

**INDEPENDENT AUDITORS' REPORT**

Board of Directors  
Kissimmee Utility Authority  
Kissimmee, Florida

We have audited the accompanying financial statements of the business-type activity, the major fund and the aggregate remaining fund information of Kissimmee Utility Authority (the Authority), as of and for the years ended September 30, 2009 and 2008, which collectively comprise the Authority's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these financial statements based on our audit. We did not audit the pension trust fund. Those statements were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included in the pension trust funds, is based solely on the report of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The financial statements of the pension trust fund were not audited in accordance with *Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, based on our audit and the reports of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activity, the major fund and the aggregate remaining fund information of the Authority as of September 30, 2009 and 2008, and the respective changes in financial position and cash flows, thereof for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 18, 2009, on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of reporting on compliance and not to provide an opinion on the internal controls over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

**Certified Public Accountants**

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Board of Directors  
Kissimmee Utility Authority  
Kissimmee, Florida

**INDEPENDENT AUDITORS' REPORT**  
*(Concluded)*

The management's discussion and analysis and certain pension trust information as listed in the accompanying table of contents, are not a required part of the basic financial statements but are supplementary information required by the Government Accounting Standards Board (GASB). We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

*Purvis, Gray and Company, LLP*

December 18, 2009  
Ocala, Florida

# Management's Discussion and Analysis

This section of Kissimmee Utility Authority's (KUA) annual financial report presents the analyses of the KUA's financial performance during the fiscal years that ended on September 30, 2009 and 2008. Please read it in conjunction with the financial statements, which follow this section.

## Financial Highlights – 2009

- The assets of the KUA exceeded its liabilities at September 30, 2009 by \$162.4 million (net assets). Of this amount, \$30 million (unrestricted net assets) may be used to meet ongoing obligations to customers and creditors.
- The KUA's net assets increased by \$4.5 million or 2.8 percent.
- The KUA's net utility plant decreased by \$102.3 million or 38.9 percent.
- During the year, the KUA's operating revenues decreased to \$190.5 million or 9 percent while operating expenses decreased to \$179.5 million or 7.3 percent.
- The KUA's total long-term debt outstanding decreased to approximately \$221.9 million. The decrease related to principal of approximately \$15.8 million becoming current during the current fiscal year offset by an increase in Unamortized Bond Premium of \$5.3 million and a decrease in Unamortized Loss on Refunded Debt of \$2.2 million.
- Liabilities Payable from Restricted Assets increased by \$2.4 million or 3.9% primarily due to an increase in Rate Stabilization Deferred Credits of \$4 million offset by a decrease in Advances for Construction of \$1.8 million.

## Financial Highlights - 2008

- The assets of the KUA exceeded its liabilities at September 30, 2008 by \$157.9 million (net assets). Of this amount, \$34.2 million (unrestricted net assets) may be used to meet ongoing obligations to customers and creditors.
- The KUA's net assets increased by \$7.4 million or 4.9 percent.
- The KUA's net utility plant increased by \$12.9 million or 5.1 percent.
- During the year, the KUA's operating revenues increased to \$209.2 million or 7.7 percent while operating expenses increased to \$193.6 million or 9.9 percent.
- The KUA's total long-term debt outstanding decreased to approximately \$230.2 million. The decrease related to principal of approximately \$15.1 million becoming current during the current fiscal year and a decrease in Unamortized Bond Premium of \$.7 million offset by a decrease in Unamortized Loss on Refunded Debt of \$2.3 million.
- Liabilities Payable from Restricted Assets increased by \$.6 million or 1% primarily due to increases in Customer Deposits of \$.4 million, CR3 Decommissioning Liability of \$.4 million and the Current Portion of Revenue Bonds of \$.7 million offset by a decrease in Rate Stabilization Deferred Credits of .9 million.

## Required Financial Statements

The KUA maintains its accounts on the accrual basis in accordance with accounting principles generally accepted in the United States. The accounts are substantially in conformity with accounting principles and methods prescribed by the Federal Energy Regulatory Commission (FERC) and other regulatory authorities. The financial statements of the KUA offer short and long-term financial information about its activities.

The *Statement of Net Assets* includes all of the KUA's assets and liabilities and provides information about the nature and amounts of investments in resources (assets) and the obligations to KUA creditors (liabilities). It also

provides the basis for computing rate of return, evaluating the capital structure of the KUA and assessing the liquidity and financial flexibility of the KUA.

All of the current year's revenues and expenses are accounted for in the *Statement of Revenues, Expenses, and Changes in Net Assets*. This statement measures the success of the KUA's operations over the past year and can be used to determine whether the KUA has successfully recovered all of its costs.

The other required financial statement is the *Statement of Cash Flows*. The primary purpose of this statement is to provide information about the KUA's cash receipts and cash payments during the reporting period. This statement reports cash receipts, cash payments, and net changes in cash resulting from operations, investing and financing activities; and provides answers to such questions as "where did the cash come from?", "what was cash used for?", and "what was the change in cash balance during the reporting period?".

### Financial Analysis of the KUA

One of the most important questions asked about KUA's finances is, "Is the KUA better off or worse off as a result of the year's activities?" The Statement of Net Assets and the Statement of Revenues, Expenses and Changes in Net Assets report information about the KUA's activities in a way that will help answer this question. These two statements report the net assets of the KUA, and changes in them. You can think of the KUA's net assets – the difference between assets and liabilities – as one way to measure financial health or financial position. Over time, increases or decreases in the KUA's net assets are one indicator of whether its financial health is improving or deteriorating. However, you will need to consider other non-financial factors such as changes in economic conditions, customer growth, and legislative mandates.

The following analysis focuses on the KUA's Net Assets (*Table 1*) and Statement of Revenues, Expenses, and Changes in Net Assets (*Table 2*) during the past two fiscal years.

**Table 1 – Net Assets**

	<b>9/30/2009</b>	<b>9/30/2008</b>	<b>9/30/2007</b>
Capital Assets	\$ 160,709,378	\$ 263,035,504	\$ 250,184,538
Current and Other Assets	333,272,013	222,881,786	246,028,324
Total Assets	493,981,391	485,917,290	496,212,862
Long-term Debt Outstanding	221,871,150	230,172,731	243,707,032
Current and Other Liabilities	109,725,543	97,842,809	102,011,225
Total Liabilities	331,596,693	328,015,540	345,718,257
Net Assets:			
Invested in Capital Assets, Net of Related Debt	91,623,789	102,844,952	82,359,181
Restricted	40,800,867	20,859,652	20,202,378
Unrestricted	29,960,042	34,197,146	47,933,046
Total Net Assets	<u>\$ 162,384,698</u>	<u>\$ 157,901,750</u>	<u>\$ 150,494,605</u>

### Analysis of 2009 Net Assets

Capital assets decreased primarily as a result of decreases in Property, Plant and Equipment and Construction in Progress (CWIP) less the depreciation of Utility Plant. Current and other assets increased primarily due to the addition of a Net Investment in Lease of \$120.9 million offset by decreases in Costs to be Recovered from Future Revenues of \$48.1 million and Inventory of \$14.7 million. These changes in assets primarily were a result of the Revised, Amended, and Restated Capacity and Energy Sales Contract (TARP Contract) which was effective 10/1/2008 between KUA and Florida Municipal Power Agency (see Footnote 7 in the Notes to the Financial Statements).

Total liabilities increased by approximately \$3.5 million, largely due to increases in Deferred Cost of Power Adjustment of \$8 million, Unamortized Bond Premium of \$5.3 million and Rate Stabilization Deferred Credits of \$4 million offset by a decrease in Long-term Revenue Bonds Payable of \$15.8 million.

The first portion of net assets reflects the KUA's investment in capital assets (e.g. plant, property and equipment net of accumulated depreciation); less any related debt used to acquire those assets that are still outstanding. The KUA uses these capital assets to provide electricity and other services to rate payers. It should be noted that the resources needed to repay the related debt must be provided primarily from future operating revenues, since the capital assets themselves cannot be used to liquidate these liabilities. This amount decreased primarily as a result of decreases in Property, Plant and Equipment of \$202.1 million, Costs to be Recovered from Future Revenue of \$48.1 million, CWIP of \$20.9 million offset by the decrease in Long-term Debt of \$15.8 million, Accumulated Depreciation of \$120.3 and the increase in Net Investment in Lease of \$129.2 million.

An additional portion of the KUA's net assets (\$40.8 million) represents resources that are subject to external restrictions (i.e. debt covenants) on how they may be used. This amount increased primarily due to additional Restricted Cash and Cash Equivalents acquired as a result of the reallocation of Cane Island 4 common facilities, Cane Island 4 site development rights, and the sale of a transmission line to Progress Energy. The remaining balance of unrestricted net assets (\$30 million) may be used to meet the government's ongoing obligations to rate payers and creditors.

Changes in the KUA's net assets can be determined by reviewing the following condensed Statement of Revenues, Expenses, and Changes in Net Assets for the year.

#### **Analysis of 2008 Net Assets**

Capital assets increased primarily as a result of increases in Property, Plant and Equipment and Construction in Progress (CWIP) less the depreciation of utility plant. Current and other assets decreased primarily due to a decrease in Cash and Equivalents of approximately \$1.3 million, Investments of \$23.8 million and Unbilled Receivables of \$1.1 million offset by an increase in Costs to be Recovered from Future Revenue of \$6.7 million. Total liabilities decreased by approximately \$17.7 million, largely due to the decrease in Long-term Revenue Bonds Payable of \$15.1 million, Maintenance Reserve of \$3.4 million and Accounts Payable of \$2.4 million offset by the Unamortized Loss on Refunded Debt of \$2.3 million.

The first portion of net assets reflects the KUA's investment in capital assets (e.g. plant, property and equipment net of accumulated depreciation); less any related debt used to acquire those assets that are still outstanding. The KUA uses these capital assets to provide electricity and other services to rate payers. It should be noted that the resources needed to repay the related debt must be provided primarily from future operating revenues, since the capital assets themselves cannot be used to liquidate these liabilities. This amount increased primarily as a result of increases in Costs to be Recovered from Future Revenue of \$6.7 million, Property, Plant and Equipment of \$9.8 million, CWIP of \$17.2 million plus the decrease in Long-term Debt of \$15.1 million offset by the decrease in Unspent Debt Proceeds of \$11.7 million and Accumulated Depreciation of \$14.3 million .

An additional portion of the KUA's net assets (\$20.9 million) represents resources that are subject to external restrictions (i.e. debt covenants) on how they may be used. The remaining balance of unrestricted net assets (\$34.2 million) may be used to meet the government's ongoing obligations to rate payers and creditors.

Changes in the KUA's net assets can be determined by reviewing the following condensed Statement of Revenues, Expenses, and Changes in Net Assets for the year.

**Table 2 – Statement of Revenues, Expenses, and Changes in Net Assets**

	<b>2,009</b>	<b>2008</b>	<b>2007</b>
Metered Sales	\$ 172,228,530	\$ 165,028,579	\$ 158,363,578
Capacity Credits	0	29,419,776	28,988,786
Lease Revenue	12,374,317	0	0
Other	9,426,136	7,141,679	6,757,244
Rate Stabilization Transfer	(2,149,073)	900,000	(3,200,000)
Change in costs to be Recovered	(1,331,745)	6,693,080	3,961,999
Total Operating Revenues	190,548,165	209,183,114	194,871,607
Generation & Purchased Power	139,721,329	146,140,960	131,269,569
Transmission & Distribution	9,708,776	8,327,426	7,673,682
Administrative & General	15,269,649	15,549,094	14,183,964
Intergovernmental Transfers	8,318,961	8,521,963	8,587,212
Depreciation & Amortization	6,517,500	15,095,682	15,137,630
Total Operating Expense	179,536,215	193,635,125	176,852,057
Operating Income	11,011,950	15,547,989	18,019,550
Non Operating Expenses	(6,529,002)	(8,140,844)	(6,121,921)
Change in Net Assets	4,482,948	7,407,145	11,897,629
Net Assets - Beginning of the Year	157,901,750	150,494,605	138,596,976
Net Assets - End of Year	\$ 162,384,698	\$ 157,901,750	\$ 150,494,605

**Analysis of 2009 Activity**

Year-to-date MWh sales in FY 2009 were approximately 1,335,977 compared to FY 2008 sales of 1,373,081, or a 2.7% decrease. Sales to metered customers increased from \$165 million to \$172.2 million or 4.4%. The increase in metered sales revenue resulted from an increase in KWh revenues of \$50.5 million or 36.9% offset by a decrease of COPA revenues of \$43.3 million or 153.4%. This shift in revenue is primarily due to the reclassification of \$40 from COPA into the base rate as of 10/1/2008.

During FY 2003, the KUA Board of Directors approved the issuance of revenue bonds and refunding of outstanding bonds. A Rate Stabilization fund was created which allows current income to be deferred to a future time in order to stabilize rates. In FY 2009, \$2 million was budgeted to be withdrawn from the rate stabilization fund. Additional unbudgeted transfers of \$8.2 million were drawn from this fund during FY 2009 to offset customer fuel charges. A transfer of \$12.3 million into the fund was made at year end. The effect of these actions was to decrease FY 2009 operating revenues by \$2.1 million.

The change in Costs to be Recovered from Future Revenue of \$8 million is primarily due to the one-time reduction of the balance related to the disposal of debt-funded plant assets resulting from the TARP Contract with FMPA, the redistribution of Cane Island common plant assets resulting from the construction of Cane Island 4, and the sale of debt-funded transmission line to Progress Energy.

