

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

DOCKET NO. 080562-WU  
ORDER NO. PSC-08-0746-PCO-WU  
ISSUED: November 12, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER SUSPENDING PROPOSED TARIFFS

BY THE COMMISSION:

East Marion Sanitary Systems Inc. (East Marion or Utility) is a Class C utility providing water and wastewater service to approximately 96 customers in Marion County. Water and wastewater rates were last established for this Utility in a staff assisted rate case in 2002.<sup>1</sup> East Marion reported water and wastewater revenues of \$65,553 in its 2007 Annual Report. The system is located in the St. Johns River Water Management District (SJRWMD).

On August 19, 2008, the Utility filed an application for approval of tariff sheets to reflect the following: amendment to connection/transfer sheet, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and the imposition of a new tap-in fee. This Order addresses the suspension of East Marion's proposed tariff sheet. The Commission has jurisdiction pursuant to Section 367.091, Florida Statutes (F.S.).

East Marion's proposed tariff sheets to amend its connection/transfer sheet, increase its returned check charge, amend its miscellaneous service charges, increase its meter installation charges, and impose a new tap-in fee should be suspended pending further investigation by staff.

<sup>1</sup> See Order No. PSC-02-1168-PAA-WS, issued August 26, 2002, in Docket No. 010869-WS, In re: Application for staff-assisted rate case in Marion County by East Marion Sanitary Systems, Inc.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Pursuant to Section 367.091(6), F.S., the tariff sheets proposed by the Utility shall become effective within sixty (60) days after filing, unless we vote to withhold consent of the request. Further, we may withhold consent to 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.

We have reviewed the filing and have considered East Marion's proposed charges and information filed in support of the application. We believe it is necessary to require amplification and explanation of this data. Our review of the application will include further examination. Therefore, we find that East Marion's proposed tariff sheets to amend its connection/transfer sheet, increase its returned check charge, amend its miscellaneous service charges, increase its meter installation charges, and impose a new tap-in fee shall be suspended pending further investigation.

This docket shall remain open pending our final action on the Utility's requested approval to amend its connection/transfer sheet, increase its returned check charge, amend its miscellaneous service charges, increase its meter installation charges, and impose a new tap-in fee.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that East Marion Sanitary Systems Inc.'s proposed tariff sheets to amend its connection/transfer sheet, increase its returned check charge, amend its miscellaneous service charges, increase its meter installation charges, and impose a new tap-in fee are suspended pending further investigation. It is further

ORDERED that this docket shall remain open pending our final action on East Marion Sanitary Systems Inc.'s proposed tariff sheets.

By ORDER of the Florida Public Service Commission this 12th day of November, 2008.



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ANN COLE  
Commission Clerk

( S E A L )

LCB

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; 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, 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.