

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for a Rate)
Increase in Pasco County by) DOCKET NO. 910637-WS
MAD HATTER UTILITY, INC.)
_____)

VOLUME 7

Pages 888 through 1047



PROCEEDINGS:	HEARING
BEFORE:	COMMISSIONER BETTY EASLEY COMMISSIONER SUSAN F. CLARK
DATE:	Friday, September 25, 1992
TIME:	Commenced at 9:30 a.m. Concluded at 4:30 p.m.
PLACE:	101 East Gaines Street Tallahassee, Florida
REPORTED BY:	JANE FAUROT Notary Public in and for the State of Florida at Large

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Division of Records & Reporting

OCT 8 1992

ACCURATE STENOTYPE REPORTERS, INC.
100 SALEM COURT
TALLAHASSEE, FLORIDA 32301
(904) 878-2221

Case Nos. 1D98-0713 and 1D98-0727

Florida Water Services Corporation vs. Florida Public Service Commission ("PSC");
Sugarmill Woods Civic Association, Inc. vs. Southern States Utilities, Inc. and the
PSC
vs. Joseph J. DeRouin, et al.

PSC Docket No. 920199-WS

DOCUMENT NUMBER-DATE

ACCURATE STENOTYPE REPORTERS, INC.

11729 OCT -8 1992 (1)
PSC-RECORDS/REPORTING

FLORIDA PUBLIC SERVICE COMMISSION
CASE NO. 02017-145 EXHIBIT NO. 60
COMPAINT BY D.P.C.
WITH ANSWER D.P.C.
DATE 11-27-98

1 1987.

2 (Late-Filed Exhibit 55 identified.)

3 COMMISSIONER EASLEY: All right. Just out of
4 curiosity, noting that it is almost three o'clock and I
5 have made statements to Staff about how long we are
6 going to be here on a Friday afternoon, how much more
7 do you have, Mr. McLean?

8 MR. McLEAN: Two lines of questions, and I will be
9 as brief as possible. Let me guess ten minutes.

10 COMMISSIONER EASLEY: Mr. Hayes?

11 MR. HAYES: Ten minutes.

12 COMMISSIONER EASLEY: Staff?

13 MR. FEIL: Should be ten minutes.

14 COMMISSIONER EASLEY: All right. And how about
15 for Mr. DeLucenay?

16 MR. McLEAN: Probably a total of 15.

17 COMMISSIONER EASLEY: I'm going to put a stopwatch
18 on you.

19 MR. FEIL: Nothing planned.

20 COMMISSIONER EASLEY: All right.

21 BY MR. McLEAN:

22 Q Mr. Nixon, look at Page 9, the \$7200 number on
23 Line 26. The gist of your comments there is, well, this
24 backhoe is very valuable to the Utility. Irrespective of
25 whether we agree with that, are you suggesting that the

1 \$7,200 number should be added or subtracted in some way from
2 the book value of the machine?

3 A No, I'm not implying that at all.

4 Q Right. Let me refer you in a general way to rate
5 case expense. We had the benefit of Mr. Grantham's
6 participation at the hearing and at some depositions. Do
7 you recall that?

8 A I recall his participation at hearing.

9 Q All right, sir. Now, can you say generally
10 whether the Commission requires utilities to place civil
11 fines above or below the line?

12 A Below the line.

13 Q Now, do you know whether the Commission -- do you
14 recommend to the Commission whether they should place legal
15 fees incurred in defending themselves against civil fines
16 above or below the line?

17 A I would say they should be below the line.

18 Q All right, sir. Now, are you aware that Mad
19 Hatter is also the subject of a criminal prosecution?

20 A I am aware of that generally.

21 Q Are you aware that both Mr. DeLucenay, personally,
22 and as a separate entity, Mad Hatter Utility, both of those
23 entities, so to speak, are the subject of criminal
24 prosecution? Do you know whether that is true?

25 A I was aware that Mr. DeLucenay was. I was not