

MEMORANDUM

May ²⁸~~27~~, 1998

RECEIVED
MAY 28 1998
1:45
FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (JABER) *JAS*
RE: DOCKET NO. 961152-SU - APPLICATION FOR 1996 DISPOSITION
OF CONTRIBUTIONS IN AID OF CONSTRUCTION BY HUDSON
UTILITIES, INC. D/B/A HUDSON BAY COMPANY.

PSC-98-0738-FOF-SU

Attached is an ORDER GRANTING UTILITY'S REQUEST TO CREDIT UNCLAIMED REFUNDS TO CIAC, to be issued in the above-referenced docket.

(Number of pages in order - *13*)

see 1 x 3

LAJ/dr

Attachment

cc: Division of Water and Wastewater (Johnson)
Division of Auditing and Financial Analysis (Casseaux, Romig)

I:961152or.laj

2 mailed

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for 1996
disposition of contributions in
aid of construction by Hudson
Utilities, Inc. d/b/a Hudson Bay
Company in Pasco County.

DOCKET NO. 961152-SU
ORDER NO. PSC-98-0738-FOF-SU
ISSUED: May 28, 1998

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA

ORDER GRANTING UTILITY'S REQUEST TO
CREDIT UNCLAIMED REFUNDS TO CIAC
AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

Hudson Utilities, Inc. d/b/a Hudson Bay Company (Hudson or utility) is a Class B wastewater utility providing service to customers in Pasco County. As of December 31, 1997, the utility served 1,339 wastewater customers, had gross operating revenues of \$793,845, and reported net operating income of \$70,848.

By Order No. PSC-97-0656-AS-WS, issued November 23, 1992, in Docket No. 961152-SU, we required the utility to refund a total of \$44,920, plus accrued interest through the date of refund in contributions-in-aid-of-construction (CIAC) gross up to contributors on a pro rata basis. The refund was for 1994, and was to be completed within six months. The utility has completed the refunds and to date, \$1,599 of the refunds remain unclaimed. By letter dated February 16, 1998, Hudson requested that it be allowed to credit the unclaimed refunds to its CIAC account. The utility's request to dispose of the unclaimed refunds is the subject of this Order.

CREDIT OF UNCLAIMED REFUNDS

In accordance with Order No. PSC-97-0656-AS-WS, Hudson implemented the refund and submitted copies of its refund report to the Commission. By letters dated January 21, 1998, and February 16, 1998, Hudson provided copies of canceled refund checks and/or

DOCUMENT NUMBER DATE

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REGISTRATION DIVISION

customer credits reflecting refund amounts. Hudson requested that the CIAC refunds which remain outstanding be credited to its CIAC account. Hudson reported that the unclaimed refund total is \$1,599, including interest (\$118 is interest). The unclaimed refunds represent 3.5 percent of the refunds ordered. Therefore, only fourteen customers could not be located to receive the \$1,599 in CIAC gross-up taxes.

Hudson has provided us with a list of each individual check, payee and amount remaining unclaimed. Also, Hudson gave the following explanation of its efforts to complete the refund:

1. For many customers, the addresses were in the utility's files;
2. For others, they contacted the local United States Postal Office for forwarding addresses; and
3. They also obtained information from contributors' neighbors in the communities.

Hudson mailed the refund checks to the last known mailing address of each contributor. Further, Hudson has stated that the remaining refunds are undeliverable and/or the individuals are no longer residents in the service territory. The utility has been unable to locate a forwarding address for these remaining customers.

According to the utility's 1996 annual report, the utility is 42.49 percent contributed for the wastewater systems. In consideration of the foregoing, we find it appropriate to grant Hudson's request to credit its CIAC account in the amount of \$1,599 for unclaimed CIAC refunds. This procedure is consistent with Order No. PSC-94-1443-FOF-WS, issued November 23, 1994, in Docket No. 941096-WS and with Order No. PSC-92-1290-FOF-WS, issued November 10, 1992, in Docket No. 901019-WS.

CLOSING OF DOCKET

There is no further action to be taken in this docket, and the docket shall be closed.

Based on the foregoing, it is

ORDER NO. PSC-98-0738-FOF-SU
DOCKET NO. 961152-SU
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ORDERED by the Florida Public Service Commission that Hudson Utilities, Inc. d/b/a Hudson Bay Company's request to credit the unclaimed refunds to contributions-in-aid-of-construction is granted. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission this 28th day of May, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)
LAJ

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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 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.