .29
Sewer usage charge	\$3.59/1,000 gallons

### ATTACHMENT NO. 9

An individual Neptune T-10/8" ARB-6 water meter, or equivalent, will be installed in each apartment of each apartment building. The water administration fee, increased by 10% to cover the local water tax, will be divided on a pro rata basis among all apartments in each building with a master meter. Water usage charge, increased by 10% to cover the local water tax, will be based upon each apartment's metered amount of water usage. Sewer administration fee will be divided on a pro rata basis among all apartments in each building with a master meter. Sewer usage charge will be based upon each apartment's amount of metered water usage.

Water Administration Fee	\$4.90 divided by # units per master meter*
Water usage charge	\$2.22/1,000 for the first 3,000 gallons*
	\$2.45/1,000 for usage above 3,000 gallons*
Sewer Administration Fee	\$4.90 divided by # units per master meter
Sewer Usage Charge	\$3.59 per 1000 gallons

\* Adjusted to recover 10% water usage tax collected by City of Fort Myers-Utilities Service Department

### ATTACHMENT NO. 10

Individual customer usage of 4800 gallons would produce a bill from City of Fort Myers-Utilities Service Department as follows:

Water administration fee [(\$4.90 x 14) + 240 units]	= \$ .29
Water usage charge (3000 x \$2.22/1000)	= \$ 6.66
(1800 x \$2.45/1000)	= \$ 4.41
<b>SUBTOTAL WATER</b>	<b>= \$11.36</b>
Tax of 10% on water	= \$ 1.14
<b>TOTAL WATER</b>	<b>= \$12.50</b>
Sewer administration fee [(\$4.90 x 14) + 240 units]	= \$ .29
Sewer usage charge (4800 x \$3.59/1000)	= \$17.23
<b>TOTAL SEWER</b>	<b>= \$17.52</b>

Individual customer usage of 4800 gallons would produce a bill from CBSI for River Bend Apartments as follows:

Water administration fee [(\$4.90 x 14) + 240 units]	= \$ .29
Water usage charge (3000 x \$2.22/1000)	= \$ 6.66
(1800 x \$2.45/1000)	= \$ 4.41
<b>SUBTOTAL WATER</b>	<b>= \$11.36</b>
Tax of 10% on water	= \$ 1.14
<b>TOTAL WATER</b>	<b>= \$12.50</b>
Sewer administration fee [(\$4.90 x 14) + 240 units]	= \$ .29
Sewer usage charge (4800 x \$3.59/1000)	= \$17.23
<b>TOTAL SEWER</b>	<b>= \$17.52</b>

### ATTACHMENT NO. 11

Included in the agreement between CBSI and the reseller is the following procedure relating to resident water deposits. The reseller sends a weekly list (Unit Status Report) to the billing company, identifying which residents are moving in and which residents are moving out. The residents moving in are subject to paying a water deposit as established by the reseller within the guidelines of the PSC. A notice is sent to the reseller identifying the moneys due by the residents. The water deposit, plus interest, is then applied to the final resident billing and a list is sent to the reseller for approval. Monthly reports identify all transactions to the reseller for final review.

### ATTACHMENT NO. 12

The allocation of water over common area is calculated by taking a three (3) month property average for water and sewer multiplied by twelve percent (12%). This twelve percent (12%) is then evenly divided by the total number of units in the property. Twelve percent (12%) is the average common area usage we have identified from a data

base of 94 communities. Once the property is fully metered, we adjust the common area fee to be totally accurate for that community.

ATTACHMENT NO. 13.

River Bend Apartments/CBSI does not propose to charge any additional administrative/processing fees to the residents. River Bend Apartments will pay all fees.

**CHAPTER 25-30.111, F.A.C.**  
**EXEMPTION FOR RESALE OF UTILITY SERVICE, ANNUAL REPORT**

Any person who has been granted an exemption from regulation as a reseller of water or wastewater service provided for in subsection 367.922(8), F.S., shall file a report by March 31 of each year following the year for which the exemption is claimed. The report shall contain the following:

(1) A schedule, listing by month, the rates charged for and total revenue received from the water or wastewater service sold.

