

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 24, 2025

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Engineering (Thompson, Ellis, King, Ramos) *TB*
Division of Accounting and Finance (Bardin) *ALM*
Division of Economics (Bethea) *JP*
Office of the General Counsel (Marquez, Farooqi) *ACN*

RE: Docket No. 20240121-WU – Application for grandfather certificate to operate water utility in Columbia County by Consolidated Water Works, Inc.

AGENDA: 05/06/25 – Regular Agenda – Proposed Agency Action for Issue 3 – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Clark

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On May 16, 2024, the Board of County Commissioners of Columbia County adopted Resolution No. 2024R-13 (Resolution), transferring regulation of the privately-owned, for-profit water and wastewater utilities in Columbia County to the Florida Public Service Commission (Commission). Effective upon the adoption of the Resolution, all non-exempt water and wastewater systems in Columbia County became subject of the provisions of Chapter 367, Florida Statutes (F.S.). By Order No. PSC-2024-0222-FOF-WS, the Commission acknowledged the Resolution.¹

¹ Order No. PSC-2024-0222-FOF-WS, issued July 1, 2024, in Docket No. 20240089-WS, *In re: Resolution of the Board of County Commissioners of Columbia County declaring Columbia County subject of the provisions of Section 367, F.S.*

Pursuant to Section 367.171(2)(b), F.S., each utility engaged in the operation or construction of a system shall be entitled to receive a certificate for the area served by such utility on the day the chapter becomes applicable to the utility. On August 14, 2024, Consolidated Water Works, Inc. (Consolidated or Utility) filed an application for a certificate under grandfather rights to provide water service in Columbia County pursuant to Section 367.171(2), F.S., and Rule 25-30.035, Florida Administrative Code (F.A.C.). The Utility's initial application was found to be deficient and staff issued a deficiency letter on September 20, 2024.² Consolidated filed a response to the deficiencies on October 22, 2024.³ The application was still found to be deficient. Staff issued a second deficiency letter on November 21, 2024.⁴ Consolidated cured the deficiencies on March 19, 2025.⁵

The Consolidated system has been in existence since 1974 and currently serves 235 residential customers. The Utility's service area is located in the Suwannee River Water Management District. This recommendation addresses the application for a grandfather water certificate and rates and charges. The Commission has jurisdiction over this matter pursuant to Section 367.171, F.S.

² Document No. 09109-2024, filed September 20, 2024, in Docket No. 20240121-WU, *In re: Application for grandfather certificate to operate water utility in Columbia County by Consolidated Water Works, Inc.*

³ Document No. 09642-2024, filed October 22, 2024, in Docket No. 20240121-WU, *In re: Application for grandfather certificate to operate water utility in Columbia County by Consolidated Water Works, Inc.*

⁴ Document No. 09973-2024, filed November 21, 2024, in Docket No. 20240121-WU, *In re: Application for grandfather certificate to operate water utility in Columbia County by Consolidated Water Works, Inc.*

⁵ Document No. 01938-2025, filed March 19, 2025, in Docket No. 20240121-WU, *In re: Application for grandfather certificate to operate water utility in Columbia County by Consolidated Water Works, Inc.*

Date: April 24, 2025

Discussion of Issues

Issue 1: Should Consolidated Water Works, Inc.'s application for a grandfather water certificate in Columbia County be acknowledged?

Recommendation: Yes. Consolidated's application should be acknowledged and the Utility should be granted Certificate No. 693-W, effective May 16, 2024, to serve the territory described in Attachment A. The resultant order should serve as Consolidated's certificate and should be retained by the Utility. (Thompson, Bardin)

Staff Analysis: The Utility's application for certificate under grandfather rights to provide water service in Columbia County is in compliance with Section 367.171(2)(b), F.S., and Rule 25-30.035, F.A.C. An adequate service territory description and system maps were provided. As the Utility has its own treatment facilities, the application contains warranty deeds as proof of ownership of the land on which the Utility's facilities are located as required by Rule 25-30.035(11), F.A.C. A description of the Utility's territory is provided in Attachment A.

As stated in the case background, Consolidated has been in existence since 1974 and currently serves 235 residential customers. The Utility does not currently have any outstanding citations, violations, or consent orders on file with the Florida Department of Environmental Protection.

The Utility is aware of its obligation to submit its 2024 Annual Report pursuant to Rule 25-30.110, F.A.C., and is also aware of its obligation to pay regulatory assessment fees pursuant to Rule 25-30.120, F.A.C. In addition, the Utility is aware that it must maintain its books and records according to the National Association of Regulatory Utility Commissioners' Uniform System of Accounts.

Conclusion

Based on the above, staff recommends that Consolidated be granted Certificate No. 693-W to serve the territory described in Attachment A. The resultant order should serve as Consolidated's certificate and should be retained by the Utility.

Date: April 24, 2025

Issue 2: What rates, charges, and deposits should be approved for Consolidated Water Works, Inc.?

