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STATE OF FLORIDA



ORIGINAL

TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

January 10, 2002

020406-WU

Ms. Kim Gossett
Pincrest Ranches, Inc.
P. O. Box 2898
Winter Haven, FL 33883-2898

Re: Application for a Staff Assisted Rate Case

Dear Ms. Gossett:

Per your request, I am enclosing a staff assisted rate case (SARC) application along with a copy of Rule 25-30.455, Florida Administrative Code, which details the SARC process. Once the application is complete, it should be sent to the Director of Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32301-0870.

When the application is received by the Commission Clerk and Administrative Services Division, it is docketed, an analyst is assigned, and the SARC statutory time frame begins. The utility will then be contacted by our auditors to arrange a time to do a preliminary review of the utility records to determine eligibility. An acceptance or denial letter will be issued within 30 days of the filing date. If the utility is granted a staff assisted rate case, a filing fee based on the capacity of the utility's systems will be due 30 days from the date of the acceptance letter. I am enclosing a copy of Rule 25-30.020, Florida Administrative Code, which outlines the filing fees. If you have any questions, you can contact Ryan Fitch at (850) 413-6928.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Rendell".
Troy Rendell
Public Utilities Supervisor

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

TR:rf

Enclosures (3)

cc: Division of Economic Regulation (Fitch)
Reading File

02 MAY '8 AM 9:36

DISTRIBUTION CENTER

3143-3386N INJUN000

28-MAY 65640

APPLICATION FOR A
STAFF ASSISTED RATE CASEI. General Data

- A. Name of utility Pinecrest Ranches, Inc.
- B. Address PO Box 369
Highlands City, FL 33846-0369
1. Telephone Nos. (863) 559-7997
2. County Polk Nearest city Bartow
3. General area served Bartow - Citrus Highlands Subdivision
- C. Authority:
1. Water Certificate No. 6535079 Date received n/a
2. Sewer Certificate No. n/a Date received n/a
3. Date utility started operations: Water Mid 1987 ^{Early to} Sewer n/a
- D. How system was acquired Purchased
- If utility was purchased, give date 4/01/02 Amount Paid \$100,000.00
1. Name of Seller James O. Vaughn & Margaret S. Hankin
2. Was seller affiliated with present owners? No
3. Did you purchase: Stock Yes or assets only
- E. Type of legal entity: Corporation, Partnership or Sole
Proprietorship S Corporation
- F. Ownership & Officers:
- | | <u>Name</u> | <u>Title</u> | <u>Percent
Ownership</u> |
|----|-----------------------|-------------------|------------------------------|
| 1. | <u>Norman Duncan</u> | <u>President</u> | <u>50%</u> |
| 2. | | | |
| 3. | <u>Richard Little</u> | <u>Sec/Treas.</u> | <u>50%</u> |
| 4. | | | |

PSC/WAS 2 (Rev. 11/86)

G. List of Associated Companies and Addresses:

1. n/a
2.
3.

H. If you have retained an attorney and/or a consultant to represent the utility for this application, furnish the name(s) and address(es):

Kimberly A. Gossett
11600 Jim Edwards Road
Haines City, FL 33844
(863) 557-0241

II. Accounting Data

A. Outside Accountant

1. Name Karen Premuto
2. Firm Campbell & Associates
3. Address 201 Avenue G, SW, Winter Haven, FL 33880
4. Telephone (863) 299-1238

B. Individual to contact on accounting matters:

1. Name Karen Premuto
2. Telephone (863) 299-1238

C. Location of books and records 616 2nd Street SW, Winter Haven, FL

D. Have you filed an Annual Report with the Commission? Yes

Date last filed May 2002

E. Has your latest semiannual regulatory assessment fee payment been made (January 30 or July 30 whichever is applicable)? Yes

F. Basic Rate Base Data (Most recent two years)

1. Water	20 <u>01</u>	2000 19 <u> </u>
Cost of Plant In Service:	\$ <u>188579</u>	\$ <u>188579</u>
Less Accumulated Depreciation:	<u>84904</u>	<u>78674</u>
Less Contributed Plant:	<u> </u>	<u> </u>
Net Owner's Investment:	\$ <u><u>103675</u></u>	\$ <u><u>109905</u></u>