(2) A schedule, listing by month, the rates charged and total expense incurred for the purchase of the water and wastewater service.

(3) A statement listing the source from which the water or wastewater service was purchased.

**Specific Authority: 367.121(1), F.S.**

**Law Implemented: 367.022(8), F.S.**

**History: New 3/26/81, Formerly 25-10.09, 25-10.009, Amended 11/9/86, 11/30/93.**



**SECTION 367.122, FLORIDA STATUTES  
EXAMINATION AND TESTING OF METERS**

(1) The commission may provide for the examination and testing of all meters used for measuring any product or service of a utility.

(2) Any customer or user may have any such meter tested by the utility upon payment of the fee fixed by the commission.

(3) The commission shall establish reasonable fees to be paid for testing such meters on the request of the customers. Current utility customers or users may, at their discretion, pay the fee fixed by the commission at the time of the request or have the utility include the fee with their next regularly scheduled statement. However, the fee shall be paid by the utility and repaid to the customer or user if the meter is found defective or incorrect to the disadvantage of the customer or user in excess of the degree or amount of tolerance customarily allowed for such meters, or as may be provided for in rules and regulations of the commission. No fee may be charged for any such testing done by the commission or its representatives.

(4) The commission may purchase materials, apparatus, and standard measuring instruments for such examinations and tests.

**History.-**

s. 1, ch. 71-278; s. 100, ch. 73-333; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 16, 25, 26, 27, ch. 89-353; s. 4, ch. 91-429.

367.122

**CHAPTER 25-30.262, F.A.C.  
METER ACCURACY REQUIREMENTS**

Each utility shall employ water meters which register within the accuracy limits set forth in this chart:

Accuracy limits in percentages

<u>Meter Type</u>	<u>Maximum</u>	<u>Intermediate</u>	<u>Minimum Rate</u>	
	<u>Rate</u>	<u>Rate</u>	<u>New</u>	<u>Repaired</u>
Displacement	98.5 - 101.5	98.5 - 101.5	95 - 101.5	90 - 101.5
Current	97 - 102	None	95 - 102	90 - 102
Compound *	97 - 103	97 - 103	95 - 103	90 - 103

- \* The minimum required accuracy for compound meters at any rate within the "changeover" range of flows shall be 85%.

**General Authority: 367.121, F.S.**

**Law Implemented: 367.122(1), F.S.**

**History: Amended 9/12/74, formerly 25-10.92, Transferred from 25-10.092 and Amended 11/9/86.**

**CHAPTER 25-30.263, F.A.C.  
METER TEST METHODS**

(1) Each utility shall test its displacement type cold water meters on at least the three rates of flow set forth in the following chart:

Meter Size Inches	Normal Test Flow Limits GPM	Test Flow Gallons Per Minute		
		Minimum	Median	Maximum
5/8	1 - 20	1/4	2	15
3/4	2 - 30	1/2	3	25
1	3 - 50	3/4	4	35
1-1/2	5 - 100	1-1/2	8	50
2	8 - 160	2	15	100
3	16 - 300	4	20	150
4	28 - 500	7	40	200
6	48 - 1000	12	60	500

(2) Each utility shall test its current, compound and fire-service type meters on at least three rates of flow: One at the minimum test flow and two or more within the normal test flow limits of the table set forth in subsection (1) of this rule, with the upper test flow to be at a rate as high as practicable.

(3) Each utility shall test its compound meters within the "changeover" range of flows to determine overall operational efficiency and accuracy of registration.

(4) A utility may test any displacement type meter after installation if the meter is three inches or larger. However, each utility shall test its current, compound and fire-service type meters in place to achieve maximum accuracy, and may install a test tee in the outlet piping to facilitate and reduce the cost of testing for meters which are three inches or larger.

(5) Each utility may affix a seal to each of its tested and adjusted meters. The utility may affix the seal in such manner that it would have to be broken before any adjustment to meter registration could be achieved.