Total operating expenses were lower than the previous year by \$14.1 million, primarily due to lower Fuel expense and lower Depreciation expense.

We are required to record the fair value of our investment portfolio and recognize any corresponding increase or decrease in the fair value of investments in the income statement. For FY 2009, our “unrealized gain” (difference between carrying value versus current market value) was \$586,500 compared to a gain of \$220,300 for FY 2008. Non-operating expenses decreased primarily as a result of a Gain on the Sale of Property offset by increased Debt Service expenses.

### **Analysis of 2008 Activity**

Year-to-date MWh sales in FY 2008 were approximately 1,373,081 compared to FY 2007 sales of 1,361,071, or a .9% increase. Sales to metered customers increased from \$158.4 million to \$165 million or 4.2%. The increase in metered sales revenue resulted from an increase in COPA revenues of \$9 million or 46.6% offset by a decrease of KWh revenues of \$2.3 million or 1.7%.

During FY 2003, the KUA Board of Directors approved the issuance of revenue bonds and refunding of outstanding bonds. A Rate Stabilization fund was created which allows current income to be deferred to a future time in order to stabilize rates. In FY 2008, \$4.4 million was budgeted to be transferred into the rate stabilization fund. Unbudgeted transfers of \$9 million were drawn from this fund during FY 2008 to offset customer fuel charges. A transfer of \$3.7 million into the fund was made at year end, based on further direction from the Board of Directors. The effect of these actions was to increase FY 2008 operating revenues by \$.9 million.

The change in Costs to be Recovered from Future Revenue increased \$2.7 million due to the difference between asset capitalization and related depreciation expense which is not included in rates, compared to debt principal repayments which is included in the rates.

Total operating expenses were higher than the previous year by \$16.8 million, primarily due to higher Fuel expense.

We are required to record the fair value of our investment portfolio and recognize any corresponding increase or decrease in the fair value of investments in the income statement. For FY 2008, our “unrealized gain” (difference between carrying value versus current market value) was \$220,300 compared to a gain of \$743,200 for FY 2007. Non-operating expenses increased primarily as a result of lower investment income.

### **Rates**

In December 1974, the City Commission adopted an ordinance permitting the City (and now the KUA) to pass on directly to the customer incremental fuel cost increases on a monthly basis. This Cost of Power Adjustment (COPA) has eliminated the regulatory delay that has been a problem for many other utilities. Additionally, in June 1983, the City Commission modified the COPA Ordinance to allow the System to project the billed COPA to a levelized rate for the fiscal year. The negative or positive COPA account balance was used in calculating the projected COPA rate for the next fiscal year. In July 1991 the Board of Directors approved a COPA Resolution that allows automatic monthly adjustments to the COPA rate based on a weighted average using the prior month, estimated current month and following monthly costs. In May 1994 the Board of Directors approved a resolution permitting the KUA to pass on directly to the customer conservation costs on a monthly basis similar to the COPA mechanism. This Energy Conservation Cost Recovery (ECCR) rate is adjusted semiannually to reflect changes in conservation costs. The COPA and ECCR rates have been combined and are presented on the customer’s bill as Cost of Power and Conservation Adjustment (COPCA).

The KUA additionally maintains a computerized cost of service study which is updated annually with:

- a. Past years’ audited amounts to survey the adequacy of each rate and rate structure; and
- b. The current years’ budgeted amounts to predict the need for a rate change.

Customer rates and rate structures are intended to follow guidelines of the Florida Public Service Commission and, as such, should be “fair, just and reasonable”. It is also intended that they are competitive with neighboring utilities and equitable between rate classes.

## Capital Assets and Debt Management

**Capital Assets** At the end of FY 2009, the KUA had \$251 million invested in a broad range of capital assets primarily electric transmission and distribution systems. This amount represents a decrease of \$222.6 million, or 47% over last year primarily due to the sale of assets resulting from the TARP Contract. Those interested in more detailed information may refer to Footnote 5 in the Notes to the Financial Statements.

At the end of FY 2008, the KUA had \$474 million invested in a broad range of capital assets primarily power plants and electric transmission and distribution systems. This amount represents an increase of \$27.2 million, or 6.1% over FY 2007. Those interested in more detailed information may refer to Footnote 5 in the Notes to the Financial Statements.

**Debt Management** At the end of the current fiscal year, the KUA had total debt outstanding of \$239,365,000. Of this amount, \$196.1 million is improvements and refunding revenue bonds and \$43.2 million is commercial paper.

	2009	2008	2007
Revenue Bonds	\$196,165,000	\$211,290,000	\$225,740,000
Commercial Paper	43,200,000	43,200,000	43,200,000
Total	<u>\$239,365,000</u>	<u>\$254,490,000</u>	<u>\$268,940,000</u>

The KUA's total debt decreased by \$15.1 million (5.9 percent) during the current fiscal year due to the scheduled principal payments. See Footnote 9 in the Notes to the Financial Statements for further detail. The KUA maintains an A and A2 underlying rating from Fitch and Moody's respectively for outstanding bond issues.

The KUA's total debt decreased by \$14.5 million (5.4 percent) from 2007 to 2008 due to the scheduled principal payments. The KUA maintained an A and A2 underlying rating from Fitch and Moody's respectively for outstanding bond issues.

The KUA attempts to minimize external financing needs through internal generation of capital funds. The purpose of this financial policy is to establish and maintain a debt-to-equity ratio and a coverage ratio that would minimize the impact of future debt issues for generation and transmission plants. The current fiscal policy includes the following guidelines:

1. Bond proceeds should fund all generation (capacity) and transmission projects;
2. Current earnings (cash provided from operations) should be adequate to fund operating and maintenance expenses, debt service related costs (excluding capitalized interest) and year to year capital needs generally less than \$100,000;
3. The Reserve for Future Capital Outlay funds should be used for all other purposes as approved by the Board of Directors. Maintain a minimum level of \$5,000,000 in Reserve for Future Capital Outlay. The fund had grown each year by the increase in KWh sales as of FY 1997, however the Board of Directors froze fund growth for FY 2009. (current minimum level is approximately \$7,700,000);
4. Maintain a minimum of one and one half months of fixed operating & maintenance expenses (excluding Depreciation, Costs to be Recovered from Future Revenue and debt service related costs) in unrestricted operating cash and cash equivalents and longer-term invested working capital funds;
5. Maintain a minimum of 1.5 debt service coverage as defined in the bond resolution;
6. Build an insurance fund adequate to fund reconstruction expenditures for our transmission and distribution system in the event of the most likely level of storm that would occur in the Central Florida area; and
7. Maintain a minimum of \$5,000,000 in a Rate Stabilization fund.



The principal, premium if any, and interest on all outstanding bonds are payable solely from the net revenues derived by the KUA from the operation of the System. These obligations do not constitute liens upon the System or on any other property of the KUA or the City of Kissimmee, but are a lien only on the Net Revenues and special funds created by the Bond Resolution and in the manner provided therein.

The income available for debt service was \$43,504,000, \$36,433,000, and \$37,989,000 for FY 2007, FY 2008, and FY 2009 respectively. The debt service requirements for FY 2007, FY 2008, and FY 2009 were \$24,504,00, \$24,847,000, and \$25,879,000, respectively. Debt service coverage was 1.8x, 1.5x, and 1.5x for FY 2007, FY 2008, and FY 2009, respectively.

Those interested in more detailed information may refer to Footnote 9 in the Notes to the Financial Statements.

#### **Economic Factors and Next Year's Budget and Rates**

In July 2009, the KUA projected growth in customers and energy sales for FY 2010 to be approximately 3.6% and 2.1% respectively within the service territory and a change in net assets to be approximately \$9.6 million. There is no rate increase planned for the upcoming year.

#### **Contacting the KUA's Financial Management**

This financial report is designed to provide the KUA's rate payers and creditors with a general overview of the KUA's finances and to demonstrate the KUA's accountability for the money it receives. Those interested in more detailed information may refer to the notes to the financial statements. If you have questions about this report or need additional information, contact the Finance & Risk Management Department at Kissimmee Utility Authority, 1701 W. Carroll Street, Kissimmee, Florida, 34741.

**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENTS OF NET ASSETS**  
**SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$28,850,105	\$1,965,102
Investments	16,236,640	21,071,753
Interest receivable	78,033	179,815
Accounts receivable	14,554,750	14,184,724
Less: allowance for doubtful accounts	(1,653,550)	(654,427)
Unbilled receivables	7,125,759	7,177,096
Inventory	7,793,459	22,478,639
Due from other agencies	486,221	1,227,071
Other current assets	607,987	1,225,949
Current portion of net investment in capital lease	8,301,720	0
TOTAL CURRENT ASSETS	<u>82,381,124</u>	<u>68,855,722</u>
<b>RESTRICTED ASSETS</b>		
Cash and cash equivalents	90,673,600	57,204,765
Investments	25,411,127	34,840,306
Interest receivable	184,253	241,655
TOTAL RESTRICTED ASSETS	<u>116,268,980</u>	<u>92,286,726</u>
<b>OTHER ASSETS</b>		
Unamortized bond costs	2,233,389	2,063,686
Costs to be recovered from future revenue	11,060,534	59,178,092
Stanton Energy Center power entitlement	469,917	497,560
Net investment in capital lease	120,858,069	0
TOTAL OTHER ASSETS	<u>134,621,909</u>	<u>61,739,338</u>
<b>CAPITAL ASSETS - UTILITY PLANT</b>		
Property, plant and equipment	221,127,173	423,254,940
Less: accumulated depreciation	<u>(90,432,822)</u>	<u>(210,747,181)</u>
SUBTOTAL	130,694,351	212,507,759
Construction in progress	28,962,984	49,826,581
Nuclear fuel Inventory	<u>1,052,043</u>	<u>701,164</u>
TOTAL CAPITAL ASSETS - UTILITY PLANT	<u>160,709,378</u>	<u>263,035,504</u>
<b>TOTAL ASSETS</b>	<u><b>\$493,981,391</b></u>	<u><b>\$485,917,290</b></u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENT OF NET ASSETS**  
**SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>LIABILITIES AND NET ASSETS</b>		
<b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable	\$12,065,929	\$10,995,255
Due to other governments	1,708,690	1,921,364
Deferred cost of power adjustment	8,522,226	489,730
Other accrued liabilities	3,347,848	3,093,317
Current portion of other long-term liabilities	1,703,791	1,697,425
<b>TOTAL CURRENT LIABILITIES</b>	<u>27,348,484</u>	<u>18,197,091</u>
<b>LIABILITIES PAYABLE FROM RESTRICTED ASSETS</b>		
Current portion of revenue bonds	15,840,000	15,125,000
Accrued interest payable-revenue bonds	3,482,895	4,968,475
Cane Island deposits	0	337,500
Advances for construction	2,130,726	3,962,222
Customer deposits	7,676,668	6,783,360
Rate stabilization deferred credits	31,848,615	27,850,927
CR3 decommissioning liability	4,157,360	3,659,189
<b>TOTAL LIABILITIES PAYABLE FROM RESTRICTED ASSETS</b>	<u>65,136,264</u>	<u>62,686,673</u>
<b>LONG-TERM DEBT</b>		
Revenue bonds payable	180,325,000	196,165,000
Commercial paper notes	43,200,000	43,200,000
Unamortized bond premium	11,743,109	6,396,940
Less: unamortized loss on refunded debt	(13,396,959)	(15,589,209)
<b>TOTAL LONG-TERM DEBT</b>	<u>221,871,150</u>	<u>230,172,731</u>
<b>OTHER LONG-TERM LIABILITIES</b>		
Self-insurance fund	15,647,932	15,861,805
Accrued compensated absences	1,471,158	1,075,829
Accrued other post employment benefits	121,705	21,411
<b>TOTAL OTHER LONG-TERM LIABILITIES</b>	<u>17,240,795</u>	<u>16,959,045</u>
<b>TOTAL LIABILITIES</b>	<u><b>331,596,693</b></u>	<u><b>328,015,540</b></u>
<b>NET ASSETS</b>		
Investment in capital assets, net of related debt	91,623,789	102,844,952
Restricted	40,800,867	20,859,652
Unrestricted	29,960,042	34,197,146
<b>TOTAL NET ASSETS</b>	<u><b>162,384,698</b></u>	<u><b>157,901,750</b></u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY  
STATEMENTS OF REVENUES, EXPENSES AND  
CHANGES IN NET ASSETS  
FOR THE YEARS ENDED SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>OPERATING REVENUES</b>		
Metered sales	\$172,228,530	\$165,028,579
Capacity credits	0	29,419,776
Lease revenue	12,374,317	0
Other	9,426,136	7,141,679
Net rate stabilization transfers	(2,149,073)	900,000
Change in costs to be recovered from future revenue	(1,331,745)	6,693,080
TOTAL OPERATING REVENUES	<u>190,548,165</u>	<u>209,183,114</u>
<b>OPERATING EXPENSES</b>		
Fuel and purchased power	138,191,405	138,167,927
Power supply - other	1,529,924	7,973,033
Transmission and distribution	9,708,776	8,327,426
Administrative and general	15,269,649	15,549,094
Intergovernmental transfers	8,318,961	8,521,963
Depreciation and amortization	6,517,500	15,095,682
TOTAL OPERATING EXPENSES	<u>179,536,215</u>	<u>193,635,125</u>
<b>OPERATING INCOME</b>	<u>11,011,950</u>	<u>15,547,989</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>		
Investment income	2,907,063	4,165,964
Interest expense	(10,114,905)	(9,904,165)
Other debt service expense	(7,869,513)	(2,402,643)
Gain on disposal of property	8,548,353	0
TOTAL NONOPERATING REVENUES (EXPENSES)	<u>(6,529,002)</u>	<u>(8,140,844)</u>
<b>CHANGE IN NET ASSETS</b>	<b>4,482,948</b>	<b>7,407,145</b>
<b>NET ASSETS - BEGINNING OF YEAR</b>	<u>157,901,750</u>	<u>150,494,605</u>
<b>NET ASSETS - END OF YEAR</b>	<u><u>\$162,384,698</u></u>	<u><u>\$157,901,750</u></u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY  
STATEMENTS OF CASH FLOWS  
FOR THE YEARS ENDED SEPTEMBER 30,**