2. Sewer	20__	19__
Cost of Plant In Service:	\$ <u>n/a</u>	\$ <u>n/a</u>
Less Accumulated Depreciation:	<u> </u>	<u> </u>
Less Contributed Plant:	<u> </u>	<u> </u>
Net Owner's Investment:	\$ <u> </u>	\$ <u> </u>
G. Basic Income Statement (Most recent two years):		
1. Water	20__	19__
Revenues (By Class):		
a. <u>Water</u>	\$ <u>20195</u>	\$ <u>20839</u>
b. <u> </u>	<u> </u>	<u> </u>
c. <u> </u>	<u> </u>	<u> </u>
Total Operating Revenues:	\$ <u>20195</u>	\$ <u>20839</u>
Less Expenses:		
a. Salaries & Wages - Employees	\$ <u> </u>	\$ <u> </u>
b. Salaries & Wages - Officers, Directors, & Majority Stockholders	<u> </u>	<u> </u>
c. Employee Pensions & Benefits	<u> </u>	<u> </u>
d. Purchased Water	<u> </u>	<u> </u>
e. Purchased Power	<u>5134</u>	<u>6989</u>
f. Fuel for Power Production	<u> </u>	<u> </u>
g. Chemicals	<u> </u>	<u> </u>
h. Materials & Supplies	<u>1529</u>	<u> </u>
i. Contractual Services	<u>8090</u>	<u>9680</u>
j. Rents	<u> </u>	<u> </u>
k. Transportation Expenses	<u> </u>	<u> </u>
l. Insurance Expense	<u>1114</u>	<u>1348</u>
m. Regulatory Commission Expense	<u> </u>	<u> </u>
n. Bad Debt Expense	<u> </u>	<u> </u>
o. Miscellaneous Expense	<u>9316</u>	<u>6205</u>
p. Depreciation Expense	<u> </u>	<u> </u>
q. Property Taxes	<u>1521</u>	<u> </u>
r. Other Taxes	<u> </u>	<u> </u>
s. Income Taxes	<u> </u>	<u> </u>
Operating Income (Loss)	\$ <u>(12339)</u>	\$ <u>(9895)</u>

2. Sewer

20__

19__

Revenues (By Class):

a. _____	\$ _____	\$ _____
b. _____	_____	_____
c. _____	_____	_____
Total Operating Revenues:	\$ _____	\$ _____

Less Expenses:

a. Salaries & Wages - Employees	\$ _____	\$ _____
b. Salaries & Wages - Officers, Directors, & Majority Stockholders	_____	_____
c. Employee Pensions & Benefits	_____	_____
d. Purchased Sewage Treatment	_____	_____
e. Sludge Removal Expense	_____	_____
f. Purchased Power	_____	_____
g. Fuel for Power Production	_____	_____
h. Chemicals	_____	_____
i. Materials & Supplies	_____	_____
j. Contractual Services	_____	_____
k. Rents	_____	_____
l. Transportation Expenses	_____	_____
m. Insurance Expense	_____	_____
n. Regulatory Commission Expense	_____	_____
o. Bad Debt Expense	_____	_____
p. Miscellaneous Expense	_____	_____
q. Depreciation Expense	_____	_____
r. Property Taxes	_____	_____
s. Other Taxes	_____	_____
t. Income Taxes	_____	_____
Operating Income (Loss)	\$ _____	\$ _____

H. Outstanding Debt:

	<u>Creditor</u>	<u>Date Borrowed</u>	<u>Balance Due</u>	<u>Interest Rate</u>	<u>Expiration Date</u>
1.	Center State Bank	4/1/02	\$70,000	7.5%	4/01/2005
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

I. Indicate Type of Tax Return Filed:

_____	Form 1120 - Corporation
<u>X</u>	Form 1120S - Subchapter S Corporation
_____	Form 1065 - Partnership
_____	Form 1040 - Schedule C - Individual (Proprietorship)

