

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Marion) DOCKET NO. 900779-WU
Utilities, Inc. for amendment of) ORDER NO. 24028
Certificate No. 347-W in Marion Co.) ISSUED: 1-24-91
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
BETTY EASLEY
GERALD L. GUNTER
FRANK S. MESSERSMITH
MICHAEL MCK. WILSON

ORDER GRANTING AMENDMENT OF CERTIFICATE

BY THE COMMISSION:

Background

On September 25, 1990, Marion Utilities, Inc. (Marion or Utility) filed an application with this Commission for amendment of Certificate No. 347-W to include additional territory in Marion County. Order No. 22976, issued May 24, 1990, authorized Marion to provide temporary service to Turning Pointe Estates and required Marion to file for an extension within 90 days. The application was due August 23, 1990.

Although the application was filed late, we are not penalizing Marion since the Utility attempted to comply with the requirements of Order No. 22976. Marion failed to file the application within 90 days due to an oversight. The application was filed less than 30 days after the due date.

Application

Other than as discussed previously, the application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning applications for original certificates. In particular, the notarized application contains:

- 1) A filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code.
- 2) Adequate territory and system maps and a territory description, as prescribed by Rules 25-30.035(3)(h) and

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(i), Florida Administrative Code. The additional territory is described in Attachment A of this Order.

- 3) Evidence that the utility owns the land upon which the Utility's facilities will be located as required by Rule 25-30.035(3)(f), Florida Administrative Code.
- 4) Proof of notice of application to interested governmental and regulatory agencies and all utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in the Marion County, as prescribed by Rule 25-30.030, Florida Administrative Code.

No objections to the application have been received and the time for filing such has expired.

Order No. 22976 found that it is in the public interest for Marion to serve the territory described in Attachment A. The circumstances have not changed; therefore, Marion's request to amend Certificate No. 347-W to include the territory described in Attachment A is hereby granted. The Utility has returned the Certificate for entry reflecting the additional territory and has submitted revised tariff sheets.

Rates and Charges

Order No. 22976 granted Marion temporary authority to provide service, approved Marion's current rates and service availability charges. The rates and charges approved on a temporary basis by Order No. 22976 are as follows:

Water (Monthly Rates)

<u>Base Facility Charge</u> <u>Meter Size</u>	<u>Approved</u> <u>Rates</u>
5/8" x 3/4"	\$ 6.58
1"	16.47
1-1/2"	32.93
2"	52.68
3"	105.36
4"	164.64
<u>Gallonage Charge</u> Per 1,000 Gallons	1.34

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Service Availability Charges

Meter Installation:	
5/8" x 3/4"	\$ 100.00
1"	130.00
1-1/2"	180.00
Over 1-1/2"	Actual Cost
Plant Capacity Charge:	
Residential - Per 255 gpd	\$ 325.00
All Others - Per Gallon	1.27
Main Extension Charge:	
Residential	\$ 430.00
All Others - Per Gallon	1.69

Customer Deposits

As stated in Order No. 22976, Marion collects a \$30.00 customer deposit for 5/8" x 3/4" meters. Customers requiring larger meters obtain a quotation from Marion upon request. This deposit does not exceed an amount equal to the expected average bill for water service for two billing periods.

We find the foregoing rates and charges to be reasonable and they are, therefore, approved on a permanent basis. Marion shall continue to charge these rates and charges until authorized to change by the Commission.

It is, therefore,

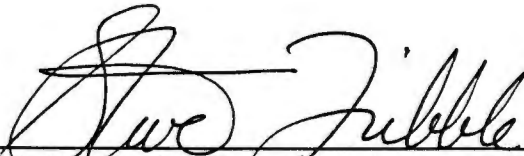
ORDERED by the Florida Public Service Commission that the application of Marion Utilities, Inc., 1760 Mitchell Court, Daytona Beach, Florida 32124, to amend Certificate No. 347-W to include the territory described in Attachment A of this Order is hereby approved. It is further

ORDERED that the rates and charges set forth in the body of this Order are approved on a permanent basis. Marion Utilities, Inc. shall charge these rates and charges until authorized to change by the Commission. It is further

ORDERED that Docket No. 900779-WU is hereby closed.

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By ORDER of the Florida Public Service Commission, this 24th
day of JANUARY, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

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

TURNING POINTE ESTATES
Marion County

Territory Description

Township 17 South, Range 22 East

In Section 07

The West 1/2 of the NE 1/4 of the NE 1/4.

and

The SW 1/4 of the SE 1/4 of the NE 1/4, EXCEPT the North 210 Feet of the South 260 feet of the West 210 feet, and EXCEPT the South 50 feet.

and

The NW 1/4 of the SE 1/4 of the NE 1/4.