	<b>2009</b>	<b>2008</b>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Receipts from customers and other sources	\$201,477,910	\$204,883,609
Payments to suppliers for goods and services	(130,344,329)	(159,951,157)
Payments for employees for services	(18,377,741)	(16,929,224)
Payments for benefits on behalf of employees	(5,725,236)	(4,801,683)
<b>NET CASH PROVIDED BY OPERATING ACTIVITIES</b>	<b>47,030,604</b>	<b>23,201,545</b>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>		
Acquisition of capital assets	(10,705,812)	(27,478,419)
Proceeds from disposal of capital assets	18,771,948	0
Advances for construction & advances from co-owners	5,078,814	540,972
Principal paid on long-term debt	(15,125,000)	(14,450,000)
Interest paid on long-term debt	(12,654,201)	(11,069,006)
ISP interest	(8,167)	0
Other debt costs	8,050,525	(637,078)
<b>NET CASH USED IN CAPITAL AND RELATED FINANCING ACTIVITIES</b>	<b>(6,591,893)</b>	<b>(53,093,531)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of investment securities	(81,249,893)	(1,750,616,000)
Proceeds from maturities of investment securities	99,614,000	1,775,128,435
Interest on investments	1,551,020	4,041,212
<b>NET CASH PROVIDED BY INVESTING ACTIVITIES</b>	<b>19,915,127</b>	<b>28,553,647</b>
<b>NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS</b>	<b>60,353,837</b>	<b>(1,338,339)</b>
<b>CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR</b>	<b>59,169,867</b>	<b>60,508,206</b>
<b>CASH AND CASH EQUIVALENTS AT END OF YEAR</b>	<b>\$119,523,705</b>	<b>\$59,169,867</b>
<b>RECONCILIATION OF CASH AND CASH EQUIVALENTS TO BALANCE SHEET:</b>		
Current Assets		
Cash and cash equivalents	\$28,850,105	\$1,965,102
Restricted Assets		
Cash and cash equivalents	90,673,600	57,204,765
<b>CASH AND CASH EQUIVALENTS AT END OF YEAR</b>	<b>\$119,523,705</b>	<b>\$59,169,867</b>

**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENTS OF CASH FLOWS**  
**FOR THE YEARS ENDED SEPTEMBER 30,**  
*Continued*

	<u>2009</u>	<u>2008</u>
<b>RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES</b>		
Operating Income	\$11,011,950	\$15,547,989
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	6,489,858	15,068,039
Loss (gain) on capital asset disposal	(8,548,354)	0
Costs to be recovered from future revenue	1,331,745	(6,693,080)
Net amortization	27,642	27,643
Change in assets - decrease (increase):		
Accounts receivable, net	1,421,284	519,698
Other assets	488,001	1,333,498
Inventory	14,685,180	442,886
Deferred cost of power adjustment	8,032,495	1,901,052
Energy conservation cost recovery	241,889	204,394
Net investment in capital lease	8,301,720	0
Change in liabilities - increase (decrease):		
Accounts payable	1,070,674	(2,364,762)
Due to other governments	(212,673)	(548,914)
Customer deposits	825,339	563,104
Other current liabilities	148,966	374,048
Other accrued liabilities	1,433,138	(139,073)
Other long-term liabilities	281,750	(3,034,977)
<b>NET CASH PROVIDED BY OPERATING ACTIVITIES</b>	<u><u>\$47,030,604</u></u>	<u><u>\$23,201,545</u></u>
<b>NONCASH INVESTING, CAPITAL, AND FINANCING ACTIVITIES:</b>		
(Increase) in fair value of investments	<u><u>(\$586,503)</u></u>	<u><u>(\$220,253)</u></u>
Capital assets transferred in TARP Contract		
Total cost	\$223,617,186	\$0
Less accumulated depreciation	(83,116,426)	0
Net book value	<u><u>\$140,500,760</u></u>	<u><u>\$0</u></u>

**The accompanying notes are an integral part of these financial statements.**

**KISSIMMEE UTILITY AUTHORITY  
STATEMENT OF ASSETS AND LIABILITIES  
AGENCY FUND  
UTILITY BILLING/COLLECTING FUND  
SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>ASSETS</b>		
Cash	\$106,206	\$184,482
<b>TOTAL ASSETS</b>	<u>\$106,206</u>	<u>\$184,482</u>
<b>LIABILITIES</b>		
Due to City of Kissimmee	37,351	51,979
Due to TOHO Water Authority	68,855	132,503
<b>TOTAL LIABILITIES</b>	<u>\$106,206</u>	<u>\$184,482</u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENT OF CHANGES IN ASSETS AND LIABILITIES**  
**AGENCY FUND**  
**UTILITY BILLING/COLLECTING FUND**  
**FOR THE YEARS ENDED SEPTEMBER 30,**

	<u>9/30/2008</u> <u>Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>9/30/2009</u> <u>Balance</u>
<b>ASSETS</b>				
Cash	\$184,482	\$58,173,534	(\$58,251,811)	\$106,206
<b>TOTAL ASSETS</b>	<u>\$184,482</u>	<u>\$58,173,534</u>	<u>(\$58,251,811)</u>	<u>\$106,206</u>
<b>LIABILITIES</b>				
Due to City of Kissimmee	51,979	12,433,019	(12,447,647)	37,351
Due to TOHO Water Authority	132,503	45,740,516	(45,804,164)	68,855
<b>TOTAL LIABILITIES</b>	<u>\$184,482</u>	<u>\$58,173,534</u>	<u>(\$58,251,811)</u>	<u>\$106,206</u>

	<u>9/30/2007</u> <u>Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>9/30/2008</u> <u>Balance</u>
<b>ASSETS</b>				
Cash	\$618,752	\$57,817,568	(\$58,251,838)	\$184,482
<b>TOTAL ASSETS</b>	<u>\$618,752</u>	<u>\$57,817,568</u>	<u>(\$58,251,838)</u>	<u>\$184,482</u>
<b>LIABILITIES</b>				
Due to City of Kissimmee	119,308	11,939,643	(12,006,973)	51,979
Due to TOHO Water Authority	499,443	45,877,925	(46,244,865)	132,503
<b>TOTAL LIABILITIES</b>	<u>\$618,752</u>	<u>\$57,817,568</u>	<u>(\$58,251,838)</u>	<u>\$184,482</u>

The accompanying notes are an integral part of these financial statements.



**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENT OF NET ASSETS**  
**PENSION TRUST FUND**  
**SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>ASSETS</b>		
<b>RECEIVABLES</b>		
Interest	\$ 89	\$ 2,031
Dividends	18,053	16,983
TOTAL RECEIVABLES	<u>18,142</u>	<u>19,014</u>
Prepaid Insurance	1,508	1,541
<b>INVESTMENTS AT FAIR VALUE</b>		
Pooled Fixed Income Fund	12,277,780	11,378,269
Domestic Stocks	17,723,285	18,874,270
Pooled Equity Fund	3,607,540	3,713,254
Foreign Equity Fund	4,319,608	4,303,567
Temporary Investment Fund	2,860,451	2,709,191
TOTAL INVESTMENTS AT FAIR VALUE	<u>40,788,664</u>	<u>40,978,551</u>
<b>TOTAL ASSETS</b>	<u>40,808,314</u>	<u>40,999,106</u>
<b>LIABILITIES</b>		
Accounts Payable	<u>45,038</u>	<u>64,021</u>
<b>TOTAL LIABILITIES</b>	<u>45,038</u>	<u>64,021</u>
<b>PLAN NET ASSETS HELD IN TRUST FOR PENSION BENEFITS</b>	<u>\$ 40,763,276</u>	<u>\$ 40,935,085</u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY**  
**STATEMENT OF CHANGES IN PLAN NET ASSETS**  
**PENSION TRUST FUND**  
**FOR THE YEARS ENDED SEPTEMBER 30,**

	<u>2009</u>	<u>2008</u>
<b>ADDITIONS</b>		
<b>CONTRIBUTIONS</b>		
Employer	\$ 2,068,851	\$ 1,604,600
Employee	<u>264,846</u>	<u>243,282</u>
TOTAL CONTRIBUTIONS	2,333,697	1,847,882
<b>INVESTMENT INCOME (LOSS)</b>		
Net Appreciation (depreciation) in fair value of investments	(912,203)	(8,750,540)
Interest	12,099	11,685
Dividends	713,115	2,116,265
Commission Recapture	0	10,455
Class Action Proceeds	10,266	0
Other	<u>3,934</u>	<u>748</u>
TOTAL INVESTMENT INCOME (LOSS)	(172,789)	(6,611,387)
Less: Investment Expenses	<u>191,084</u>	<u>257,558</u>
NET INVESTMENT INCOME (LOSS)	<u>(363,873)</u>	<u>(6,868,945)</u>
 TOTAL ADDITIONS (REDUCTIONS)	 1,969,824	 (5,021,063)
<b>REDUCTIONS</b>		
<b>BENEFITS</b>		
Age & Service	1,862,409	1,592,103
Disability	85,422	66,257
DROP	135,266	515,333
Refund of Contributions	2,530	3,982
Administrative Expenses	<u>56,006</u>	<u>52,143</u>
TOTAL REDUCTIONS	<u>2,141,633</u>	<u>2,229,818</u>
 NET INCREASE (DECREASE)	 (171,809)	 (7,250,881)
 <b>PLAN NET ASSETS HELD IN TRUST FOR PENSION BENEFITS</b>		
<b>BEGINNING OF YEAR</b>	<u>40,935,085</u>	<u>48,185,966</u>
 <b>END OF YEAR</b>	 <u><u>\$ 40,763,276</u></u>	 <u><u>\$ 40,935,085</u></u>

The accompanying notes are an integral part of these financial statements.

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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***Note 1 – Summary of Significant Accounting Policies***

Entity Definition: The accompanying financial statements present the financial position, changes in financial position and cash flows of the Kissimmee Utility Authority (KUA). The reporting entity for the KUA includes all functions in which the KUA exercises financial accountability. Financial accountability is defined as appointment of a voting majority of the component unit's board, and either (a) the ability to impose will by the primary government, or (b) the possibility that the component unit will provide a financial benefit to or impose a financial burden on the primary government. As a result of applying the above reporting entity criteria, no other component units exist in which the KUA has any financial accountability which would require inclusion in the KUA's financial statements.

Description of Business: The KUA is a municipal electric utility authority created effective October 1, 1985 by the City of Kissimmee (COK) Ordinance No. 1285 adopted on February 19, 1985 and ratified by the voters on March 26, 1985. The KUA serves customers in Kissimmee and the surrounding area. The KUA Board (Board) has 6 members. The Mayor of the COK is a non-voting Ex-Officio member. The 5 voting members are nominated by the Board and ratified by the City Commission. The KUA has exclusive jurisdiction, control and management of the electric utility. Under the definition of GASB No. 14, the KUA is properly excluded from the COK's financial statements.

KUA also offers internet access to the residents of Osceola and surrounding counties. The service, KUA.net, features dial-up internet access, Wireless Fidelity mesh network, e-mail, 7-hour help desk, commercial co-location, web design, and web hosting. KUA also acts as a marketing agent in the sales of residential local and long distance telephone service, high-speed DSL service, and satellite TV through a partnership with Embarras/Dish Network. By offering a variety of services, KUA continues to expand its involvement in the community.

Regulation: According to existing laws of the State of Florida, the five voting members of the KUA act as the regulatory authority for the establishment of electric rates. The Florida Public Service Commission (FPSC) has authority to regulate the electric "rate structures" of municipal utilities in Florida. It is believed that "rate structures" are clearly distinguishable from the total amount of revenues which a particular utility may receive from rates, and that distinction has thus far been carefully made by the FPSC.

As noted above, the FPSC has jurisdiction to regulate electric "rate structures" of municipal utilities. In addition, the Florida Energy Efficiency and Conservation Act has given the FPSC exclusive authority to approve the construction of new power plants under the Florida Electrical Power Plant Siting Act. The FPSC also exercises jurisdiction under the National Energy Act, including electric use conservation programs.

Operations of the KUA are subject to environmental regulations by federal, state and local authorities and to zoning regulations by local authorities. Federal and state standards and procedures that govern control of the environment can change. These changes can arise from continuing legislative, regulatory and judicial action

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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respecting the standards and procedures. Therefore, there is no assurance that the units in operation, under construction, or contemplated will always remain subject to the regulations currently in effect or will always be in compliance with future regulations. An inability to comply with environmental standards or deadlines could result in reduced operating levels or complete shutdown of individual electric generating units not in compliance. Furthermore, compliance with environmental standards or deadlines may substantially increase capital and operating costs.