Recommendation: Of the Utility's rates, charges, and deposits that were approved by Columbia County and in effect when Columbia County transferred jurisdiction to the Commission, the rates, charges, and initial customer deposit shown on Schedule No. 1 are appropriate and should be approved. In addition, the Utility's existing Violation Reconnection Charge and Premise Visit Charge should be approved. These charges, as well as the rate, charges, and initial customer deposit shown in Schedule No. 1, should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, F.A.C. The Utility should be required to charge the approved Violation Reconnection Charge and Premise Visit Charge, as well as the rates, charges, and initial customer deposit shown in Schedule No. 1 until authorized to change them by the Commission in a subsequent proceeding. (Bethea)

Staff Analysis: Columbia County Board of County Commissioners approved the Utility's current monthly water rates by Resolution Number 2024R-05 on March 21, 2024. The monthly water rates consist of a base facility charge and gallonage charge per 1,000 gallons. The Utility's water charges consist of miscellaneous service charges that have been in effect since the Utility was acquired by the existing owner, however, some of the miscellaneous service charges are not consistent with Florida Statutes or Commission Rules and staff recommends they be modified in Issue 3. Though, as stated previously, the Utility's existing Violation Reconnection Charge and Premise Visit Charge remain unchanged and should be approved herein. The Utility is fully built out and has no service availability charges.

Conclusion

Staff recommends that, of the Utility's rates, charges, and deposits that were approved by Columbia County and in effect when Columbia County transferred jurisdiction to the Commission, only the rates, charges, and initial customer deposit shown on Schedule No. 1, and the Utility's existing Violation Reconnection Charge and Premise Visit Charge, are appropriate and should be approved. The rates, charges, and initial customer deposit shown on Schedule No. 1 should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, F.A.C. The Utility should be required to charge the approved Violation Reconnection Charge and Premise Visit Charge, as well as the rates, charges, and initial customer deposit shown in Schedule No. 1 until authorized to change them by the Commission in a subsequent proceeding.

Date: April 24, 2025

Issue 3: What are the appropriate miscellaneous service charges for Consolidate Water Works, Inc.?

Recommendation: With the exception of the Utility's existing Violation Reconnection Charge and Premise Visit Charge (which are approved in Issue 2), no other miscellaneous service charge should be approved. The appropriate miscellaneous service charges are shown on Table 3-2. The Utility should be required to file a proposed customer notice to reflect the Commission-approved charges. The approved charges should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheet pursuant to Rule 25-30.475, F.A.C. In addition, the tariff sheets will be approved upon staff's verification that the tariffs are consistent with the Commission's decision and that the proposed customer notice is adequate. (Bethea)

Staff Analysis: The Utility did not request to revise its existing miscellaneous service charges. Section 367.091, F.S., authorizes the Commission to establish, increase, or change a rate or charge other than monthly rates or service availability charges. Staff recommends that some of the Utility's existing charges, namely the Initial Connection and Normal Reconnection charges, should be revised to conform with Rule 25-30.460, F.A.C. As discussed in Issue 2, the Utility's Violation Reconnection Charge and Premise Visit Charge should be approved without modification. The Utility's current miscellaneous service charges for water consist of various charges and are shown on Table 3-1.

Table 3-1
Consolidated Water Works, Inc.
Existing Miscellaneous Service Charges

	<u>Existing Water</u>
Initial Connection Charge	\$25.00
Normal Reconnection Charge	\$25.00
Violation Reconnection Charge	\$25.00
Premise Visit Charge	\$25.00

Source: Utility's current tariff and response to staff's deficiencies

Premises Visit and Violation Reconnection Charge

As shown above on Table 3-1, the Utility's existing miscellaneous service charges consists of initial connection and normal reconnection charges. However, pursuant to Rule 25-30.460(2)(a), F.A.C., initial connection and normal reconnection charges are subsumed within the definition of the premises visit charge. Therefore, staff recommends that the initial connection and normal reconnection charges be removed. Staff recommends that the definition for the premises visit charge be updated to comply with Rule 25-30.460, F.A.C. The appropriate miscellaneous service charges shown on Table 3-2 should be approved.

Table 3-2
Consolidated Water Works, Inc.
Staff Recommended Miscellaneous Service Charges

Premises Visit	\$25
Violation Reconnection Charge (Water)	\$25

Conclusion

The Utility's existing Violation Reconnection Charge and Premise Visit Charge remain unchanged and are recommended for approval in Issue 2. The Initial Connection Charge and Normal Reconnection Charge should be removed because they fall within Rule 25-30.460(2)(a), F.A.C.'s, definition of premises visit charge. The Utility should be required to file a proposed customer notice to reflect the Commission-approved charges. The approved charges should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheet pursuant to Rule 25-30.475(2), F.A.C. In addition, the tariff sheets should be approved upon staff's verification that the tariffs are consistent with the Commission's decision and that the proposed customer notice is adequate.

