

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 950095-SU
amendment of Certificate No.) ORDER NO. PSC-95-0327-FOF-SU
357-S to include territory in) ISSUED: March 10, 1995
Highlands County by Fairmont)
Utilities, the 2nd, Inc.)
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE ADDITIONAL TERRITORY
AND CLOSING DOCKET

BY THE COMMISSION:

On January 20, 1995, Fairmont Utilities, the 2nd, Inc. (Fairmont or utility), applied for an amendment to Certificate No. 357-S to include additional territory in Highlands County, Florida. The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate. The application contains a filing fee in the amount of \$100, as prescribed by Rule 25-30.020, Florida Administrative Code. Fairmont produced 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.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(1)(e), (f) and (i), Florida Administrative Code. A description of the territory requested by the utility is appended to this Order as Attachment A. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission.

In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections were filed. The utility states that the provision of service will be consistent with the utility section of the local comprehensive plan. Service will be provided by extending a collection line to serve the area.

The utility has extensive experience in the water and wastewater industry. There are no outstanding notices of violation issued by the Department of Environmental Protection against this utility. We believe the utility has demonstrated the financial and technical expertise to provide quality service to the additional territory. The rates and charges approved by the Commission in Order No. 25217-SU, issued October 22, 1991, shall be

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applied to customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory.

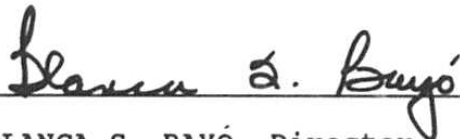
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 357-S, held by Fairmont Utilities, the 2nd, Inc., 3625 Valerie Boulevard, Sebring, Florida 33870-1048, is hereby amended to include the territory in Attachment A of this order, which by reference is incorporated herein. It is further

ORDERED that Fairmont Utilities the 2nd, Inc., shall charge customers in the territory added herein the rates and charges approved in its tariff. It is further

ORDERED that Docket No. 950095-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 10th day of March, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CJP

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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 and/or wastewater 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.

ATTACHMENT A

TERRITORY DESCRIPTION

FAIRMONT UTILITIES, THE 2ND INC.

HIGHLANDS COUNTY

TAYLOR OIL COMPANY

Township 34 South, Range 28 East

A portion of Sections 14

A Portion of Block A, West Sebring Addition

Lot 2 less the South 100.00 feet thereof and all of Lot 3, Block "A" of "West Sebring Addition", as per plat recorded in Plat Book 4, Page 77, of the Public Records of Highlands County, Florida.

Being more particularly described as follows: Commence at the Southwest corner of Section 14, Township 34 South, Range 28 East, Highlands County, Florida; thence run North 88° 00' 00" East and along the South line of said section a distance of 702.62 feet; thence North 18° 02' 00" West a distance of 581.62 feet for a Point of Beginning; thence run North 71° 58' 00" East and along the Southerly right-of-way line of Cornell Road a distance of 230.00 feet to a point on the Westerly right-of-way line of U.S. Highway 27; thence South 18° 02' 00" East and along said right-of-way line a distance of 288.33 feet; thence South 71° 58' 00" West a distance of 230.00 feet; thence North 18° 02' 00" West a distance of 288.33 feet to the Point of Beginning.