**Description of Funds Reported:**

- An **Enterprise Fund** operated by the KUA accounts for the electric utility and the Internet Service Provider (ISP) segments.
- **Agency Funds** account for the COK and Toho Water Authority (TWA) utility billings performed by the KUA. The KUA collects revenues on behalf of the COK and TWA for utility services including water, sewer, solid waste and utility taxes. All agency funds are presented in the accompanying agency statements and excluded from the enterprise fund financial statements because they are fiduciary in nature and do not represent resources available to KUA for operations.
- A **Pension Trust Fund** accounts for the activities of the employees' retirement system which accumulates resources for pension benefit payments to qualified retiring employees. They are excluded from the enterprise fund financial statements because they are fiduciary in nature and do not represent resources available to KUA for operations.

**Basis of Accounting:** The KUA maintains its accounts on the accrual basis in accordance with accounting principles generally accepted in the United States. The accounts are substantially in conformity with accounting principles and methods prescribed by the Federal Energy Regulatory Commission and other regulatory authorities.

The accounting and reporting policies of the KUA conform to the accounting rules prescribed by the GASB. Based on the accounting and reporting standards set forth in GASB Statement No. 20, Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting, the KUA has elected to apply only the accounting and reporting pronouncements issued by the Financial Accounting Standards Board (FASB) issued on or before November 30, 1989, except for those that conflict with or contradict GASB pronouncements.

**Budget:** The KUA is required by charter to adopt an annual budget (budget). The budget is adopted on a basis consistent with generally accepted accounting principles.

The KUA follows these procedures in establishing the budget:

1. The President and General Manager submits to the Board of Directors a proposed operating budget for the ensuing fiscal year. The operating budget includes proposed uses and the sources of funds to finance them.

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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2. During several workshops, which are open to the public, the staff and Board of Directors discuss and revise the submitted budget. A public hearing is conducted to obtain ratepayer comments.
3. The budget is approved by the Board of Directors and becomes the basis for operations for the ensuing fiscal year.

The President and General Manager is authorized to approve all budget transfers and all interdepartmental transfers are reported to the Board of Directors monthly. Budget amendments which increase the adopted budget are approved by the Board of Directors. Both budget transfers and budget amendments were made during the fiscal year. Operating budgets lapse at year end. Capital projects are budgeted for the project life rather than for the current fiscal year. The unexpended portion of project budgets does not lapse until conclusion of the project.

Rate Stabilization Accounts: A retail Rate Stabilization account was created by the KUA bond resolution which allows current income to be deferred to a future time in order to stabilize rates. This gives the KUA the ability to defer revenues in years when excess revenues (over minimum bond requirements) exist to build up the Rate Stabilization account. The deferred revenues would be recognized in future years. This fund was created by a revenue bond resolution and as such is classified as restricted (See Note 4).

A bulk system Rate Stabilization account was created which allows current Cost of Power Revenue to be utilized at a future time in order to stabilize rates related to fuel and purchase power. This fund is classified as restricted (See Note 4).

Other Operating Revenue: As of October 1, 2002, KUA became a member of the Florida Municipal Power Agency (FMPA) All-Requirements Project (ARP). As a result of its becoming a member of the ARP, KUA has (a) under a Capacity and Energy Sales Contract between KUA and FMPA, (1) assigned all of the output of its generation facilities, both wholly-owned and jointly-owned to FMPA, (2) assigned its rights under its long-term power and fuel entitlement contracts to FMPA, and (3) transferred responsibility for the scheduling of the output of its generation facilities to FMPA, and (b) under a Power Sales Contract, agreed to purchase all of its energy requirements from FMPA.

KUA continues to be responsible for setting its rates, fees and charges for retail sales and for servicing customers within its service area. As a result of joining the ARP, KUA receives capacity credits which attempt to represent a combination of cost and market value of its generation resources. These credits are recorded as Other Operating Revenues through September 30, 2008. As of October 1, 2008, KUA has entered into a capital lease with FMPA-ARP which is further described in Note 7. As a result of the capital lease, the Capacity Credits have been replaced by Lease Revenue and a reduction to operating costs of the leased facilities.

Costs to be Recovered from Future Revenue: The KUA's electric rates are established by the Board of Directors and are based upon debt service and cash operating requirements. Depreciation and other non cash items are not considered in the cost of service calculation but ensure rates are set to recover all cash requirements. This

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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results in timing differences between when costs are included in the ratemaking process versus when costs are incurred and recognized under generally accepted accounting principles. Costs to be recovered from future revenue consist principally of the difference between depreciation and the amortization of the gain and loss on bond refunding and the debt principal requirements included in the determination of rates and changes in the market value of investments. The recognition in income of outstanding amounts associated with costs to be recovered from future revenue will coincide with the inclusion of these amounts in rates charged to customers in accordance with Accounting Methods for Regulatory Operations Topic of the FASB Accounting Standards Codifications.

Operating Revenues and Expenses: Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with principal ongoing operations. The principal operating revenue of the KUA is charges to customers for sales and services. Operating expenses include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses. The KUA accrues base revenue for services rendered but unbilled to provide a closer matching of revenues and expenses.

Capital Assets: Property, plant and equipment are stated at cost when purchased or constructed. Depreciation is provided using the straight-line method. The estimated useful lives of the various classes of depreciable property, plant and equipment are as follows:

Production	25 to 33 years
Transmission	32 to 50 years
Distribution	25 to 37 years
General	4 to 39 years

An independent evaluation of KUA's depreciation rates and accumulated reserve was performed by an outside consultant in 2006. The study recommended an update to the depreciation rates and allowance reserve balances. KUA implemented these recommendations in fiscal year 2006.

The cost of maintenance and repairs, including renewal of minor items of property less than \$5,000, is charged to operating expense as incurred. The cost of replacement of depreciable property units, as distinguished from minor items, is charged to utility plant. The cost of units replaced or retired, including cost of removal, net of any salvage value, is charged to accumulated depreciation.

Nuclear Fuel: Amortization of nuclear fuel is based on cost, which is prorated by fuel assembly batch in accordance with the thermal energy that each assembly produces. The KUA is currently paying \$1.00 per MWh for residual future disposal costs in addition to estimated labor and waste burial costs.

Inventory: Inventory is stated at weighted average cost.

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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Unamortized Bond Costs: Unamortized bond discounts and issuance costs on long-term debt are amortized over the life of the issue on a straight-line basis. The KUA considered the effective interest method of amortizing bond discounts and determined that no material difference results from the continued use of the straight-line method.

Unamortized Loss of Refunded Debt: Unamortized gains or losses on refunded debt are amortized to income over the life of the new debt consistent with the methods used for setting rates. Unamortized gains and losses on bond refunding have been netted for financial statement purposes.

Net Assets: Equity is classified as net assets and displayed in three components:

- Invested in capital assets, net of related debt – Consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any long-term debt that is attributable to the acquisition, construction, or improvement of those capital assets. If there are significant unspent debt related proceeds at year-end, the portion of the debt attributable to the unspent proceeds is not included in the calculation of invested in capital assets, net of related debt. Rather, that portion of the debt is included in same net assets component as the unspent proceeds.
- Restricted – Consists of net assets with constraints placed on their use by revenue bond resolution or other external agreement.
- Unrestricted – All other net assets that do not meet the definition of “restricted” or “invested in capital assets, net of related debt.”

Reclassifications: Certain amounts presented for the prior year have been reclassified in order to be consistent with the current year’s presentation.

Capital Contributions: The KUA receives funds from developers for electric line extensions and from co-owners of the Cane Island Units 1, 2, and 3. These funds are recorded as reductions to gross plant. Unspent developer contributions are reported as Advances for Construction.

Deferred Cost of Power Adjustment: Deferred cost of power adjustment represents the KUA’s cost of power adjustment revenues collected, but for which costs have not been incurred or costs that have been incurred, but for which cost of power adjustment revenues have not been collected.

Energy Conservation Cost Recovery: Energy conservation cost recovery represents the KUA’s energy conservation cost revenues collected, but for which costs have not been incurred or costs that have been incurred, but for which energy conservation cost recovery revenues have not been collected.

Payments to and from the City of Kissimmee and Toho Water Authority: By charter the KUA is required to pay to the COK a minimum of 6.24 mills per KWh. This payment is treated as an operating and maintenance expense in the Statements of Revenues, Expenses and Changes in Net Assets. The total amount transferred to the COK was approximately \$8,319,000 and \$8,522,000 for the years ended September 30, 2009 and 2008,

**KISSIMMEE UTILITY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEARS ENDED SEPTEMBER 30, 2009 AND 2008**

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respectively. The amount owed to the COK was approximately \$1,386,000 and \$1,417,000 for the years ended September 30, 2009 and 2008, respectively.

The KUA performs certain customer related services for the COK and TWA for which the COK and TWA combined paid the KUA approximately \$2,192,000 and \$2,076,000 for the years ended September 30, 2009 and 2008, respectively. The amount owed by the COK and TWA combined to the KUA was approximately \$208,000 and \$181,000 at September 30, 2009 and 2008, respectively.

Cash and Cash Equivalents: Cash and cash equivalents include short-term, highly liquid investments that are both readily convertible to known amounts of cash and whose original maturity is three months or less. These consist of repurchase agreements, the State Board of Administration (SBA) Pool and the carrying amount of the KUA's deposits with financial institutions.

Investments: Investments are recorded at market value. Market value is determined based on quoted market prices. The Fund A of the Local Government Investment Pool operated by the Florida SBA is a 2a-7-like pool; therefore, it is not presented at market value but at its actual pooled share price. The Fund B, of which KUA holds an immaterial amount (approximately \$8,000), is accounted for as a fluctuating net asset value (NAV) pool. KUA reports their entire balance of approximately \$24,000 at its pooled share price and does not report Fund B at its NAV. The net change to the investments carrying value is included in interest revenue.

Compensated Absences: The KUA accrues a liability for employees' rights to receive compensation for future absences when certain conditions are met. The KUA has not normally, nor is it legally required to, accumulate expendable available financial resources to liquidate this obligation. Accordingly, the liability for compensated absences is included in Other Long-term Liabilities in the accompanying Statement of Net Assets.

***Note 2 – Cash, Cash Equivalents, Investments and Interest Receivable***

**Enterprise Fund**

Florida Statutes, the KUA Charter and the KUA Investment Policy authorize the investment of excess funds in time deposits or savings accounts of financial institutions approved by the State Treasurer, obligations of United States Government agencies, certain instruments guaranteed by the U.S. Government agencies, certain instruments guaranteed by the U.S. Government, the State Board of Administration (SBA) Pool, bankers' acceptances, and commercial paper. Revenue Bond Covenants also restrict the type and maturities of investments in the required trust funds (see Note 9).

Investments must be in the KUA's name and represented by bank safekeeping receipts which enumerate the various securities held, except for the Crystal River Unit No. 3 Decommissioning Reserve Trust, ARP Working Capital deposit, and Rate Stabilization – Bulk System which are not in the name of KUA. The funds not held in the name of KUA are held at Florida Municipal Power Agency (FMPA) and are contractually obligated to be paid on behalf of KUA.



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The Statutes also require depositories of public funds to provide collateral each month at least equal to 50 percent of the average daily balance of all public deposits in excess of deposit insurance. Any loss not covered by the pledged securities and deposit insurance would be assessed by the State Treasurer and paid by other qualified public depositories.

The components of the KUA's total cash, cash equivalents, and investments at their respective carrying amounts at September 30, 2009 and 2008 are as follows:

		<b>2009</b>	<b>2008</b>
Current	Cash & Cash Equivalents	\$ 28,850,105	\$ 1,965,102
	Investments	16,236,640	21,071,753
	Total Current	<u>45,086,745</u>	<u>23,036,855</u>
Restricted	Cash & Cash Equivalents	90,673,600	57,204,765
	Investments	25,411,127	34,840,306
	Total Restricted	<u>116,084,727</u>	<u>92,045,071</u>
Total	Cash & Cash Equivalents	119,523,705	59,169,867
	Investments	41,647,767	55,912,059
	Total	<u>\$ 161,171,472</u>	<u>\$ 115,081,926</u>

The KUA's total cash, cash equivalents, and investments as of September 30, 2009 and 2008 are summarized as follows:

	<b>2009</b>	<b>2008</b>
Investments	\$ 127,899,676	\$ 99,707,751
Investments held at FMPA	10,209,852	7,887,354
Bank Carrying Value	23,052,880	7,478,958
Petty Cash	9,064	7,863
	<u>\$ 161,171,472</u>	<u>\$ 115,081,926</u>

Investments are recorded at market value. The effect of adjusting the investments to market value at September 30, 2009 and 2008 was an increase to the investments carrying value of \$586,503 and \$220,253, respectively.

The balance in the SBA was \$24,389 and \$24,353 at September 30, 2009 and 2008, respectively and is collateralized in accordance with Florida Statutes. All investments are delivered to the SBA's custody bank and held for the SBA's account according to their instructions. The KUA's SBA funds are invested in the SBA's Local Government Surplus Funds Investment Pool Trust Fund.

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Repurchase agreements result entirely from a banking services agreement requiring overnight repurchase agreements of securities guaranteed by the United States Government. The value of repurchase agreements held with the KUA's depository bank was \$745,104 and \$728,461 at September 30, 2009 and 2008, respectively. Repurchase agreements are held in the name of the KUA's depository bank. The maximum repurchase agreement was \$745,486 and \$16,355,063 during the year ending September 30, 2009 and 2008, respectively.

At September 30, 2009 and 2008, the carrying value of the KUA's deposits with financial institutions was \$23,052,880 and \$7,478,958 for each year respectively, and the bank balance was \$22,457,309 and \$6,649,088, respectively. All bank balances are fully insured in accordance with Florida Statute 280, which established the multiple financial institution collateral pool.

