

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 930437-WU  
Amendment of Certificate N. 66-W ) ORDER NO. PSC-94-1427-FOF-WU  
in Osceola County by Southern ) ISSUED: November 21, 1994  
States Utilities, Inc. )  
\_\_\_\_\_ )

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On April 27, 1993, Southern States Utilities, Inc. (SSU or Utility) filed an application with this Commission to amend Certificate No. 66-W to include additional territory in Osceola County, Florida. The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the application contains a filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, SSU provided evidence, in the form of a warranty deed, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

SSU has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. There are no outstanding Department of Environmental Protection violations against SSU.

On June 4, 1993, in response to the utility's notice of filing its application, the City of Kissimmee (City) filed an objection to SSU's application because of a possible infringement upon the City's service territory. The City believed through its Inter-local agreement with Osceola County that the territory included in SSU's amendment should be served by the City. The parties met to work out an amicable solution instead of going through a hearing process. On August 17, 1994, the City filed a withdrawal of its objection to SSU's application. The withdrawal states that SSU has agreed to allow the City to provide water to the area known as Windsong, which was originally included in SSU's application. Further, according to the withdrawal, SSU agreed to revise its application to realign the boundary in the area known as Tropical Park. Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which SSU is requesting to serve in Osceola County is described in Attachment A of this Order.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Since SSU has been in operation under our jurisdiction for more than twenty years, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. From the information filed with the application, it appears that SSU has the financial ability to serve the requested area. Therefore, we find that it is in the public interest to amend Certificate No. 66-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. SSU has returned the Certificate to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

SSU's existing rates and charges became effective on July 25, 1994, pursuant to a Price Index Pass-Through adjustment. SSU shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 66-W, held by Southern States Utilities, Inc., 1000 Color Place, Apopka, Florida 32703, 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 Southern States Inc. shall charge the customers in the territory added herein the rates and charges approved in the its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 930437-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 21st day of November, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Fejn  
Chief, Bureau of Records

( S E A L )  
MSN

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

**WATER TERRITORY**

**Tropical Park**

Township 25 South, Range 29 East, Osceola County, Florida.

**Section 3**

The West 810 feet more or less of the Southwest 1/4 of the Southwest 1/4 of said Section.

**Section 4**

The East 200 feet of Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section.

**Section 9**

The East 1/2 of the Northeast 1/4 and the East 520 feet of the South 1,070 feet of the Southwest 1/4 of the Northeast 1/4 of said Section.

**Section 10**

The West 1/2 of the West 1/2 (less and except the East 1/2 of the Northwest 1/4 of the Northwest 1/4; less and except the East 205 feet of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4; less and except the East 550 feet of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4; less and except the West 110 feet of the North 144.2 feet of the Northwest 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4; less and except the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4; less and except the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southwest 1/4; less and except the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4; less and except the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4; less and except the West 1/2 of the Southwest 1/4 of the Southwest 1/4) of said Section.