

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a) DOCKET NO. 900025-WS
staff-assisted rate case in) ORDER NO. PSC-92-0723-FOF-WS
Pasco County by SHADY OAKS) ISSUED: 07/28/92
MOBILE-MODULAR ESTATES, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER CONVERTING RATE STRUCTURE

BY THE COMMISSION:

BACKGROUND

Shady Oaks Mobile-Modular Estates, Inc., (Shady Oaks or utility) is a class "C" water and wastewater utility serving a 242 lot mobile-modular home park located in Pasco County, south of the City of Zephyrhills. On January 10, 1990, Shady Oaks applied for the instant staff-assisted rate case. By proposed agency action (PAA) Order No. 24084, issued February 8, 1991, we approved a rate increase for Shady Oaks and ordered it to take various action regarding operations, including that it install meters for all of its customers within six months. We authorized the utility to charge a set flat rate for six months. At the end of this period, rates which we calculated using the base facility charge (BFC) rate structure would become effective automatically. By Order No. 24409, issued April 22, 1991, we dismissed a timely protest to the PAA Order and revived Order No. 24084, making it final and effective. Thus, the BFC rates became effective automatically on October 1, 1991.

By Order No. 25296, issued November 4, 1991, we found that the utility had failed to comply with the requirements of Order No. 24084, including the meter installation requirement, and ordered it to comply with the provisions of Order No. 24084. However, since numerous customers had not paid their utility bills as a result of a court dispute over the utility's rates, we allowed the utility to charge the flat rates for an additional five months. At the end of this period, we announced that we would again review the progress

DOCUMENT NUMBER-DATE

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PSC-RECORDS/REPORTS

of meter installations. Beginning in December 1991, the utility once again began charging flat rates.

By Order No. PSC-92-0367-FOF-WS, issued May 14, 1992, we ordered the utility to show cause why it should not be fined for its continued noncompliance with Orders Nos. 24084 and 25296. Shady Oaks responded to the Order to Show Cause, and disposition over the violations is pending.

Rate Structure

On June 15, 1992, we received a letter from the utility owner stating that the utility had installed meters for all of its residential customers. On June 17, 1992, we conducted an on-site inspection and verified that the utility had installed these meters. On the date of the inspection, the utility was also near completing installation of meters for its general service customers.

Since meters for all of the utility's customers have been installed, we believe that now is the appropriate time to implement the BFC rate structure as contemplated in Order No. 24084. The "Commission Approved Rates" which appear below are those previously approved in Order No. 24084. The current flat rates and the new BFC rates appear below for purpose of comparison.

MONTHLY WATER RATES

Residential and General Service

<u>Base Facility Charge</u>	<u>Current Flat Rates</u>	<u>Commission Approved Rates</u>
<u>Meter Sizes</u>		
5/8" x 3/4"	\$ 14.70	\$ 6.34
3/4"	14.70	9.51
1"	14.70	14.84
1 1/2"	14.70	29.01
2"	14.70	46.02
3"	14.70	91.36
4"	14.70	142.36
6"	14.70	284.05
<u>Gallonage Charge</u>		
Per 1,000 Gallons	N/A	\$ 1.39

MONTHLY WASTEWATER RATES

Residential Service

<u>Base Facility Charge</u>	<u>Current Flat Rates</u>	<u>Commission Approved Rates</u>
All Meter Sizes	\$ 28.28	\$ 12.50
<u>Gallonge Charge</u>		
Per 1,000 Gallons (6,000 Gallons Maximum)	N/A	\$ 2.63

General Service

<u>Base Facility Charge</u>	<u>Current Flat Rates</u>	<u>Commission Approved Rates</u>
<u>Meter Sizes</u>		
5/8" x 3/4"	\$ 28.28	\$ 12.50
3/4"	28.28	18.75
1"	28.28	31.08
1 1/2"	28.28	62.02
2"	28.28	99.15
3"	28.28	198.16
4"	28.28	309.55
6"	28.28	618.96
<u>Gallonge Charge</u>		
Per 1,000 Gallons	N/A	\$ 3.15

The revised rates shall be effective for meter readings on or after thirty days from the stamped approval date on the revised tariff sheets. The utility should submit revised tariff sheets reflecting the revised rates along with a proposed customer notice listing the new rates and explaining the reasons therefor. The tariff sheets will not be approved until our staff verifies that the tariffs are consistent with our decision and that the customer notice is adequate.

ORDER NO. PSC-92-0723-FOF-WS
DOCKET NO. 900025-WS
PAGE 4

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that Shady Oaks Mobile-Modular Estates, Inc., shall implement the rates set forth in the body of this Order. It is further

ORDERED that the rates approved herein shall be effective for meter readings taken on or after thirty (30) days after the stamped approval date on the revised tariff pages. It is further

ORDERED that prior to its implementation of the rates approved herein, Shady Oaks Mobile-Modular Estates, Inc., shall submit and have approved a proposed notice to its customers showing the increased rates and charges and the reasons therefor. The notice will be approved upon our staff's verification that it is consistent with our decision herein. It is further

ORDERED that prior to its implementation of the rates approved herein, Shady Oaks Mobile-Modular Estates, Inc., shall submit and have approved revised tariff pages. The revised tariff pages will be approved upon our staff's verification that the pages are consistent with our decision herein.

By ORDER of the Florida Public Service Commission this 28th day of July, 1992.


STEVE TRIBBLE, Director
Division of Records and Reporting

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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

ORDER NO. PSC-92-0723-FOF-WS
DOCKET NO. 900025-WS
PAGE 5

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.