Date: April 24, 2025

Issue 4: Should this docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action portion of this recommendation files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once this action is complete, this docket should be closed administratively. (Marquez, Farooqi)

Staff Analysis: If no person whose substantial interests are affected by the proposed agency action portion of this recommendation files a protest within 21 days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once this action is complete, this docket should be closed administratively.

DESCRIPTION OF TERRITORY SERVED

Consolidated Water Works, Inc.
Columbia County Water Service Area

Azalea Park Legal Description:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, SECTION 19, TOWNSHIP 4 SOUTH, RANGE 17 EAST, AND RUN S $89^{\circ}22'00''$ E ALONG THE NORTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 410.80 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S $89^{\circ}22'00''$ E, ALONG SAID NORTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 995.20 FEET, THENCE S $0^{\circ}40'00''$ E ALONG THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 1361.70 FEET, THENCE N $88^{\circ}16'30''$ W ALONG THE SOUTH LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 1406.25 FEET, THENCE N $9^{\circ}02'00''$ E PARALLEL TO STATE ROAD NO. 47 A DISTANCE OF 694.65 FEET, THENCE S $89^{\circ}16'30''$ W PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ 417.00 FEET, THENCE N $9^{\circ}02'00''$ E ALONG THE EAST LINE OF STATE ROAD NO. 47 A DISTANCE OF 296.00 FEET, THENCE S $89^{\circ}22'00''$ E, PARALLEL TO SAID NORTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ 597.00 FEET, THENCE N $9^{\circ}02'00''$ E PARALLEL TO STATE ROAD NO. 47 A DISTANCE OF 369.00 FEET TO THE POINT OF BEGINNING. SAID LAND LYING IN THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, AND THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$, SECTION 19, TOWNSHIP 4 SOUTH, RANGE 17 EAST, COLUMBIA COUNTY, FLORIDA AND CONTAINING 42.23 ACRES MORE OR LESS.

Shady Oaks Acres Unit 1 Legal Description:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 16 EAST, AND RUN N $0^{\circ}20'30''$ W, 40 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. S-242 TO THE POINT OF BEGINNING, THENCE CONTINUE N $0^{\circ}20'30''$ W ALONG THE WEST LINE OF SAID SOUTHWEST $\frac{1}{4}$ OF SOUTHEAST $\frac{1}{4}$ 995.0 FEET, THENCE N $89^{\circ}03'30''$ E, 705 FEET, THENCE S $0^{\circ}20'30''$ E 995 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD, THENCE S $89^{\circ}03'30''$ W, 705 FEET, TO THE POINT OF BEGINNING.

Shady Oaks Acres Unit 2 Legal Description:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF SOUTHEAST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 16 EAST AND RUN THENCE N $89^{\circ}03'30''$ E, ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SOUTHEAST $\frac{1}{4}$, 705.00 FEET, THENCE N $0^{\circ}20'30''$ W, 145.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N $0^{\circ}20'30''$ W, 865.00 FEET, THENCE N $89^{\circ}03'30''$ E 750.00 FEET, THENCE S $0^{\circ}20'30''$ E 970.00 FEET, TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. S-242, THENCE S $89^{\circ}03'30''$ W ALONG SAID NORTH RIGHT OF WAY LINE 540.00 FEET, THENCE N $0^{\circ}20'30''$ W, 105.00 FEET, THENCE S $89^{\circ}03'30''$ W, 210.00 FEET TO THE POINT OF BEGINNING.

Shady Oaks Acres Unit 2 Addition Legal Description:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼), SECTION 20, TOWNSHIP 4-SOUTH, RANGE 16-EAST, AND RUN THENCE N 89°03'30" E, ALONG THE SOUTH LINE OF SAID SECTION, 1245.00 FEET, THENCE N 0°20'30" W, 40.00 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. S-242 AND TO THE POINT OF BEGINNING, THENCE CONTINUE N 0°20'30" W, 970.00 FEET, THENCE N 89°03'30" E, 1310.03 FEET, TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 247, THENCE S 41°30'0" W, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY, 1029.81 FEET, THENCE S 89°03'30" W, 433.04 FEET, THENCE S 0°22'46" E, 210.00 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. S-242, THENCE S 89°03'30" W, 190.14 FEET, TO THE POINT OF BEGINNING.

242 Village Legal Description:

THE SW ¼ OF THE SW ¼ OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 17 EAST, COLUMBIA COUNTY, FLORIDA, LESS AND EXCEPT, RIGHT-OF-WAY FOR STATE ROAD 242.

FLORIDA PUBLIC SERVICE COMMISSION

**authorizes
Consolidated Water Works, Inc.
pursuant to
Certificate Number 693-W**

to provide water service in Columbia County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
*	*	20240121-WU	Grandfather Certificate

* Order Number and date to be provided at time of issuance.

**Consolidated Water Works
Monthly Water Rates**

Residential and General Service

Base Facility Charge by Meter Size

All Meter Sizes	\$11.49
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Charge Per 1,000 gallons – Residential and General Service	\$11.49
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Initial Customer Deposits

Residential – All Meters	\$75.00
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