

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 940979-SU
amendment of Certificate No.) ORDER NO. PSC-95-0338-FOF-SU
179-S in Duval County by) ISSUED: March 10, 1995
JACKSONVILLE SUBURBAN UTILITIES)
CORPORATION)
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

Jacksonville Suburban Utilities Corporation (Jacksonville Suburban or utility) is a Class A utility which provides water and wastewater service to approximately 27,000 customers pursuant to Certificates Nos. 236-W and 197-S in Duval, St. Johns, and Nassau Counties. The utility's 1993 annual report reflects annual operating revenues of \$17,950,991 and a net operating income of \$2,764,991.

Application

On September 15, 1994, Jacksonville Suburban filed an application for an amendment of Certificate No. 179-S, to include additional territory in Duval County, Florida. Within this territory, the utility will provide wastewater service to the ASH Property, a commercial venture which allows office, warehouse, and retail businesses to be constructed. The ASH Property contains one commercial business, which the utility anticipates serving as one general service commercial customer requiring three equivalent residential connections. Service will be provided by extending a force main to serve the area.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. The application contains a filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, the utility 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.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-

DOCUMENT NUMBER-DATE

02678 MAR 10 95

FPSC-RECORDS/REPORTING

30.036(1)(e), (f), and (i), Florida Administrative Code. A description of the additional territory 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, Jacksonville Suburban has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. No objections were received, and the time for filing objections has expired. The local planning agency was provided notice of the application and did not file a protest to the amendment. Further, according to the utility, the provision of service is consistent with the Duval County local comprehensive plan.

According to the Department of Environmental Protection (DEP), there are no outstanding notices of violation issued for this system. The utility projects that there will be no impact on the utility's capital structure. Upon consideration of the facts as represented to us, we find that Jacksonville Suburban has demonstrated the financial and technical ability to provide quality service to these customers.

Based on the foregoing, we find that it is in the public interest to amend Certificate No. 179-S in Duval County, to include the territory described in Attachment A of this Order, which is incorporated herein by reference.

Rates and Charges

The utility's approved rates and charges were effective September 19, 1989, pursuant to Order No. 21871, issued September 11, 1989, in Docket No. 890968-WS. Jacksonville Suburban has exercised the statutory provision of increasing rates through price indexing and pass through rate adjustments. The utility's current rates and charges became effective on July 19, 1994, pursuant to a 1994 price index. The utility projects that there will be no impact from the extension of service to the territory added herein on the utility's monthly rates and charges. Jacksonville Suburban shall charge the customers in the additional territory the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding. The utility has filed revised tariff sheets to incorporate the additional territory into its tariff and has returned the Certificate to the Commission for entry reflecting the additional territory. Since no further action is required, this docket shall be closed.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 179-S, held by Jacksonville Suburban Utilities Corporation, 1400 Millcoe Road, Jacksonville, Florida 32225, is hereby amended to include the territory described in Attachment A of this Order, which is incorporated herein by reference. It is further

ORDERED that Jacksonville Suburban Utilities Corporation shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 940979-SU is hereby closed.

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



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

RGC

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.

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ATTACHMENT A

JACKSONVILLE SUBURBAN UTILITIES CORPORATION

DUVAL COUNTY - SAN JOSE SERVICE AREA

ASH PROPERTIES

Township 3, South, Range 27 East

A portion of Sections 05, 08 and 17
More particularly described as follows:

Commencing at the intersection of an easterly extension of the southerly right-of-way line of University Boulevard (as now established, also known as State Highway 109) with the westerly right-of-way line of U.S. Highway No. 1 (Phillips Highway); thence on said southerly right-of-way line of University Boulevard South 53 degrees 52 minutes 00 seconds West, 721 feet (more or less) to the West right-of-way of the East Coast Railway, (100 foot Right of Way as established); thence South 31° 00' 11" East 4,570 feet to the Point of Beginning; thence South 31° 11' 24" East along the Florida East Coast Rail Way a distance of 250 feet; thence South 58° 32' 30" West a distance of 971.17 feet to a point situated in the Powers Avenue northeasterly right-of-way; thence North 32° 27' 30" West a distance of 250 feet; thence North 58° 32' 30" East a distance of 972.80 feet to the Point of Beginning. Lands thus described contain 5.58 acres, more or less.