

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for)
Amendment of Certificate)
No. 510-W in Osceola County))
by C & S Water Company))
_____)

DOCKET NO. 910894-WU
ORDER NO. PSC-92-0195-FOF-WU
ISSUED: 04/13/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, CHAIRMAN
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY

ORDER GRANTING AMENDMENT OF CERTIFICATE
TO INCLUDE ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

C & S Water Company (C & S or utility) is a Class C utility located in Osceola County, Florida. On August 27, 1991, C & S filed an application with this Commission to amend Certificate No. 510-W to include additional territory in Osceola County. On September 23, 1991, Southern States Utilities, Inc. (SSU) filed an objection to the application. Subsequently, on December 5, 1991, C & S amended its application to remove the territory in dispute and requested additional territory. On December 9, 1991, SSU withdrew its objection.

C & S requested an extension of approximately 3,360 acres to its service territory. As a result, the utility anticipates serving an additional 13,440 equivalent residential connections (ERCs) in the requested territory. We find that the requested extension will result in a significant increase in customers. To serve the additional territory, the utility plans to extend its transmission lines and increase the capacity of the water treatment plant.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the notarized application contains:

1. A filing fee in the amount of \$ 2,250.00, as prescribed by Rule 25-30.020, Florida Administrative Code.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTS

2. Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory in Osceola County is described in Attachment A of this Order, which by reference is incorporated herein.
3. Proof of notice of application to interested governmental and regulatory agencies and utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in Osceola County, as prescribed by Rule 25-30.030, Florida Administrative Code.
4. Evidence, in the form of a warranty deed, that the utility owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

As previously mentioned, SSU objected to C & S' application for additional territory. SSU withdrew its objection to the original notice after C & S amended its application to delete the territory in dispute. The local planning agency was provided notice of the application and did not file a protest to the amendment. No further objections have been filed, and the time for such filings have expired.

Based on the information filed in its application, C & S has the technical capability and financial resources to adequately serve the additional territory. The additional territory is located in proximity to the utility's existing service area.

Additionally, the Department of Environmental Regulation's rules require a second well for C & S' system regardless of any territory expansion. We believe that the utility's plans to upgrade its plant to serve the present and future customers is a prudent decision.

Based on the foregoing, we find that it is in the public interest to grant C & S' request to amend Certificate No. 510-W to include the territory described in Attachment A of this Order. C & S has returned Certificate No. 510-W to this Commission for appropriate entry of the additional territory and has filed revised tariff sheets which reflect the amended territory description.

ORDER NO. PSC-92-0195-FOF-WU
DOCKET NO. 910894-WU
PAGE 3

C & S' current rates and charges were effective January 31, 1988, pursuant to Order No. 20583, issued in Docket No. 870392-WU, an original certificate case. C & S shall charge the customers in the additional territory the rates and charges approved in its tariff currently on file with this Commission.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 510-W, held by C & S Water Company, P. O. Box 422364, Kissimmee, Florida 34742-2364 is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that the customers in the territory added herein shall be charged the rates and charges approved in C & S Water Company's tariff currently on file with the Commission. It is further

ORDERED that Docket No. 910894-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 13th day of April, 1992.



STEVE TRIBBLE Director
Division of Records and Reporting

(S E A L)

NRF

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

ORDER NO. PSC-92-0195-FOF-WU
DOCKET NO. 910894-WU
PAGE 4

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.