

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by JACKSONVILLE	)	DOCKET NO. 890731-WS
SUBURBAN UTILITIES CORPORATION	)	ORDER NO. 21722
for additional extension of time to	)	ISSUED: 8-11-89
file application for amendment of	)	
Certificates Nos. 236-W and 179-S in	)	
Duval 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 GRANTING FINAL EXTENSION OF TIME TO FILE  
APPLICATION FOR AMENDMENT OF CERTIFICATES

BY THE COMMISSION:

On June 19, 1987, Jacksonville Suburban Utilities Corporation (JSUC or utility) gave notice of its intent to apply for an extension to its service territory pursuant to Section 367.061, Florida Statutes. By letter dated July 17, 1987, the City of Jacksonville (Jacksonville) objected to JSUC's notice, on the grounds that Jacksonville already had water and sewer mains contiguous to the requested territory. The objection was processed in Docket No. 870777-WS.

Through subsequent negotiations, JSUC and Jacksonville were able to resolve the latter's objection. By letter dated November 9, 1987, Jacksonville formally withdrew its objection. By Order No. 18616, issued December 29, 1987, the Commission acknowledged the withdrawal of Jacksonville's objection and closed Docket No. 870777-WS.

Pursuant to Section 367.061(4), Florida Statutes, a utility must file an application for extension to its service territory within one year of serving notice unless for good cause shown, the Commission extends such time for filing.

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On June 2, 1988, JSUC timely requested that, due to the delay caused by Jacksonville's objection and to a delay by the developer in beginning construction on the affected property, it be granted an extension of time to file its application for the proposed amendment to its service territory. By Order No. 19772, issued August 8, 1988, the Commission granted JSUC an extension until December 29, 1988, to file its application.

On December 12, 1988, JSUC filed its second request for an extension of time to file its application. In its request, JSUC stated that it had waited for the developer of the area concerned to commence construction before beginning construction of the utility lines needed to serve the property. JSUC expected that its own construction activities and those of the developer would be completed by May 1, 1989. By Order No. 20855, dated March 13, 1989, the Commission granted JSUC an extension until June 1, 1989, to file its application.

On May 31, 1989, JSUC filed its third, and present, extension request alleging that, due to the delay in the developer obtaining construction permits, it should be granted an additional one hundred twenty (120) days to file the application for the territory described in JSUC's June 19, 1987 notice.

In consideration of the above, we find that JSUC's request for an extension of time to file its application for amendment of its certificates in Duval County should be approved, with the caveat that this shall be our last such approval with respect to the territory identified in JSUC's June 19, 1987 notice.

It is, therefore,


ORDERED by the Florida Public Service Commission that Jacksonville Suburban Utilities Corporation's request for a one hundred twenty (120) day extension of time within which it must file its application to amend its water and sewer certificates in Duval County is hereby approved. It is further

ORDERED that the extension of time granted herein shall be Jacksonville Suburban Utilities Corporation's final such extension with respect to the territory identified in the utility's June 19, 1987 notice. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission  
this 11th day of AUGUST, 1989.

  
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STEVE TRIBBLE Director  
Division of Records and Reporting

( S E A L )  
JRF

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.