

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a staff-	)	DOCKET NO. 900293-SU
assisted rate case in Pasco County	)	ORDER NO. 25787
by HUDSON UTILITIES, INC.	)	ISSUED: 2/24/92
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The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
SUSAN F. CLARK

ORDER APPROVING SETTLEMENT AND  
REVIVING ORDER NO. 23810, MAKING IT FINAL AND EFFECTIVE

BY THE COMMISSION:

Hudson Utilities, Inc., (Hudson or utility) is a wastewater utility located in Pasco County. On April 17, 1990, Hudson applied for the instant staff-assisted rate case (SARC). On November 27, 1990, this Commission issued proposed agency action (PAA) Order No. 23810, wherein we proposed increased rates and charges for Hudson. On December 18, 1990, the Office of Public Counsel (OPC), the Viva Villas Civic Association, Inc., and Nancy Brennan and Robert B. Pierce (two residents in the Viva Villas area) all timely filed protests to our PAA Order and requested a hearing.

Before the hearing in this SARC, we conducted a hearing on the transfer of the Viva Villas wastewater system certificate from the receiver holding same to Hudson. By Order No. 25576, issued January 7, 1992, we approved the transfer of the Viva Villas wastewater system to Pasco County, rather than to Hudson. The Viva Villas certificate was then cancelled.

Because the Viva Villas area is no longer served by Hudson, the Viva Villas Civic Association and Mr. Pierce and Ms. Brennan no longer have an interest in this matter. Hudson and the remaining protester, OPC, have settled.

A written Settlement entered into between OPC and Hudson was filed on December 13, 1991, with a signed copy following on December 19, 1991. The signed "Settlement" is attached hereto, marked "Attachment A," and is by reference incorporated herein.

DOCUMENT NUMBER-DATE

01878 FEB 24 1992

FPSC-RECORDS/REPORTING

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In the Settlement, Hudson and OPC agreed that all of the provisions of PAA Order No. 23810 not inconsistent with the terms of the Settlement should be accepted as final by both parties. The Settlement contained the following other provisions.

First, the Settlement stated that the rates to be charged by the utility were to be as follows.

MONTHLY RATES

RESIDENTIAL SERVICE

Base Facility Charge  
Meter Size:

All Meter Sizes:	\$	12.75
Gallonge Charge per 1,000 gallons (maximum of 10,000 gallons per month)	\$	4.18

MULTI-RESIDENTIAL AND GENERAL SERVICE

Base Facility Charge  
Meter Size:

5/8"x3/4"	\$	12.75
Full 3/4"		19.13
1"		31.88
1 1/2"		63.75
2"		102.00
3"		204.00
4"		318.75
6"		637.50
8"		1,020.00
10"		1,466.25
Gallonge Charge per 1,000 gallons (no limit)	\$	5.01

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BULK FLOW METER SERVICE

Base Facility Charge  
Meter Size:

5/8"x3/4"	\$	12.75
Full 3/4"		19.13
1"		31.88

Base Facility Charge  
Meter Size:

1 1/2"	\$	63.75
2"		102.00
3"		204.00
4"		318.75
6"		637.50
8"		1,020.00
10"		1,466.25

Gallonage Charge per 1,000 gallons (no limit)	\$	5.22
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The Settlement also stated that the above rates were to become effective upon this Commission's approval of the Settlement, that "[e]xcept for any pass-through increases, the utility shall seek neither a rate increase nor a rate index from the Commission before November 1, 1993," and that if the Commission did not approve the Settlement in its entirety without modification, the Settlement was to be deemed void.

We believe that the Settlement is reasonable and, therefore, approve and accept same. Accordingly, we hereby revive PAA Order No. 23810, making it final and effective, except to the extent it is inconsistent with the Settlement of the parties.

The utility has already filed tariff sheets consistent with the rates contained in the Settlement and a proposed customer notice showing the rate change. Pursuant to the terms of the Settlement, the rates shall become effective upon approval of the tariff sheets.