Deposit and Investment Risk Disclosures: When practical, the KUA will attempt to match its investments with anticipated cash flow requirements. Maturity lengths may be adjusted based on the opportunities presented by the then current yield curve. Investment in securities in which the maturity dates result in a duration that exceeds the maximum duration allowed for the security class is not permitted. KUA's investment policy limits duration and percent of portfolio limitations (based on par values) by investment class as follows:

<b>Investment Class</b>	<b>Duration</b>	<b>Portfolio %</b>
U.S. Government Securities	8.25 years	100%
U.S. Federal Agencies	8.25 years	25%
U.S. Federal Instrumentalities	4.75 years	90%
Corporate Bonds	4.75 years	15%
State & Local Government Taxable and Tax-Exempt Debt	3.00 years	75%
Mortgage-Backed Securities (MBS)	2.50 years	15%
Certificate of Deposit	365 days	15%
Commercial Paper	270 days	15%
Bankers' Acceptance	180 days	15%
Repurchase Agreements	60 day maturity	20%
Reverse Repurchase Agreements	60 day maturity	10%
Fixed Income Treasury Mutual Funds	Daily liquidity	100%
Fixed Income Mutual Funds	Daily liquidity	10%
Florida Local Government Surplus Trust Fund (SBA)	Daily liquidity	60%

Interest Rate Risk: Interest rate risk is the risk that changes in interest rates will adversely affect the market value of an investment in debt securities. Generally, the longer the time to maturity or duration, the greater the exposure to interest rate risk. KUA's investment policy restricts investments by duration in an effort to limit its exposure to market value losses arising from rising interest rates. These investment restrictions have been detailed above. As of September 30, 2009, the portfolio had duration of .36 and a weighted average life of .52.

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Duration is a measure of fixed income's cash flows using present values, weighted for cash flows as a percentage of the investments full price. Analytical software commonly includes duration functions. Macaulay Duration (named after its developer) is the basic calculation developed for portfolio of bonds assembled to fund a fixed liability. Modified Duration, based on Macaulay Duration, estimates the sensitivity of a bond's price to interest rate changes. Effective Duration makes assumptions regarding the most likely timing and amounts of variable cash flows arising from such investment as callable bonds, prepayments, and variable-rate debt. Since KUA assumes that callable bonds will be called due to the falling interest rate environment, Effective Duration will be used.

As of September 30, 2009 and 2008, KUA had the following investments in its portfolio:

Investment	2009		2008	
	Market Value	Effective Duration	Market Value	Effective Duration
Fixed Income Mutual Funds	\$ 82,250,689	0.000	\$ 37,528,210	0.000
Florida Local Government Trust Fund (SBA)	24,389	0.000	24,353	0.000
Bank Deposits Invested	9,706,517	0.000	9,666,959	0.000
Bank Repurchase Agreement	745,104	0.000	728,461	0.000
State & Local Government Debt	4,000,000	0.000	0	N/A
Federal Instrumentalities Coupon	23,195,947	1.054	51,759,768	1.596
Corporate Bonds	6,000,780	1.944	0	N/A
U.S. Government Securities	1,976,250	4.328	0	N/A
	<u>\$ 127,899,676</u>		<u>\$ 99,707,751</u>	

**Credit Risk:** Credit risk is the risk that a debt issuer will not fulfill its obligations. KUA's policy is to limit its investments in commercial paper and corporate bonds by rating to mitigate this risk. At purchase, commercial paper must have a minimum rating of A1 by Standard & Poor's, F1 by Fitch and P1 by Moody's. A minimum of two of the rating agencies must rate the commercial paper. As a practical matter, KUA only invests in commercial paper rated as A1+/P1. Corporate bonds are limited at purchase to ratings of AA by Standard & Poor's, AA by Fitch and Aa by Moody's. Additionally, the investment policy limits Fixed Income Mutual Funds ratings as AAA by Standard & Poor's, AAA by Fitch and Aaa by Moody's.

As of September 30, 2009, fixed income mutual funds and federal instrumentalities held by KUA were rated AAA. KUA held \$6.0 million in corporate bonds rated AAAe. Bank Deposits Invested represents funds held at SunTrust Banks, Inc. and invested by them in pool. SunTrust's long-term ratings are as follows:

Moody's	A2
Standard & Poor's	A-
Fitch	A-

Investments represented by the Crystal River 3 (CR3) Decommissioning Trust were composed of AAA rated federal instrumentalities, AAA rated mutual funds and commercial paper rated A-1+/P1.

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**Custodial Credit Risk:** For an investment, custodial credit risk is the risk that, in the event of failure of the counterparty, KUA will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. As of September 30, 2009, KUA did not have any material investments held by our counterparty which were in a name other than KUA.

**Cash & Investments held by FMPA**

Investments represented by the CR3 Decommissioning Trust were composed of AAA rated federal instrumentalities, AAA rated mutual funds and commercial paper rated A-1+/P1. The ARP Working Capital and the Rate Stabilization – Bulk System investments were held as cash deposits. As of September 30, 2009 and 2008, FMPA held the following investments in its portfolio:

<u>Investment/Cash Deposits</u>	<u>2009</u>		<u>2008</u>	
	<u>Market Value</u>	<u>Effective Duration</u>	<u>Market Value</u>	<u>Effective Duration</u>
ARP Working Capital	\$ 3,735,063	0.000	\$ 3,735,063	0.000
Rate Stabilization - Bulk System	1,848,615	0.000	0	N/A
Crystal River 3 Decommissioning Trust	4,626,174	0.818	4,152,291	0.046
	<u>\$ 10,209,852</u>		<u>\$ 7,887,354</u>	

**Pension Trust Fund**

**Valuation of Investments:** Investments in common stocks and bonds traded on a national securities exchange are valued at the last reported sales price on the last business day of the year; securities traded in the over-the-counter market and listed securities for which no sale was reported on that date are valued at the mean between the last reported bid and asked prices; investments in securities not having an established market value are valued at market value as determined by the Board of Trustees. The market value of an investment is the amount that the Kissimmee Utility Authority Employees' Retirement Plan (Plan) could reasonably expect to receive for it in a current sale between a willing buyer and a willing seller, other than in a forced or liquidation sale. Purchases and sales of investments are recorded on a trade date basis.

**Investments:** Investments that are not evidenced by securities that exist in physical or book-entry form include investments in open-ended mutual or pooled investment funds.

The Plan's investments are uninsured and unregistered and are held in a custodial account in the Plan's name. The Plan held no investments that individually represent 5% or more of the Plan's net assets available for benefits during the years ended September 30, 2009 and 2008, respectively. The Plan has no instrument that, in whole or part, is accounted for as a derivative instrument under GASB Statement No. 53, Accounting and Financial Reporting for Derivative Instruments during the current Plan year.

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The Plan held the following fixed investments as of September 30, 2009 and 2008:

<b>Investment Type</b>	<b>Percent of Fund</b>	<b>Fair Value 9/30/09</b>	<b>Overall Credit Rating (S&amp;P and Moody's)</b>	<b>Average Effective Duration (Years)</b>
SunTrust High Grade Bond Fund	27.8%	\$ 12,277,780	A-, AAA	5.14
Temporary Investment Fund	6.6%	\$ 2,860,451	AAA	N/A
Total		<u>\$ 15,138,231</u>		

<b>Investment Type</b>	<b>Percent of Fund</b>	<b>Fair Value 9/30/08</b>	<b>Overall Credit Rating (S&amp;P and Moody's)</b>	<b>Average Effective Duration (Years)</b>
SunTrust High Grade Bond Fund	27.8%	\$ 11,378,269	A-, AAA	5.07
Temporary Investment Fund	6.6%	\$ 2,709,191	AAA	N/A
Total		<u>\$ 14,087,460</u>		

**Credit Risk:** Consistent with state law the Plan's investment guidelines limits its fixed income investments to a quality rating of "A" or equivalent as rated by one or more recognized bond rating services at the time of purchase. Fixed income investments which are downgraded to "BAA" or equivalent must be liquidated within a reasonable period of time not-to-exceed twelve months. Fixed income investments which are downgraded below "BAA" shall be liquidated immediately.

**Interest Rate Risk and Duration:** Through its investment policies, the Plan manages its exposure to market value losses arising from increasing interest rates. In this regard, the Plan adopted the Merrill Lynch Government Corporate Bond Index (MLGC) benchmark. The Plan further limited the effective duration of its fixed investment portfolio to between 50% and 150% of the duration of the MLGC duration.

**Custodial Credit Risk:** The Plan requires all securities to be held by a third party custodian in the name of the Plan. Securities transactions between a broker-dealer and the custodian involving the purchase or sale of securities must be made on a delivery vs. payment basis to ensure that the custodian will have the security or money, as appropriate, in hand at the conclusion of the transaction. The investments in mutual funds are considered unclassified pursuant to the custodial risk categories of GASB Statement No. 3, because they are not evidenced by securities that exist in physical or book entry form.

The Plan's investments at both cost and market value as of September 30, 2009 and 2008 are summarized as follows:

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<b>Investments</b>	<b>2009</b>		<b>2008</b>	
	<b>Cost</b>	<b>Market Value</b>	<b>Cost</b>	<b>Market Value</b>
SunTrust High Grade Bond Fund	\$ 8,736,921	\$ 12,277,780	\$ 9,048,817	\$ 11,378,269
Domestic Stock	16,522,629	17,723,285	21,519,693	18,874,270
Small Cap Equity Fund	2,151,087	1,812,944	4,931,214	3,713,254
Mid Cap Equity Fund	1,755,595	1,794,596	0	0
Euro-Pacific Growth Fund	5,442,477	4,319,608	5,442,477	4,303,567
Temporary Investment Funds	2,860,451	2,860,451	2,709,191	2,709,191
<b>Total</b>	<b>\$ 37,469,160</b>	<b>\$ 40,788,664</b>	<b>\$ 43,651,392</b>	<b>\$ 40,978,551</b>

***Note 3 – Current Cash and Investments***

Certain designations of current cash, investments, and interest receivable are made in the financial records during the fiscal year to identify a portion of cash, cash equivalents, investments and interest receivable intended to be used for specific purposes in a future period. Current cash and cash equivalents, investments and interest receivable at September 30, 2009 and 2008 included the following designations:

	<b>2009</b>	<b>2008</b>
Current Assets		
Undesignated	\$ 4,533,644	\$ 5,919,703
Designated	40,631,134	17,296,967
<b>Total</b>	<b>\$ 45,164,778</b>	<b>\$ 23,216,670</b>

***Note 4 – Restricted Cash and Investments***

Restrictions are made in accordance with bond resolutions, contracts and developers, the Florida Municipal Power Agency (FMPA), agreements with customers, and in accordance with Nuclear Regulatory Commission (NRC) rules and regulations. Restricted assets, which consist of cash, cash equivalents, investments and interest receivable at September 30, 2009 and 2008 included the following:

<b>Restricted Assets</b>	<b>2009</b>	<b>2008</b>
Debt Service Reserve	\$ 19,606,083	\$ 19,606,083
Sinking Fund	19,322,896	20,093,475
Construction Fund	6,565,766	4,259,318
Bond Retirement Fund	19,247,962	337,500
Renewal, Replacement & Improvement	1,500,000	1,500,000
Advances for Construction	2,130,726	3,962,222
Customer Deposits	7,676,667	6,783,360
Crystal River Unit #3 Decommissioning	4,635,202	4,158,778
ARP Working Capital	3,735,063	3,735,063
Rate Stabilization - Retail	30,000,000	27,850,927
Rate Stabilization - Bulk System	1,848,615	0
<b>Total</b>	<b>\$ 116,268,980</b>	<b>\$ 92,286,726</b>

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**Note 5 – Capital Assets**

Utility plant activity for the years ended September 30, 2009 and 2008 was as follows:

	<b>9/30/08</b>		<b>Deletions &amp;</b>	<b>9/30/09</b>
<b>Utility Plant</b>	<b>Balance</b>	<b>Additions</b>	<b>Reclassifications</b>	<b>Balance</b>
Nuclear Production	\$ 7,434,030	\$ 1,655,502	0	\$ 9,089,532
Steam Production	158,856,129	1,276,483	(160,132,612)	0
Other Production	65,956,339	(39,984)	(65,916,355)	0
Transmission Plant	57,590,393	6,487,946	(8,130,054)	55,948,285
Distribution Plant	102,808,171	5,813,284	(677,905)	107,943,550
General	31,764,910	2,737,995	(1,535,952)	32,966,953
Subtotal	424,409,972	17,931,226	(236,392,878)	205,948,320
Less Accumulated Depreciation:				
Nuclear Production	(4,085,819)	(299,453)	0	(4,385,272)
Steam Production	(61,540,293)	(2,302)	61,542,595	0
Other Production	(61,164,543)	(384)	61,164,927	0
Transmission Plant	(26,417,350)	(1,429,802)	2,532,863	(25,314,289)
Distribution Plant	(42,722,949)	(3,748,933)	599,609	(45,872,273)
General	(14,816,227)	(1,008,984)	964,223	(14,860,988)
Subtotal	(210,747,181)	(6,489,858)	126,804,217	(90,432,822)
Non-Depreciable Assets	49,372,712	25,608,628	(29,787,460)	45,193,880
Net Plant	\$ 263,035,503	\$ 37,049,996	\$ (139,376,121)	\$ 160,709,378

  

	<b>9/30/07</b>		<b>Deletions &amp;</b>	<b>9/30/08</b>
<b>Utility Plant</b>	<b>Balance</b>	<b>Additions</b>	<b>Reclassifications</b>	<b>Balance</b>
Nuclear Production	\$ 7,025,971	\$ 408,059	0	\$ 7,434,030
Steam Production	156,614,959	2,241,170	0	158,856,129
Other Production	65,956,339	0	0	65,956,339
Transmission Plant	67,698,488	81,480	(10,189,575)	57,590,393
Distribution Plant	88,380,797	4,237,799	10,189,575	102,808,171
General	28,913,605	2,851,305	0	31,764,910
Subtotal	414,590,159	9,819,813	0	424,409,972
Less Accumulated Depreciation:				
Nuclear Production	(3,818,819)	(267,000)	0	(4,085,819)
Steam Production	(55,394,917)	(6,145,376)	0	(61,540,293)
Other Production	(58,566,392)	(2,599,151)	1,000	(61,164,543)
Transmission Plant	(29,895,370)	(1,483,176)	4,961,196	(26,417,350)
Distribution Plant	(35,207,689)	(3,319,856)	(4,195,404)	(42,722,949)
General	(13,562,747)	(1,253,480)	0	(14,816,227)
Subtotal	(196,445,934)	(15,068,039)	766,792	(210,747,181)
Non-Depreciable Assets	32,040,313	29,405,493	(12,073,094)	49,372,712
Net Plant	\$ 250,184,538	\$ 24,157,267	\$ (11,306,302)	\$ 263,035,503

Depreciation expense for Utility Plant totaled approximately \$6,490,000 and \$15,068,000 for years ended September 30, 2009 and 2008, respectively.