A. Outside Engineering Consultant:

1. Name Mr. West
2. Firm WA Read & Associates
3. Address 510 South Central Avenue, Bartow, FL 33830
4. Telephone (863) 533-0783

B. Individual to contact on engineering matters:

1. Name Bill Read
2. Telephone (863) 533-0783

C. Is the utility under citation by the Department of Environmental Regulation (DER) or county health department? If yes, explain. _____

No

D. List any known service deficiencies and steps taken to remedy problems. n/a

E. Name of plant operator(s) and DER operator certificate number(s) held. _____

Leigh Messer #2699

F. Is the utility serving customers outside of its certificated area? No If yes, explain. _____

G. Wastewater: n/a

1. Gallons per day capacity of treatment facilities existing _____
_____ under construction _____ proposed _____
2. Type and make of present treatment facilities _____
3. Approximate average daily flow of treatment plant effluent _____
4. Approximate length of sewer mains:
Size (diameter) _____
Linear feet _____
5. Number of manholes _____
6. Number of liftstations _____
7. How do you measure treatment plant effluent? _____
8. Is the treatment plant effluent chlorinated? _____ If yes, what
is the normal dosage rate? _____

9. Tap in fees - Sewer \$ _____
10. Service availability fees - Sewer \$ _____
11. Note DER Treatment Plant Certificate Number and date of expiration: Number _____ Expiration Date _____
12. Total gallons treated during most recent twelve months _____
13. Sewage treatment purchased during most recent twelve months _____

H. Water

1. Gallons per day capacity of treatment facilities existing 101,510.
_____ under construction _____ proposed _____
2. Type of treatment Chlorinate

3. Approximate average daily flow of treated water 89,290
4. Source of water supply Ground
5. Types of chemicals used and their normal dosage rates _____
Liquid Chlorine - 6 Gallon Per Day
6. Number of wells in service 2 Total capacity in gallons per minute (gpm) _____
Diameter/Depth 4" / 190' 6" / 405' _____/
Motor horsepower 5hp 25hp _____
Pump capacity (gpm) 75gpm 350gpm _____
7. Reservoirs and/or hydropneumatic tanks:
Description Steel Tank _____
Capacity 6,000 gallons _____
8. High service pumping: n/a
Motor horsepower _____
Pump capacity (gpm) _____
9. How do you measure treatment plant production? Flow Meter
10. Approximate feet of water mains:
Size (diameter) 2" 3" 4" 6"
Linear feet 500 6300 1880 4575

11. Note any fire flow requirements and imposing government agency
n/a
12. Number of fire hydrants in service 6
13. Do you have a meter change out program? n/a
14. Meter installation or tap in fees - Water \$350.00
15. Service availability fees - Water \$ n/a
16. Has the existing treatment facility been approved by DER?
Yes
17. Total gallons pumped during most recent twelve months 44,014,000.
18. Total gallons sold during most recent twelve months Flat Rate
19. Gallons unaccounted for during most recent twelve months n/a
20. Gallons purchased during most recent twelve months n/a

IV. Rate Data

A. Individual to contact on tariff matters:

1. Name Kimberly A. Gossett
2. Telephone Number (863) 557-0241

B. Schedule of present rates (Attach additional sheet if more space is needed): Flat Rate - Not Metered

1. Water:

- a. Residential Water \$12.85
- b. General Service
- c. Special Contract
- d. Other

*** Polk County 2% Service Tax .26

2. Sewer: n/a

- a. Residential Sewer
- b. General Service
- c. Special Contract
- d. Other

C. Number of Customers (Most recent two years):

1. Water Metered	20__	19__
a. Residential	n/a	n/a
b. General Service		
c. Special Contract		
d. Other - specify		
2. Water Unmetered	2001	19 2000
a. Residential	122	125
b. General Service		
c. Special Contract		
d. Other - specify		
3. Sewer	20__	19__
a. Residential	n/a	n/a
b. General Service		
c. Special Contract		
d. Other - specify		

V Affirmation

I, Norman Duncan the undersigned owner, officer, or partner of the above named public utility, doing business in the State of Florida and subject to the control and jurisdiction of the Florida Public Service Commission, certify that the statements set forth herein are true and correct to the best of my information, knowledge and belief.

