

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of overlapping ) DOCKET NO. 890592-WS  
 territories of OCEAN CITY UTILITIES, ) ORDER NO. 21323  
 INC. and PALM COAST UTILITY CORPORATION ) ISSUED: 6-5-89  
 in Flagler County. )

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, CHAIRMAN  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER DELETING TERRITORY FROM THE CERTIFICATE OF  
 PALM COAST UTILITY CORPORATION

BY THE COMMISSION:

On March 2, 1988, Ocean City Utilities, Inc. (Ocean City) filed an application with the Commission for certain territory in Flagler County. The territory requested was a small area within the territory of another utility, Palm Coast Utility Corporation (Palm Coast). A description of the service territory is attached to this Order as Attachment "A". Palm Coast was notified of Ocean City's application for a certificate and responded in writing to the Commission that it did not object to ceding the territory to Ocean City. Palm Coast does not have the facilities nor the desire to serve this area. On December 9, 1988, the Commission issued Order No. 20440, granting a water certificate to Ocean City. Accordingly, we will amend Palm Coast's water Certificate No. 344-W to delete the area presently served by Ocean City.

Based upon the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 344-W held by Palm Coast Utility Corporation, Inc., 2 Utility Drive, Palm Coast, Florida 32037, is amended to delete certain territory as described in Attachment "A" to this Order, which by reference is incorporated herein. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission,  
 this 5th day of June, 1989.

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 STEVE TRIBBLE, Director  
 Division of Records and Reporting

by: Kay Ferguson  
 Chief, Bureau of Records

DOCUMENT NUMBER-DATE

05582 JUN-5 1989

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

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## ATTACHMENT "A"

OCEAN CITY UTILITIES, INC.  
SERVICE TERRITORY DESCRIPTION

Located in Section 15, Township 11, South, Range 31 East:

Beginning at a point located at the eastern intersection of the South boundary of Government Lot 7 and the mean high tide of the Atlantic Ocean proceed Southeast approximately 10,350 feet along the mean high tide line of the Atlantic Ocean to a point located at the intersection of mean high tide, Atlantic Ocean and the North boundary of Government Lot 4; thence S. 88 50'18" W. a distance of 310' to the center line of State Road 1A; thence S. 88 50'14" W. a distance of 1092.52' to the intersection of the North boundary of Government Lot 4 and the easterly right-of-way of the Intracoastal Waterway; thence northwesterly along the easterly right-of-way of the Intracoastal Waterway approx. 3410' to the intersection of the easterly boundary of the Intracoastal Waterway and the easterly right-of-way of the Old Florida East Coast Canal; thence northwesterly along the easterly right-of-way of the Old Florida East Coast Canal approx. 7000 feet to the intersection of the easterly right-of-way of the Old Florida East Coast Canal and the South boundary of Government Lot 7; thence North 89 17'49" East, approx. 575 feet to the Point of Beginning.

This description includes portions of Government Lots 1, 2, 3, 7, and 12.