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The capital contribution of plant costs was approximately \$2,316,000 and \$2,318,000 for years ended September 30, 2009 and 2008 respectively. These funds are recorded as reductions to gross plant.

***Note 6 – Construction Project Interest Cost***

KUA capitalizes interest on construction projects financed with revenue bonds. The amount capitalized is the interest cost of the debt less any interest earned on investment of debt proceeds until the assets are placed in service. Total interest expense was approximately \$10,115,000 and \$9,904,000 which is net of capitalized interest expense of approximately \$1,153,000 and \$1,271,000 for fiscal years 2009 and 2008, respectively.

***Note 7 - Net Investment in Capital Lease***

The KUA negotiated with FMPA All-Requirements Power Supply Project (ARP) the Revised, Amended, and Restated Capacity and Energy Sales Contract (TARP Contract) effective October 1, 2008, under which FMPA-ARP will pay the KUA a fixed capacity credit that will not vary for the KUA owned generating assets over various periods of time that are tied to the useful life of such KUA assets. The total amount of fixed capacity credits that will be paid to the KUA from FY 2009 through FY 2028 will be approximately \$342 million. In return for this fixed rate of return, not tied to market variations, the KUA ceded to FMPA operational control of these assets and waived its right to exercise its contract rate of delivery associated with the KUA's Cane Island Units 1, 2, and 3, Hansel, Stanton Energy Center Units 1 and A, and Indian River Units A and B. The KUA also passed responsibility for the operation, maintenance, and capital costs of these generation assets to FMPA, see Note 8. The KUA retained responsibility for its ownership share of Cane Island land and common transmission facilities and a proportionate share of decommissioning costs or benefits of the generation assets. This amendment is accounted for as a capital lease and the associated Lease Revenue has replaced the Other Operating Revenue - Capacity Credits described in Note 1.

The following lists the components of the net investment in capital lease as of September 30, 2009:

	<b>2009</b>	<b>2008</b>
Total minimum lease payments to be received	\$321,681,865	\$0
Less: Unearned lease revenue	(\$192,522,076)	\$0
Net investment in capital lease	<u>\$129,159,789</u>	<u>\$0</u>
Shown in the accompanying Statement of Net Assets as:		
Current Assets - current portion	\$8,301,720	
Other Assets - long term portion	<u>\$120,858,069</u>	
Total	<u>\$129,159,789</u>	



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<u>Fiscal Year</u>	<u>Minimum Lease Payments to be received</u>	<u>Lease Revenue</u>
2010	\$20,676,037	\$12,374,317
2011	\$20,676,037	\$12,374,317
2012	\$20,676,037	\$12,374,317
2013	\$19,160,188	\$11,467,103
2014	\$19,160,188	\$11,467,103
2015-2019	\$94,965,054	\$56,835,250
2020-2024	\$79,608,736	\$47,644,711
2025-2028	\$46,759,588	\$27,984,958
Total	<u>\$321,681,865</u>	<u>\$192,522,076</u>

***Note 8 –Power Supply Agreements***

FMPA All-Requirements Power Supply Project: The KUA purchases power exclusively from Florida Municipal Power Agency (FMPA) through the State-wide bulk power system. The KUA has an All-Requirements Power Supply Project Contract (effective 10/1/2002) with FMPA which requires FMPA to sell and deliver to the KUA and the KUA to purchase from FMPA all electric power that the KUA requires in excess of the amount the KUA receives from its percentage ownership interest in CR3 and St. Lucie 2. The contract shall remain in effect until October 1, 2040, and is subject to automatic five-year extensions each fifth anniversary unless either party notifies the other in writing at least two years prior to such automatic extension date of its decision not to extend the contract. The KUA pays for electric power under the contract at the rates set forth in the applicable rate schedule of FMPA, which FMPA may revise from time to time. The contract provides the option for the KUA to leave the FMPA after notice and making the remaining project participants whole. This is generally understood to mean paying off its portion of the project's long-term debt.

Leased Assets: Effective October 1, 2008, the KUA leased, as discussed in Note 7, its ownership share of the generating assets associated with the KUA's Cane Island Units 1, 2, and 3, Hansel, Stanton Energy Center Units 1 and A, and Indian River Units A and B described below. In FY 2008, these generating assets were dedicated resources to the ARP.

Generating Assets Owned

- **Cane Island and Hansel Facilities:** Effective October 1, 2008, the KUA entered into a Consolidated Operating and Joint Ownership Contract with the FMPA whereby the KUA provides operation and maintenance services for Cane Island, Gulfstream Interconnection, and Hansel facilities. Prior to October 1, 2008, KUA was party to a participation agreement at a 50% level for the construction, ownership and operation of KUA's Cane Island generation assets.

Cane Island is located 14 miles west of the KUA's existing service territory. The original agreement resulted in joint ownership in generating facilities constructed on this site beginning with the first unit, a

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40 MW combustion turbine which began commercial operation in 1995. The second unit is approximately 120 MW combined cycle unit which began commercial operation in 1995. The third unit is approximately 250 MW combined cycle unit which began commercial operation in 2001. The fourth unit, wholly owned by FMPPA, which began construction in 2009, will be a 300 MW combined cycle unit with commercial operation scheduled for 2011. Gulfstream Interconnection Project facilities, wholly owned by FMPPA and operated by the KUA, interconnect the Cane Island Lateral with the Gulfstream natural gas pipeline to provide an alternative source of natural gas supply to the electrical generating units at the Cane Island Site. Hansel, wholly owned by the KUA, is approximately 50 MW combined cycle unit which began commercial operation in 1983 and is located in KUA's service territory.

- Stanton Energy Center (SEC): Each participant in the project financed their share of the cost independently and no liability exists for the debt service required by the other participants. SEC began commercial operation on July 1, 1987. The KUA does not exercise significant influence or control over operating or financial policies of Orlando Utilities Commission (OUC) or Southern Company.

The KUA entered into a Participation Agreement with OUC to acquire a 4.8193% (21 MW) undivided ownership interest in SEC 1 and to participate in the use of related common and external facilities. The KUA acquired its share on the SEC common facilities, related to its ownership of SEC 1. The capacity and energy of the KUA's ownership interest in SEC 1 is transmitted through OUC's transmission facilities to the KUA's transmission facilities. SEC 1 began commercial operation on July 1, 1987.

The KUA entered into a participation agreement with Southern Company, OUC, and FMPPA to acquire a 3.5% (23 MW) undivided ownership interest in SEC A and to participate in the use of related common and external facilities. The capacity is transmitted through OUC's transmission facilities to KUA's transmission facilities. The unit began commercial operation in October 2003.

- Indian River Combustion Turbines (A&B): The KUA entered into a Participation Agreement with OUC to acquire a 12.2% (11.2 MW) undivided ownership interest in the Indian River Combustion Turbines and participate in the use of related common and external facilities. Each participant in the project financed their share of the cost independently and no liability exists for the debt service required by the other participants. The KUA does not exercise significant influence or control over the operating or financial policies of OUC. Commercial operation began in June 1986 for unit A and July 1989 for unit B.

According to the participation agreements, each participant must provide its own financing and each participant's share of expenses for operations of the plants are included in the corresponding operating expenses of its own Statement of Revenues, Expenses and Changes in Net Assets statement. For the generating assets included in the capital lease described in Note 7, KUA passed responsibility for the operation, maintenance, and capital costs of these generation assets to FMPPA effective October 1, 2008. The amounts of utility plant in service for CR3 and Indian River do not include the cost of common and external facilities for which participants pay user charges to the operating entity. Accumulated

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depreciation on utility plan in service is determined by each participant based on their depreciation methods and rates relating to their share of each plant.

Power Supply Entitlements

- Stanton Energy Center (SEC): The KUA entered into a Power Supply Acquisition Agreement with the FMPA. The KUA receives a 3.8314% power entitlement, approximately 16.7 MW, in Stanton Energy Center Unit No. 2 (SEC 2). SEC 2 began commercial operation on June 1, 1996.
- The KUA entered into a Transfer Agreement with the City of Lake Worth for the transfer of the City of Lake Worth's entire share of the FMPA SEC 2 Project. The KUA acquired the City of Lake Worth's 1.9157% power entitlement share in SEC 2, approximately 8.3 MW on April 5, 1995.
- The KUA entered into a Transfer Agreement with the City of Homestead for the transfer of 50 % of the City of Homestead's Power Entitlement Share of the FMPA SEC 1 and SEC 2 Projects. The KUA acquired a 1.8072% power entitlement share in SEC1, approximately 7.9 MW and 1.9157% power entitlement share in SEC 2, approximately 8.3 MW on April 10, 1995. As a result of the City of Homestead's Power Entitlement Share Transfer Agreement of the FMPA SEC 1 Project, KUA was required to reimburse the City of Homestead for equity funds previously paid in the amount of approximately \$829,000. The equity funds paid are recorded as other assets and are amortized over the remaining life of SEC 1.
- The KUA has a total power entitlement share of 7.6628%, approximately 33.33 MW in SEC 2 and a total power entitlement share of 1.8072%, approximately 7.9 MW in SEC 1. Costs associated with these agreements are included in purchased power expenses.

The following are excluded resources under the TARP agreement:

- St. Lucie Nuclear Power Plant: The KUA entered into a Power Supply Acquisition Agreement with the FMPA in which the KUA received approximately 7 MW of power from the St. Lucie nuclear power plant. It began commercial operation on August 8, 1983.
- Crystal River Unit No. 3 (CR3): The KUA entered into a Participation Agreement with Florida Power Corporation (FPC), now Progress Energy, to purchase a 0.6754% undivided interest in their 860 MW nuclear powered electric generating plant designated Crystal River Unit No. 3. It began commercial operation in March 1977. The KUA is billed for its share of operating and capital costs. Capital costs are included in Property, Plant and Equipment and operating costs are included as power generation expenses. The KUA's benefit in the Agreement is the added availability of capacity and energy of the facilities through its participation in future energy purchases and it does not otherwise maintain an ongoing financial interest or responsibility for the project. The KUA does not exercise significant influence or control over the operating or financial policies of Progress Energy.

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KUA's proportionate share of the non-operated jointly owned plants is included in Note 5 Capital Assets. For the generating assets included in the capital lease described in Note 7, KUA's proportionate share of the non-operated jointly owned plants has been removed effective October 1, 2008.

**Note 9 – Long-Term Liabilities**

Long-Term Liabilities for the years ended September 30, 2009 and 2008 were as follows:

	<u>9/30/2008</u> <u>Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>9/30/2009</u> <u>Balance</u>	<u>Amounts Due</u> <u>Within One Year</u>
Debt					
Revenue Bonds Payable	\$ 211,290,000	0	\$ (15,125,000)	\$ 196,165,000	\$ 15,840,000
Commercial Paper	43,200,000	0	0	43,200,000	0
Total Debt	<u>\$ 254,490,000</u>	<u>0</u>	<u>\$ (15,125,000)</u>	<u>\$ 239,365,000</u>	<u>\$ 15,840,000</u>
Deferred Bond Premiums, Discounts and Losses on Refunding	(9,192,269)			(1,653,850)	
Total	<u>\$ 245,297,731</u>			<u>\$ 237,711,150</u>	
Other Liabilities					
Self Insurance Fund	15,950,324	0	(176,734)	15,773,590	125,658
Compensated Absences	2,629,100	1,896,114	(1,527,028)	2,998,186	1,527,028
Other Post Employment Benefits	77,046	95,764	0	172,810	51,105
Total Other Liabilities	<u>\$ 18,656,470</u>	<u>\$ 1,991,878</u>	<u>\$ (1,703,762)</u>	<u>\$ 18,944,586</u>	<u>\$ 1,703,791</u>
	<u>9/30/2007</u> <u>Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>9/30/2008</u> <u>Balance</u>	<u>Amounts Due</u> <u>Within One Year</u>
Debt					
Revenue Bonds Payable	\$ 225,740,000	0	\$ (14,450,000)	\$ 211,290,000	\$ 15,125,000
Commercial Paper	43,200,000	0	0	43,200,000	0
Total Debt	<u>\$ 268,940,000</u>	<u>0</u>	<u>\$ (14,450,000)</u>	<u>\$ 254,490,000</u>	<u>\$ 15,125,000</u>
Deferred Bond Premiums, Discounts and Losses on Refunding	(10,782,968)			(9,192,269)	
Total	<u>258,157,032</u>			<u>245,297,731</u>	
Other Liabilities					
Self Insurance Fund	15,517,500	507,407	(74,583)	15,950,324	88,519
Compensated Absences	2,354,740	1,782,390	(1,508,031)	2,629,100	1,553,271
Maintenance Reserve	3,379,282	646,801	(4,026,083)	0	0
Other Post Employment Benefits	0	77,046	0	77,046	55,635
Total Other Liabilities	<u>\$ 21,251,522</u>	<u>\$ 3,013,644</u>	<u>\$ (5,608,696)</u>	<u>\$ 18,656,470</u>	<u>\$ 1,697,425</u>

The Revenue Bond resolutions provide for both Senior and Subordinate rate covenants. These covenants are established to ensure, among other things, that rates, fees and charges will be sufficient to provide revenues in each fiscal year for the funding of operations and maintenance expenses, debt service, new funds established by resolution and all other charges or liens whatsoever payable of revenues during the year.