Signed



Title

President

Notice: Section 837.06, Florida Statutes, provides that any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree.

25-30.020 Fees Required to be Paid by Water and Wastewater Utilities.

(1) When a utility files any application for a certificate of authorization pursuant to sections 367.045, 367.071 and 367.171, Florida Statutes, or files any request for a rate change pursuant to sections 367.081, 367.0814 and 367.0822, Florida Statutes (except an index or pass-through), or files for authorization to collect or change service availability charges pursuant to section 367.101, Florida Statutes, the utility shall remit a fee to the Commission's Director of Records and Reporting. A separate fee shall apply for water service and wastewater service. A separate fee shall also apply for each section listed above. For purposes of this rule, capacity is determined by combining the capacities of all systems included in the application. For purposes of this rule, an equivalent residential connection (ERC) is 350 gallons per day (gpd) for water service and 280 gallons per day (gpd) for wastewater service.

(2) The amount of the fee to be filed pursuant to subsection (1) of this rule, shall be as follows:

(a) For an original certificate application filed pursuant to Section 367.045, Florida Statutes, the amount of the fee shall be as follows:

1. For utilities with the existing or proposed capacity to serve up to 500 ERCs, \$750;
2. For utilities with the existing or proposed capacity to serve from 501 to 2,000 ERCs, \$1,500;
3. For utilities with the existing or proposed capacity to serve from 2,001 to 4,000 ERCs, \$2,250;
4. For utilities with the existing or proposed capacity to serve more than 4,000 ERCs, \$3,000.

(b) For an application for extension or deletion of territory filed pursuant to Section 367.045, Florida Statutes, the amount of the fee shall be as follows:

1. For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, \$100;
2. For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, \$200;
3. For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, \$500;
4. For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, \$1,000;
5. For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, \$1,750;
6. For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, \$2,250.

(c) For an application for transfer of change in majority organizational control filed pursuant to Section 367.071, Florida Statutes, the amount of the fee shall be as follows:

1. For applications in which the utility to be transferred has the capacity to serve up to 500 ERCs, \$750;
2. For applications in which the utility to be transferred has the capacity to serve from 501 to 2,000 ERCs, \$1,500;
3. For applications in which the utility to be transferred has the capacity to serve from 2,001 to 4,000 ERCs, \$2,250;
4. For applications in which the utility to be transferred has the capacity to serve more than 4,000 ERCs, \$3,000.

(d) For an application for a grandfather certificate filed pursuant to Section 367.171, Florida Statutes, the amount of the fee shall be as follows:

1. For applications in which the utility has the capacity to serve up to 100 ERCs, \$100;
2. For applications in which the utility has the capacity to serve from 101 to 200 ERCs, \$200;
3. For applications in which the utility has the capacity to serve from 201 to 500 ERCs, \$500;
4. For applications in which the utility has the capacity to serve from 501 to 2,000 ERCs, \$1,000;
5. For applications in which the utility has the capacity to serve from 2,001 to 4,000 ERCs, \$1,750;
6. For applications in which the utility has the capacity to serve more than 4,000 ERCs, \$2,250.

(e) For file and suspend rate cases filed pursuant to Section 367.081, Florida Statutes, the

amount of the fee shall be as follows:

1. For utilities with the existing capacity to serve up to 500 ERCs, \$1,000;
2. For utilities with the existing capacity to serve from 501 to 2,000 ERCs, \$2,000;
3. For utilities with the existing capacity to serve from 2,001 to 4,000 ERCs, \$3,500;
4. For utilities with the existing capacity to serve more than 4,000 ERCs, \$4,500.