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Because the tariff sheets and customer notice have already been filed and no other outstanding matters require resolution, this docket may be closed.

It is, therefore,

ORDERED by the Florida Public Service Commission that the Settlement entered into between Hudson Utilities, Inc., and the Office of Public Counsel is hereby approved and accepted. It is further

ORDERED that PAA Order No. 23810, issued November 27, 1990, is hereby revived and made final and effective, except to the extent inconsistent with the aforementioned Settlement. It is further

ORDERED that pursuant to the terms of the aforementioned Settlement, the rates contained therein, which appear in the body of this Order, shall become effective upon approval of the revised tariff sheets. It is further

ORDERED that this docket should be closed.

By ORDER of the Florida Public Service Commission, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



STEVE TRIBBLE, Director  
 Division of Records and Reporting

( S E A L )

MJF

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

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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 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 or sewer 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.

*BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION*

In re: Application for a staff- )  
 assisted rate case in Pasco County )  
 by HUDSON UTILITIES, INC. )  
 \_\_\_\_\_ )

DOCKET NO. 900293-SU  
 FILED: December \_\_, 1991

## SETTLEMENT

The Citizens of the State of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, and Hudson Utilities, Inc. ("Utility"), by and through its undersigned attorney, agree to the following settlement and request the Florida Public Service Commission to approve its terms.

1. The matter has been scheduled for formal hearing before the Commission on January 15, 1992, to consider Citizens' Petition On Proposed Agency Action Order No. 23810.

2. Both parties acknowledge that the expense of pursuing this matter through a formal hearing and post-hearing proceedings may well far exceed any adjustments that may be made in the Commission's Proposed Agency Action.

3. Both parties have, therefore, come to agree that this docket should be settled in the following manner:

4. All provisions of the Commission's Proposed Agency Action Order No. 23810, issued on November 27, 1990, not inconsistent herewith shall be accepted as final by both parties, except for the following modifications.

5. The rates charged by the utility shall be:

MONTHLY RATES

RESIDENTIAL SERVICE

Base Facility Charge  
Meter Size

All meter sizes

\$ 12.75

Gallonage Charges per 1,000  
gallons (maximum of 10,000  
gallons per month)

\$ 4.18

MULTI-RESIDENTIAL AND GENERAL SERVICEBase Facility ChargeMeter Size

5/8" x 3/4"	\$ 12.75
Full 3/4"	19.13
1"	31.88
1 1/2"	63.75
2"	102.00
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6"	637.50
8"	1,020.00
10"	1,466.25

Gallage Charge per 1,000  
gallons (no limit)

5.01

BULK FLOW METER SERVICE

Base Facility Charge

Meter Size

5/8" x 3/4"	\$ 12.75
Full 3/4"	19.13
1"	31.88

Base Facility Charge

Meter Size

-1 1/2"	63.75
2"	102.00
3"	204.00
4"	318.75
6"	637.50
8"	1,020.00
10"	1,466.25

Gallonage Charge per 1,000 gallons (no limit)	5.22
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6. Except for any pass through increases, the utility shall seek neither a rate increase nor a rate index from the Commission before November 1, 1993.

7. The new rates which are established by Commission Final Order in this docket shall be implemented and placed into effect upon Commission approval of this settlement.

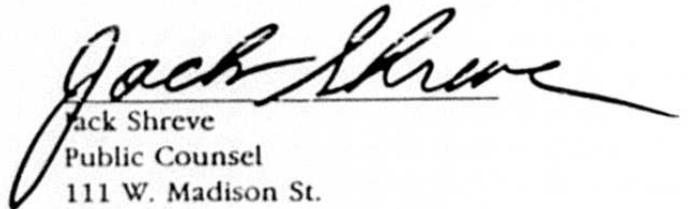
8. Should the Commission decline to approve this settlement between the parties in its entirety and without modification, the settlement shall be deemed void and without prejudice to any of the parties.

WHEREFORE, the parties respectfully request this Commission to approve the above-stated settlement in its entirety.

Respectfully submitted,



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