

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval)	DOCKET NO. 920535-WS
to implement monthly Late)	ORDER NO. PSC-92-0779-FOF-WS
Payment Charge in the amount)	ISSUED: 08/10/92
of \$3.00 on delinquent)	
accounts in Broward County by)	
FERNCREST UTILITIES, INC.)	
_____)	

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF IMPLEMENTING LATE PAYMENT CHARGE

BY THE COMMISSION:

Ferncrest Utilities, Inc., (Ferncrest or utility) is a Class A utility providing service to approximately 1,563 water and 1,524 wastewater customers in Broward County, Florida. According to its 1991 Annual Report, Ferncrest earned operating revenues of \$326,000, with a net loss of \$225,000, for its water system and operating revenues of \$350,000, with a net loss of \$264,000, for its wastewater system.

On May 28, 1992, the utility filed a tariff proposing a late payment charge of \$3.00 for every customer's account that remained unpaid after twenty days. Ferncrest submitted cost justification with its proposed tariff showing that the utility sent an average of 515 late notices per month which cost the utility \$1,104.96 each month in labor expenses during the past three years. The utility averages approximately 440 delinquent payments each month. Ferncrest does not believe that the customers who pay their bills in a timely manner should be required to absorb costs associated with collecting past due accounts.

We have previously approved late payment charges for other water and wastewater utilities. We believe that the general body of ratepayers should not be required to cover costs associated with late paying customers. Therefore, we approve the utility's proposed tariff to establish a late fee in the amount of \$3.00 to be assessed after the twentieth day of the billing cycle so that customers will have an incentive to pay their bills on time.

DOCUMENT NUMBER-DATE

08924 AUG 10 1992

FILE RECORDS/REPORTING

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The charge shall be identified as a late charge and included in the utility's tariff section for miscellaneous service charges. Ferncrest shall submit a proposed customer notice reflecting the implementation of a \$3.00 late fee charge for our approval. The tariff will become effective for service rendered on or after the stamped approval date on the tariff sheets. The proposed tariff sheets will be stamped approved upon our staff's review and approval of the proposed customer notice. The tariff sheets will become final if a substantially affected person does not file a petition for a formal proceeding within 21 days of the issuance of this Order.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Ferncrest Utilities, Inc.'s tariff filing to implement a late payment charge in the amount of \$3.00 to be assessed after the twentieth day of the billing cycle is hereby approved. It is further

ORDERED that Ferncrest Utilities, Inc. shall submit a proposed customer notice for approval. It is further

ORDERED that the tariff shall be effective for service rendered on or after the stamped approval date on the tariff sheets which will be approved after our staff's approval of the proposed customer notice. It is further

ORDERED that if a timely protest is filed pursuant to the requirements set forth below, all increased revenues resulting from this filing shall be held subject to refund. It is further

ORDERED that the tariff shall become final if a substantially affected person does not file a petition for a formal proceeding within 21 days of the issuance of this Order. If no such petition is received, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 10th day of August, 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 hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 31, 1992.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the date this Order becomes final, 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.