(f) For staff-assisted rate cases filed pursuant to Section 367.0814, Florida Statutes, the amount of the fee shall be as follows:

1. For utilities with the existing capacity to serve up to 100 ERCs, \$200;
2. For utilities with the existing capacity to serve from 101 to 200 ERCs, \$500;
3. For utilities with the existing capacity to serve more 200 ERCs, \$1,000.

(g) For an application for a limited proceeding pursuant to Section 367.0822, Florida Statutes, the amount of the fee shall be as follows:

1. For utilities with the existing capacity to serve up to 100 ERCs, \$100;
2. For utilities with the existing capacity to serve from 101 to 200 ERCs, \$200;
3. For utilities with the existing capacity to serve from 201 to 500 ERCs, \$500;
4. For utilities with the existing capacity to serve from 501 to 2,000 ERCs, \$1,000;
5. For utilities with the existing capacity to serve from 2,001 to 4,000 ERCs, \$1,750;
6. For utilities with the existing capacity to serve more than 4,000 ERCs, \$2,250.

(h) For an application for approval of charges or conditions for service availability filed pursuant to section 367.101, Florida Statutes, the amount of the fee shall be as follows:

1. For utilities with existing and proposed capacity to serve up to 100 ERCs, \$100;
2. For utilities with existing and proposed capacity to serve from 101 to 200 ERCs, \$200;
3. For utilities with existing and proposed capacity to serve from 201 to 500 ERCs, \$500;
4. For utilities with existing and proposed capacity to serve from 501 to 2,000 ERCs, \$1,000;
5. For utilities with existing and proposed capacity to serve from 2,001 to 4,000 ERCs, \$1,750;
6. For utilities with existing and proposed capacity to serve more than 4,000 ERCs, \$2,250.

Specific Authority 350.127(2), 367.121(1) FS.

Law Implemented 367.045(1)(d), (2)(e), 367.071(3), 367.081(5), 367.0814(2), 367.0822(2), 367.101(2), 367.145, 367.171(2)(b) FS.

History—New 10-29-80, Formerly 25-10.11, 25-10.011, Amended 11-10-86, 11-30-93.

ANNOTATIONS

Filing fees

Filing fees for utility are based on number of persons served as of jurisdictional date. Utility served less than 999 persons at that time. So filing fee is based on that number not the number of persons proposed system had expectation of ultimately serving. In re Application by Lighthouse Utilities Company, Inc., 87 FPSC 7:296 (1987).

30.110, F.A.C., so as to allow commission personnel to verify costs and other relevant factors within the 30-day time frame set out in this rule;

(c) Whether the petitioner has filed annual reports;

(d) Whether the petitioner has paid applicable regulatory assessment fees;

(e) Whether the petitioner has at least 1 year's actual experience in utility operation;

(f) Whether the petitioner has filed additional relevant information in support of eligibility, together with reasons why the information should be considered;

(g) Whether the petitioner has complied in a timely manner with all Commission decisions and requests affecting water and wastewater utilities for 2 years prior to the filing of the application under review;

(h) Whether the utility has applied for a staff assisted rate case within the 2-year period prior to the receipt of the application under review.

(9) The Commission will deny the application if a utility does not remit the fee as provided by Section 367.145, Florida Statutes, and Rule 25-30.020(2)(f), F.A.C., within 30 days after official acceptance.

(10) An aggrieved petitioner may request reconsideration which shall be decided by the full Commission.

(11) A substantially affected person may file a petition to protest the Commission's proposed agency action in a staff assisted rate case within 21 days of issuance of the Notice of Proposed Agency Action as set forth in Rule 25-22.036, F.A.C.

(12) In the event of a protest of the Commission's Notice of Proposed Agency Action (PAA Order) in a staff assisted rate case, the utility shall:

(a) Provide prefiled direct testimony in accordance with the procedural order in the case. At a minimum, that testimony shall adopt the Commission's PAA Order in the case;

(b) Sponsor a witness to support source documentation provided to the Commission staff in its preparation of the staff audit, the staff engineering and accounting report and the staff PAA recommendation in the case;

(c) Include in its testimony the necessary factual information to support its position on any issue that it chooses to take a position different than that contained in the Commission's PAA Order;

(d) Meet all other requirements of the order establishing procedures.