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Listed below are the pertinent elements of the resolutions. These elements relate to both the senior and the subordinate resolutions except as noted in Section 3 below. All amounts required, relating to subordinate debt, shall be subordinate to amounts required for senior debt.

1. Establishment and maintenance of various funds:
  - Revenue Fund records all operating revenues and expenses of the system;
  - Sinking Fund records principal and interest requirements;
  - Bond Amortization Fund records funds held for the retirement of term bonds;
  - Reserve Fund records funds held in reserve for the maximum annual debt service requirements;
  - Renewal, Replacement & Improvement Fund is to be used only for making improvements, extensions and replacements to the system;
  - Construction Fund records the cost of major additions to the system financed by revenue bonds; and
  - Rate Stabilization - Retail Fund records funds to be used to the extent provided in the current Annual Budget or to be transferred, as appropriate, to any other fund or account under the resolutions.
2. Restrictions on the use of cash from operations in order of priority:
  - Deposits are made to the Revenue Fund to meet current operations according to the Budget;
  - Deposits to the Sinking Fund Account are required to equal one-sixth (1/6 of the interest coming due on the next semi-annual interest payment date and one-twelfth (1/12) of the principal coming due on the next principal payment date;
  - Deposits to the Bond Amortization Fund are required to equal one-twelfth (1/12) of the amortization installment coming due on the next annual payment date;
  - Deposits to the Reserve Fund are to be made when required to maintain the Fund at the Reserve Requirement (maximum annual debt service); and
  - Deposits to the Renewal, Replacement and Improvement Fund are required each month in an amount equal to one-twelfth (1/12) of the adopted budget for that fund. The total annual deposit may not be less than 5% of the gross revenues for the preceding fiscal year after deducting 100% of the fuel expense and the energy component of purchased power expenses incurred in such preceding fiscal year. However, no such monthly deposit shall be required when the amount in such fund shall at least equal \$1,500,000.
3. Rate Covenant:
  - The KUA will at all times establish, fix, prescribe and collect rates and charges for the services and facilities furnished by the system which, together with other income, are reasonably expected to yield annual Net Revenues in each fiscal year at least equal to 110% of the bond service requirement in the bond Year which ends one day after such fiscal year. In regards to Subordinate debt, the above-mentioned annual net revenues in each fiscal year are required to be at least equal to 100% of the bond service requirement.

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4. Early redemption:
- The bond resolution provides for early redemption of certain of the outstanding bonds at a call rate of 100% to 101% of the bond's face value, dependent upon the call date.
5. Investment restrictions:
- Funds of the Sinking Fund, Bond Amortization Fund, Reserve Fund and Renewal, Replacement & Improvement Fund are required to be continuously secured in the same manner as municipal deposits of funds are required to be secured by the laws of the State of Florida; and
  - Monies on deposit in the Sinking Fund and the Bond Amortization Fund shall be invested only in direct obligations of, or obligations on which the principal and interest are guaranteed by the United States of America and which do not permit redemption prior to maturity at the option of the KUA. Monies on deposit in the Revenue Fund, Reserve Fund and Renewal, Replacement & Improvement Fund may be invested as described above as well as in the following: obligations rating an "A" or better from Moody's Investors Service, Inc., bank time deposits represented by certificates of deposit and bankers acceptances, repurchase agreements, commercial paper which has the highest investment grade rating and shares of investment companies which invest principally in United States government securities.

Long-term debt outstanding at September 30, 2009 and 2008 consisted of the following serial and term bonds, and outstanding Commercial Paper Notes:

<b>Description</b>	<b>Final Maturity</b>	<b>Original Amount</b>	<b>2009</b>	<b>2008</b>
Refunding Revenue Bonds, Series 2001A 3.50%-4.70% - 4/1; 10/1	10/1/2017	\$ 31,020,000	\$ 19,840,000	\$ 20,105,000
Refunding Revenue Bonds, Series 2001B 4.00%-5.00% - 4/1; 10/1	10/1/2015	\$ 44,500,000	34,830,000	37,690,000
Refunding & Improvement Bonds, Series 2003 3.10%-5.25% - 4/1; 10/1	10/1/2018	\$ 55,835,000	39,620,000	43,755,000
Refunding Revenue Bonds, Subordinate Series 2003 3.10%-5.25% - 4/1; 10/1	10/1/2018	\$ 60,700,000	60,700,000	60,700,000
Refunding Revenue Bonds, Subordinate Series 2005 3.00%-5.25% - 4/1; 10/1	10/1/2018	\$ 63,680,000	41,175,000	49,040,000
<b>Subtotal</b>			<u>196,165,000</u>	<u>211,290,000</u>
Commercial Paper Program, Series B Variable Interest		\$ 35,000,000	35,000,000	35,000,000
Commercial Paper Program, Series B Second Installment - Variable Interest		\$ 8,200,000	8,200,000	8,200,000
<b>Subtotal</b>			<u>43,200,000</u>	<u>43,200,000</u>
			<u>\$ 239,365,000</u>	<u>\$ 254,490,000</u>

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The annual long-term debt service requirements at September 30, 2009 are as follows (excludes Series A and B Commercial Paper):

<b>Fiscal Year</b>	<b>Interest</b>	<b>Principal</b>	<b>Total</b>
2010	\$ 8,635,186	\$ 15,840,000	\$ 24,475,186
2011	8,507,442	16,550,000	25,057,442
2012	7,700,683	17,335,000	25,035,683
2013	6,843,736	18,225,000	25,068,736
2014	5,923,545	19,110,000	25,033,545
2015-2018	14,261,246	109,105,000	123,366,246
Total	<u>\$ 51,871,838</u>	<u>\$ 196,165,000</u>	<u>\$ 248,036,838</u>

KUA authorized the issuance of the Commercial Paper Notes pursuant to Resolution No. 00-04, adopted by the Board on October 25, 2000. The Notes were issued in three series, 2000A, 2000B, and 2000B second installment for \$35,000,000, \$35,000,000 and \$8,200,000, respectively to (a) finance the cost of the Cane Island Project (including repayment of amounts previously borrowed to provide financing therefore) and (b) pay the costs of issuance of the Commercial Paper Notes. The aggregate principal amount of all Commercial Paper Notes outstanding at any one time shall not exceed the lesser of \$100,000,000 or the amount of the Available Commitment under the Purchase Agreement (the current Available Commitment is \$60,000,000). During the year ended September 30, 2009, interest rates on the Commercial Paper ranged from .30% to 2.30% and averaged .80%.

The Notes are secured by the Commercial Paper Purchase Agreement between KUA and JP Morgan Chase Bank. In the Purchase Agreement, the Bank has agreed, subject to certain conditions, to purchase Commercial Paper Notes which have not been sold by the Dealers so that moneys will be available in the Commercial Paper Notes Payment Fund to pay the maturing principal of outstanding Notes. The obligation of the Bank under the Purchase Agreement provides only for payment of maturing principal of the Notes; KUA is obligated to make provision for payment of interest on maturing Commercial Paper Notes from Subordinates Revenues.

The amount of the Bank's obligation under the Purchase Agreement is limited to \$60 million, reduced by the amount of any outstanding Notes previously purchased by the Bank and subject to adjustment upward upon request of KUA and consent of the Bank or downward upon unilateral request by KUA, in either case in \$1 million increments.

The duration of the Bank's obligation under the Commercial Paper Purchase Agreement is for two years, beginning on the date of issuance of the Commercial Paper Notes (August 5, 2009) and terminating on August 5, 2011. KUA must request such an extension at least 60 days prior to the expiration of the Purchase Agreement (unless the Bank consents to a later request), and the Bank must notify the Issuing and Paying Agent within 30 days of receipt of the request whether the Bank consents to such extension and must deliver a written acknowledgement of the extension within 15 days of its consent to the Issuing and Paying Agent.

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In the event that Bank Notes owned by the Bank are outstanding on the expiration date, August 5, 2011, the Bank agrees to accept amortization of the principal thereof and payment of the interest thereon as indicated. The Bank agrees that it shall continue to hold such Bank Notes for the Term Out Period, an additional period up to three years. This will occur provided that all Bank Notes shall bear interest at the Term Out Rate during the Term Out Period, payable in arrears, on the last day of each calendar month; and provided further that KUA shall redeem the Bank Notes, by paying to the Bank the principal amount of the Bank Notes, in six (6) equal principal amounts on a semi-annual basis, on each sixth Interest Payment Date together with accrued interest, commencing on the sixth interest payment date after the expiration date. The Term Out Rate is a Base Rate plus two percent (2%) calculated on the basis of a 360 day year and actual days elapsed. The Base Rate means for any day, the higher of (a) the Prime Rate plus one and one half percent (1.50%), (b) the Federal Funds Rate plus two percent (2.00%), or (c) eight and one half percent (8.50%) per annum.

As of September 30, 2005, \$35,000,000 of the Series A was refunded. On October 13, 2005, \$32,000,000 was refunded and the remaining \$3,000,000 was refunded on November 16, 2005. The Series B in the amount of \$43,200,000 are outstanding and are reflected as Long-Term Liabilities on the Statement of Net Assets.

On July 17, 2008, KUA converted its \$60,700,000 Electric System Refunding Revenue Bonds, Subordinate Series 2003, to a Weekly Mode. These bonds were originally issued on August 28, 2003 as Auction Rate Securities in the M-STARS Mode. This conversion was undertaken due to the breakdown of the auction rate securities market.

The Bank of New York Mellon Trust Company, N.A. is the Paying Agent, Registrar, and the Tender Agent for the bonds. Morgan Keegan & Company, Inc. served as the Remarketing Agent. Dexia Credit Local provided for the Standby Bond Purchase Agreement (Liquidity Facility) for the bonds.

The Liquidity Facility provided for the purchase of the 2003 Subordinate Bonds in the event that the Remarketing Agent is not successful in obtaining purchase commitments for any or all of the 2003 Subordinate Bonds.

On September 1, 2009, KUA converted its \$60,700,000 Electric System Refunding Revenue Bonds, Subordinate Series 2003, to a Fixed Rate Mode. These bonds were originally issued on August 28, 2003 as Auction Rate Securities in the M-STARS Mode and converted to a Weekly Mode on July 17, 2008. The Subordinate Bonds were remarketed at a premium in order to generate funds to pay the remarketing costs and the termination fee of \$5.5 million was paid to JP Morgan Chase Bank related to an interest rate hedge agreement that was terminated on August 4, 2009 and settled on August 6, 2009. Interest on the 2003 Subordinate Bonds will be payable on April 1 and October 1 of each year, commencing April 1, 2010.

The KUA refunds and defeases debt primarily as a means of reducing debt service, thereby postponing or reducing future electric rate adjustments. Outstanding serial bonds, which were refunded through the net cash defeasance method on February 25, 1982, are as follows at September 30, 2009:



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	<b>2009</b>	<b>2008</b>
Electric Revenue Bonds		
1979	\$415,000	\$600,000
Total	<u>\$415,000</u>	<u>\$600,000</u>

Since government obligations are held in escrow for the payment of principal and interest on these bonds, they are not liabilities to the KUA.

KUA was a party to an interest rate swap agreement which was not recorded in the financial statements. Following is a disclosure of key aspects of the agreement.

Objective of the Interest Rate Swap: On August 5, 2003 KUA entered into an interest rate swap with JPMorgan Chase Bank (Counterparty) in connection with its variable rate 2003 Subordinate Bonds. The objective was to lower borrowing costs by synthetically fixing an interest rate.

The swap was terminated on August 4, 2009. At the date of termination, the market value of the swap agreement was \$5,495,000 exclusive of net accrued interest (\$717,786).

The terms of the original swap were as follows:

The swap, with a notional amount of \$60.7 million, became effective on August 28, 2003. The swap amount decreases over time, matching the amount of the variable rate debt. The first notional decrease for both is October 1, 2014, with the final maturity of October 1, 2018. Under the terms of the swap agreement, KUA will pay the Counterparty a fixed annual interest rate of 3.519%. KUA will receive from the Counterparty a variable payment based on 70.00% of the one month of USD-LIBOR (BBA). KUA will also pay the interest rate resulting from the 7-day remarketing of the 2003 Subordinate Bonds. The Counterparty has an early termination Bermuda Option exercisable October 1, 2013 and semi-annually thereafter.