**General Authority: 367.121, F.S.**

**Law Implemented: 367.122, F.S.**

**History: Amended 9/12/74, formerly 25-10.90, Transferred from 25-10.090 and Amended 11/9/86.**

**CHAPTER 25-30.264, F.A.C.  
METER TESTING EQUIPMENT**

- (1) (a) Each utility providing metered water service shall either provide the necessary standard facilities, instruments and other equipment for testing meters in compliance with rules 25-30.263, or enter into arrangements with other utilities or agencies for the testing of the utility's meters.
- (b) When the utility opts to arrange for its testing to be performed by another utility or agency, that utility shall notify the Commission.
- (2) (a) Standard meters may be used by the utility for field tests of meter accuracy provided that they are tested and calibrated to permit the testing of meters within the limits of accuracy set out in Rule 25-30.263.
- (b) Testing and calibration of the standard meters shall be done either by the utility with its volumetric or weight standard equipment, or by an approved laboratory.
- (c) Testing and calibration of the standard meters shall be done at least once every sixty (60) days while the standard meter is in use.

**General Authority:** 367.121(1), F.S.

**Law Implemented:** 367.12291), F.S.

**History:** Amended 9/12/74, formerly 25-10.89, Transferred from 25-10.89 and Amended 11/9/86.

**CHAPTER 25-30.265, F.A.C.  
PERIODIC METER TESTS**

Each utility shall inspect and test a representative sample of its meters in service at least once during the intervals set out in this rule.

<u>Size of Meter</u>	<u>Maximum Interval Between Tests</u>
5/8"	10 years
3/4"	8 years
1"	6 years
1-1/2"	4 years
2"	4 years
3"	3 years
4"	2 years
6"	1 year

**General Authority: 367.121, F.S.**

**Law Implemented: 367.122, F.S.**

**History: Amended 9/12/74, formerly 25-10.93, Transferred from 25-10.093 and Amended 11/9/86.**

**CHAPTER 25-30.266, F.A.C.  
METER TEST BY REQUEST**

- (1) (a) Upon written request of any customer whose meter has not been tested within one-half the maximum interval provided in Rule 25-30.265, the utility shall make a field test for accuracy of that customer's meter.
- (b) The utility may not charge for any field test performed pursuant to paragraph (a) of this subsection.
- (2) (a) The utility may require a deposit to defray cost of any bench test requested by any customer. However, the deposit may not exceed the following schedule:
- | Meter Size<br>(inches) | Fee                 |
|------------------------|---------------------|
| 5/8 and 3/4            | \$20.00             |
| 1 and 1-1/2            | \$25.00             |
| 2 and over             | Actual Cost of Test |
- (b) The utility may retain the deposit if the customer's meter is found to register accurately or below accuracy.
- (c) The utility shall refund the deposit if the customer's meter is found to register in excess of prescribed accuracy limits.
- (3) The Commission may provide a representative to observe or supervise any bench test upon written request from the customer or utility. The utility shall advise the customer of the customer's right to witness the bench test.
- (4) The utility shall provide the customer with a written report of the results of any test performed pursuant to this rule.
- (5) A meter shall in no way be disturbed after the utility has received notice that application has been made for a test by the customer unless a representative of the Commission is present or unless authority to do so is first given in writing by the Commission or by the customer.

**CHAPTER 25-30.267, F.A.C.  
RECORD OF METER TESTS**

- (1) Each utility shall preserve the original records of all meter tests at least until same meter is performed or until the meter is retired by a later test.
- (2) These records shall include
  - (a) sufficient information to identify the meter;
  - (b) the reason for the test;
  - (c) date of test and reading of the meter;
  - (d) the computed accuracy before and after the repair; and
  - (e) any other data taken at the time of the test which would permit the convenient checking of the test results.

**General Authority: 367.121, F.S.**

**Law Implemented: 367.122, F.S.**

**History: Amended 9/12/74, formerly 25-10.91, Transferred from 25-10.091 and Amended 11/9/86.**