

BCC Mtg. Date: September 28, 2021

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for establishment of
wastewater allowance for funds prudently
invested (AFPI) charges in Lake County, by
Utilities, Inc. of Florida.

DOCKET NO. 20210119-SU
ORDER NO. PSC-2021-0319-PCO-SU
ISSUED: August 23, 2021

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman
ART GRAHAM
ANDREW GILES FAY
MIKE LA ROSA
GABRIELLA PASSIDOMO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Background

Utilities, Inc. of Florida (UIF or utility) is a Class A utility providing water and wastewater services to 27 systems in the following counties: Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole. Within its 2020 annual report, the utility reported \$16,100,458 for wastewater operating revenues.

On June 24, 2021, the utility filed an application to revise its existing allowance for funds prudently invested (AFPI) charges for its system formerly known as Lake Utility Services, Inc. (LUSI), along with a tariff sheet reflecting the proposed changes. The utility is requesting to revise its existing AFPI charges for the LUSI wastewater system based on our decision in Order No. PSC-2021-0206-FOF-WS,¹ issued June 4, 2021, in which the wastewater system was deemed less than 100 percent used and useful.

Section 367.081(6), Florida Statutes (F.S.), provides that we may, for good cause, withhold consent of implementation of the requested rates within 60 days after the date the rate request is filed. This Order addresses the suspension of UIF's proposed tariff sheet. We have jurisdiction pursuant to Section 367.091(6), F.S.

¹ Order No. PSC-2021-0206-FOF-WS, issued June 4, 2021, in Docket No. 20200139-WS, *In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties, by Utilities, Inc. of Florida.*

Decision

Pursuant to Section 367.081(6), F.S., we may withhold consent to the operation of any or all portions of new rates schedules by a vote to that effect within 60 days, giving a reason or statement of good cause for withholding its consent. The tariff shall be suspended to allow Commission staff sufficient time to review the application and gather all pertinent information to present us an informed recommendation on the proposed tariff. Commission staff sent a data request to UIF on July 22, 2021, requesting additional information in regards to the utility's requested AFPI charges and anticipates a response by August 20, 2021. We find that this reason is a good cause consistent with the requirement of Section 367.081(6), F.S. Based on the above, UIF's proposed tariff to establish AFPI charges for the LUSI wastewater system shall be suspended.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Utilities, Inc. of Florida's proposed tariff to establish AFPI charges for its LUSI wastewater system shall be suspended. It is further

ORDERED that this docket shall remain open pending our decision on the proposed tariff.

By ORDER of the Florida Public Service Commission this 23rd day of August, 2021.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
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Tallahassee, Florida 32399
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.