***Note 10 – Commitments and Contingent Liabilities***

The KUA has made certain commitments in connection with its continuing capital improvements program. The KUA estimates that capital expenditures for its ongoing business during 2010 will be approximately \$9,035,000 and \$31,933,000 for years 2011 through 2013.

The KUA is involved in litigation arising during the normal course of its business. In the opinion of management, the resolution of these matters will not have a material effect on the financial position of the KUA.

The KUA is subject to general liability claims throughout the year. The range of loss is such that an estimate cannot be made. These claims are well within our insurance limits. The KUA has established a Self-Insurance fund to cover any claims that exceed our insurance deductibles and/or limits.

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The KUA has purchase agreements with utilities whereby the KUA must pay capacity demand fees whether or not electricity or fuel is received from these utilities. The utilities involved and the approximate changes of the purchase agreements to be paid in Fiscal Year 2010 are as follows:

	<u>Date</u>	<u>Commitment</u>
Orlando Utilities Commission (OUC)		
SEC 1, Indian River, SEC A	NONE	\$1,478,999
FMPA (St. Lucie, SEC1, SEC2)	NONE	3,518,517
Progress Energy (Crystal River 3)	NONE	100,580
Total		<u>\$5,098,096</u>

The KUA owns a portion of Progress Energy's nuclear power plant at Crystal River, Florida. This plant is scheduled to be decommissioned beginning in the year 2016. The KUA will be liable for approximately \$5,527,000 in decommissioning costs in 2008 dollars. In June 1988, the Nuclear Regulatory Commission (NRC) required utilities to provide financial assurance that decommissioning funds would be sufficient and available when needed for NRC required decommissioning activities. On July 12, 1990, the KUA and the FMPA entered into an agreement whereby the FMPA would act as agent for the KUA and certain other Crystal River 3 (CR3) participants to coordinate the administration of a trust fund. Contributions to this trust fund are not available to the KUA for any other purpose except the decommissioning of CR3. The KUA's carrying balance in this Trust at September 30, 2009 and 2008 including interest earnings was approximately \$4,635,000 and \$4,159,000, respectively. Future contributions will be made to this trust account as needed based on updated cost estimates and trust fund earnings.

As a result of its ownership interest in CR3, the KUA is subject to the Price Anderson Act which was enacted to provide financial protection for the public in the event of a nuclear power plant accident. The first layer of financial protection was the purchase of \$300 million of public liability insurance from pools of commercial insurers. The second layer of financial protection is provided under an industry retrospective payment plan. Under that plan, owners are subject to an assessment of \$100.6 million per incident with provision for payment of such assessment to be made over time as necessary to limit the payment in any one year to no more than \$15 million per incident. The KUA is liable for its ownership interest of any assessment made against CR3 under this plan.

***Note 11 – Risk Management***

The KUA is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The KUA has established a Self-Insurance reserve to account for and finance its uninsured risks of loss for the transmission and distribution system as well as other uninsured losses. The reserve balance is approximately \$15,774,000 and \$15,950,000 for the years ended September 30, 2009 and 2008, respectively. The Self-Insurance reserve is the KUA's best estimate based upon available information and is decreased by claims paid each year. This reserve is reflected as a liability under Other Long-term Liabilities on the Statement of Net Assets (see Note 9).

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The KUA purchases commercial insurance for all other risks of loss, including general liability, excess liability, workers compensation, property insurance, employee health, life and accident insurance. Settled claims have not exceeded the commercial coverage insurance in any of the past five fiscal years.

**Note 12 – Restricted Net Assets**

Restricted net assets are comprised of the following at September 30, 2009 and 2008:

	<u>2009</u>	<u>2008</u>
Debt Service:		
Debt Service and sinking funds	\$ 36,561,094	\$ 16,617,805
Other:		
Crystal River Unit #3 Decommissioning	504,710	506,784
ARP Working Funds	3,735,063	3,735,063
Total Restricted Assets	<u>\$ 40,800,867</u>	<u>\$ 20,859,652</u>

**Note 13 – Other Post Employment Benefits**

The KUA provides medical, dental and life insurance benefits to current employees and eligible retirees and their families. Retirees participating in the plans offered by the KUA are required to contribute 100% of the active premiums. The KUA does not contribute any funds on behalf of the retirees.

The annual other postemployment benefit (OPEB) cost is calculated based on the annual required contribution to the employer (ARC), an amount actuarially determined in accordance with the parameters of Governmental Accounting Standards Board (GASB) Statement 45. The ARC is used for accrual accounting purposes, not for funding purposes. It is a basis for the allocation of the KUA's projected cost of providing OPEB over periods that approximate the periods in which the KUA receives services from the covered employees. The following table shows the components of the annual OPEB cost for the fiscal year, the amount actually contributed to the plan, and changes in the net OPEB obligation at September 30, 2009 and 2008:

	<u>2009</u>	<u>2008</u>
Annual Required Contribution	\$ 145,876	\$ 133,041
Interest on Net OPEB Obligation	3,870	0
Adjustment to Annual Required Contribution	(3,237)	0
Annual OPEB Cost (Expense)	146,509	133,041
Estimated Net Contributions Made	(51,105)	(55,995)
Increase in Net OPEB Obligation	95,404	77,046
NET OPEB Obligation - Beginning of Year	77,046	0
Adjustment for error in FY08 Report	360	0
NET OPEB Obligation - End of Year	<u>\$ 172,810</u>	<u>\$ 77,046</u>

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The annual OPEB cost and the percentage of annual OPEB cost contributed to the plan is as follows:

<b>FY Ended</b>	<b>Annual OPEB Cost</b>	<b>% of Annual OPEB</b>
9/30/2009	\$146,509	34.9%
9/30/2008	\$133,041	41.8%

The funding status of at September 30, 2009 and 2008 is as follows:

	<b>2009</b>	<b>2008</b>
Actuarial Accrued Liability (AAL)	\$ 1,578,729	\$ 1,482,798
Actuarial Value of Assets (AVA)	0	0
Unfunded Actuarial Accrued Liability (UAAL)	\$ 1,578,729	\$ 1,484,806
Funded Ratio	0%	0%
Covered Payroll	\$ 13,208,417	\$ 11,448,449
Ratio of UAAL to Covered Payroll	12.0%	13.00%

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend.

In the October 1, 2008 actuarial valuation, the entry age normal actuarial cost method was used. The actuarial assumptions included a 5% investment rate of return (net of investment related expenses) and an annual healthcare cost trend rate of 10% initially, reduced by 1% each year until the ultimate rate of 5% in FY 2013. Both rates included a 4.5% inflation assumption. Other factors used in the development of the annual OPEB expense are as follows:

<b>Amortization of Unfunded Actuarial Accrued Liability</b>		
	<b>2009</b>	<b>2008</b>
Actuarial Accrued Liability	\$1,578,729	\$1,482,798
Actuarial Value of Assets	0	0
Unfunded Actuarial Accrued Liability	\$1,578,729	\$1,482,798
Amortization Period	30	30
Amortization Method	Closed	Closed
Discount Rate	5.00%	5.00%
Payroll Growth Rate	3.30%	4.50%
Amortization Amount	\$67,781	\$52,924

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<b>Development of Annual Required Contribution (ARC)</b>		
	<b>2009</b>	<b>2008</b>
Normal Cost	\$71,149	\$73,782
Interest on Normal Cost	3,557	3,689
Normal Cost Component	\$74,706	\$77,471
Amortization Amount	\$67,781	\$52,924
Amortization Interest	3,389	2,646
Amortization Component	\$71,170	\$55,570
Annual Required Contribution	145,876	133,041
As a Percent of Covered Payroll	1.1%	1.1%

<b>Development of Annual OPEB Cost</b>		
	<b>2009</b>	<b>2008</b>
Annual Required Contribution	\$145,876	\$133,041
NET OPEB Obligation, Beginning of Year	77,406	0
Discount Rate	5.0%	5.0%
Interest on Net OPEB Obligation	3,871	0
NET OPEB Obligation, Beginning of Year	77,406	0
Amortization Factor	0.0418	30
Adjustment to Annual Required Contribution	(3,237)	0
Annual OPEB Cost	\$146,509	\$133,041

***Note 14 – Pension***

Plan Description: The Kissimmee Utility Authority Employees’ Retirement Plan (the “Plan”) is a single employer defined benefit pension plan. The Plan provides for pension, death and disability benefits. Participation in the Plan is required as a condition of employment. The Plan is subject to provisions of Chapter 112 of the State of Florida Statutes and the oversight of the Florida Division of Retirement. The Plan is governed by a five member pension board. The Plan issues a publicly available financial report that includes financial statements and required supplementary information which may be obtained by writing to our offices at 1701 W. Carroll Street, Kissimmee, FL 34741 or by calling (407) 933-9803.

Actuarial Cost Method: The plan uses the Aggregate Actuarial Cost Method for funding purposes. This method allocates future normal costs based on the earnings of each employee participant. Entry age is the employee’s age nearest his birthday on October first following his employment. The unfunded actuarial accrued liability is not separately identified and is not, therefore, amortized under this actuarial method. Information about funded status and funding progress was prepared using the entry age actuarial cost method and is intended to serve as a surrogate for the funded status and funding progress of the plan.

Funding Policy: The KUA is obligated to fund all Plan costs based upon actuarial valuations. The KUA is authorized to establish benefit levels and to approve the actuarial assumptions used in the determination of

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contribution levels. The KUA's contribution rate for the years ended September 30, 2009, 2008, and 2007, respectively, was 14.3%, 12.7%, and 12.1% of total annual payroll. The Plan has been a non-contributory Plan since 1986 and was changed to a tiered plan in April 2004. Employees now have the option of contributing to the plan. The employee contribution rate for the years ended September 30, 2009, 2008, and 2007, respectively, was 1.8%, 1.9%, and 1.9% of total annual payroll.

Annual Pension Cost: For the years ended September 30, 2009, 2008, and 2007, respectively, the annual pension costs of \$2,068,851, \$1,604,600, and \$1,534,828 were equal to the KUA's required and actual contributions. The annual required contribution was determined as part of the October 1, 2008 actuarial valuation using the Entry Age Normal Actuarial Cost Method. The actuarial assumptions included (a) life expectancy calculated using the 1983 Group Annuity Mortality Table; (b) 8% investment rate of return (net of administrative expenses); and (c) projected salary increases of 6% per year, including an inflation component of 3%. The assumptions included post retirement benefit increases of 0%. The actuarial value of assets was determined using techniques that smooth the effects of short-term volatility in the market value of investments over a four-year period. The unfunded actuarial accrued liability is being amortized as a level percentage of projected payroll on a closed basis. The remaining amortization period at October 1, 2009 was 30 years.

Three year trend information:

<u>Year Ending</u>	<u>Actuarially Determined Contribution</u>	<u>Percentage of Actuarially Determined Contribution</u>	<u>Net Pension Obligation</u>
09/30/08	\$1,604,600	100%	0
09/30/07	1,534,829	100%	0
09/30/06	1,324,025	100%	0

The funded status of the most recent actuarial valuation date is as follows:

<u>Actuarial Valuation Date</u>	<u>Actuarial Value of Assets</u>	<u>Actuarial Accrued Liability</u>	<u>Unfunded Actuarial Liability (UAL)</u>	<u>Funded Ratio</u>	<u>Annual Covered Payroll</u>	<u>UAL Ratio to Covered Payroll</u>
10/01/08	\$45,529,982	\$55,613,694	\$10,083,712	81.87%	\$13,481,409	74.80%
10/01/07	\$43,658,863	\$51,005,979	\$7,347,116	85.60%	\$12,205,365	60.20%

The schedule of funding progress, included as required supplementary information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability.

## **Required Supplemental Information**

## Kissimmee Utility Authority Employees' Retirement Plan

### Schedule of Funding Progress

<b>Actuarial Valuation Date</b>	<b>Actuarial Value of Assets</b>	<b>Actuarial Accrued Liability</b>	<b>Unfunded Actuarial Liability (UAL)</b>	<b>Funded Ratio</b>	<b>Annual Covered Payroll</b>	<b>UAL Ratio to Covered Payroll</b>
10/01/08	\$45,529,982	\$55,613,694	\$10,083,712	81.87%	\$13,481,409	74.80%
10/01/07	43,658,863	51,005,979	7,347,116	85.60%	12,205,365	60.20%
10/01/06	39,191,550	45,264,890	6,073,341	86.58%	12,126,874	50.08%
10/01/05	35,234,393	41,372,941	6,138,548	85.16%	11,966,630	51.30%
10/01/04	32,403,029	37,840,876	5,437,847	85.63%	11,872,260	45.80%
10/01/03	30,566,700	31,427,331	860,631	97.26%	11,503,917	7.48%
10/01/02	29,233,758	30,085,244	851,486	97.17%	10,726,420	7.94%
10/01/01	28,565,661	29,407,089	841,428	97.14%	10,349,488	8.13%
10/01/00	27,476,780	28,292,829	816,049	97.12%	9,622,892	8.48%
10/01/99	24,543,409	24,543,409	-	100.0%	9,338,568	-
10/01/98	21,310,000	21,310,000	-	100.0%	9,077,176	-
10/01/97	37,242,142	37,242,142	-	100.0%	19,037,030	-
10/01/96	30,720,860	30,720,860	-	100.0%	18,082,940	-

### Three Year Trend Information

<b>Year Ending</b>	<b>Actuarially Determined Contribution</b>	<b>Percentage of Actuarially Determined Contribution</b>	<b>Net Pension Obligation</b>
09/30/08	\$1,604,600	100%	0
09/30/07	1,534,829	100%	0
09/30/06	1,324,025	100%	0