(13) Failure to comply with the dates established in the procedural order, or to file timely a request for extension of time for good cause shown, may result in dismissal of the staff assisted rate case and closure of the docket.

(14) In the event of a protest of the Commission's PAA Order in a staff assisted rate case the Commission staff shall:

(a) File prefiled direct testimony to explain its analysis in the PAA recommendation. In the event the staff wishes to alter its PAA position on any issue, it shall provide factual testimony to support its changed position.

(b) Meet all other requirements of the order establishing procedures;

(c) Provide to the utility materials to assist the utility in the preparation of its testimony and exhibits. This material shall consist of an example of testimony filed by a utility in another case, an example of testimony that would support the PAA Order in this case, an example of an exhibit filed in another case, and examples of prehearing statements and briefs filed in other cases.

Specific Authority 367.121, 371.0814 FS. Law Implemented 367.0814 FS. History--New 12-8-80, Formerly 25-10.180, Amended 11-10-86, 8-26-91, 11-30-93, 1-31-00.

25-30.455 Staff Assistance in Rate Cases.

(1) Water and wastewater utilities whose total gross annual operating revenues are \$150,000 or less for water service or \$150,000 or less for wastewater service, or \$300,000 or less on a combined basis, may petition the Commission for staff assistance in rate applications by submitting a completed staff assisted rate case application. In accordance with Section 367.0814(4), F.S., a utility that requests staff assistance waives its right to protest by agreeing to accept the final rates and charges approved by the Commission unless the final rates and charges would produce less revenue than the existing rates and charges. If a utility that chooses to utilize the staff assistance option employs outside experts to assist in developing information for staff or to assist in evaluating staff's schedules and conclusions, the reasonable and prudent expense will be recoverable through the rates developed by staff. A utility that chooses not to exercise the option of staff assistance may file for a rate increase under the provisions of Rule 25-30.443, F.A.C.

(2) Upon request, the Division of Water and Wastewater shall provide the potential applicant with the appropriate application form, Commission Form PSC/WAS 2 (Rev. 11/86), "Application for Staff Assisted Rate Case", which is incorporated by reference in this rule, and a copy of Rule 25-30.455, F.A.C., governing staff assisted rate cases. The form may be obtained from the Commission's Division of Water and Wastewater, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

(3) Upon completion of the form, the petitioner may return it to the Director of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

(4) Upon receipt of a completed application, the Director of Records and Reporting shall acknowledge its receipt, assign a docket number for identification, and shall forward the application to a committee comprised of one member each of the Commission's Divisions of Water and Wastewater, Auditing and Financial Analysis, and Legal Services.

(5) Within 30 days of receipt of the completed application, the committee shall evaluate the application and determine the petitioner's eligibility for staff assistance.

(a) If the Commission has received four or more applications in the previous 30 days; or, if the Commission has 20 or more docketed staff assisted rate cases in active status on the date the application is received, the Commission shall deny initial evaluation of an application for staff assistance and close the docket. When an application is denied under the provisions of this subsection, the applicant shall be notified of the date on which the application may be resubmitted.

(b) Initially, determinations of eligibility may be conditional, pending an actual examination of the condition of petitioner's books and records. After an initial determination of eligibility, the Division of Auditing and Financial Analysis committee shall examine the books and records of the utility before making a final determination of eligibility.

(c) All recommendations of ineligibility shall be in writing and shall state the deficiencies in the application with reference to guidelines set out in subsection (8) of this rule.

(6) Upon reaching a decision to officially accept or deny the application, the Director of the Division of Water and Wastewater shall notify the petitioner by letter and initiate staff assistance for the accepted applicant.

(7) The official date of filing will be 30 days after the date of the letter notifying the applicant of the official acceptance of the application by the Commission.

(8) In arriving at a recommendation whether to grant or deny the petition, the following shall be considered:

(a) Whether the petitioner qualifies for staff assistance pursuant to subsection (1) of this rule;

(b) Whether the petitioner's books and records are organized consistent with Rule 25-