

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 950414-SU  
amendment of Certificate No. ) ORDER NO. PSC-95-1367-FOF-SU  
179-S in Duval County by United ) ISSUED: November 3, 1995  
Water Florida Inc. )  
\_\_\_\_\_ )

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

United Water Florida Inc. (United Water Florida 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 179-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.

On April 13, 1995, United Water Florida 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 Malnove Inc. property, a commercial venture which allows office, warehouse, and retail businesses to be constructed. The Malnove Inc. property contains one commercial business, which the utility anticipates serving as one general service commercial customer requiring nine equivalent residential connections. Service will be provided by extending a force main to serve the area.

Application

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(3)(d), Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(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

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with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission.

In addition, United Water Florida 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 utility section of the 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 United Water Florida has demonstrated the financial and technical ability to provide quality service to this customer.

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. United Water Florida 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 9, 1995, pursuant to a 1995 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. United Water Florida shall charge 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

ORDERED by the Florida Public Service Commission that Certificate No. 179-S, held by United Water Florida Inc., 1400

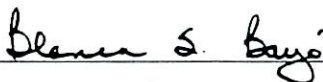
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Millcoe Road, Jacksonville, Florida 32225, is hereby amended to include the territory described in Attachment A of this Order, which is incorporated herein by reference. It is further

ORDERED that United Water Florida Inc., shall charge 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. 950414-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 3rd day of November, 1995.



BLANCA S. BAYÓ, 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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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Section 56, Township 3, Range 27 East

COMMENCE at the intersection of an easterly extension of the southerly right-of-way of State Route 109, also known as University Boulevard with the westerly right-of-way line of U.S. Highway No. 1, also known as Phillips Highway; thence run South 53°52'00" West along the right-of-way line of State Road 109 (University Boulevard) a distance of 721 feet (more or less) to the point of intersection with the southwesterly right-of-way line of the Florida East Coast Railroad (100' right-of-way as now established) and being the POINT OF BEGINNING; thence depart said southwesterly right-of-way line of Florida East Coast Railroad, and run along said southeasterly right-of-way line of State Road No. 109 (University Boulevard), the following four courses; 1) South 52°43'32" West, distance of 2.63 feet to the corner of a concrete block wall of a sand filter; 2) thence South 58°03'11" West along the face of said concrete block wall, a distance of 29.0 feet to the corner of concrete block wall; 3) thence South 32°52'35" East along face of said concrete block wall, a distance of 6.94 feet; 4) thence South 53°59'47" West, a distance of 180.04 feet to the intersection with a non-tangent curve being concave easterly and having a radius of 170.0 feet; thence run southeasterly along the arc of last said curve a distance of 144.06 feet, and through a central angle of 48°33'14", a chord bearing and distance of South 07°22'21" East, 139.79 feet; thence South 31°38'58" East, a distance of 122.95 feet, to the point of curvature of a curve concave westerly having a radius of 180.0 feet; thence southwesterly 265.05 feet along the arc of said curve, through a central angle of 84°22'00", a chord bearing and distance of South 10°32'02" West, 241.74 feet to the point of tangent; thence South 52°43'02" West, a distance of 193.0 feet; thence South 10°36'02" West, a distance of 29.67 feet, thence North 31°30'58" West along last said line a distance of 100.31 feet; thence South 79°23'58" East, distance of 26.83 feet; thence North 52°43'02" East, a distance of 186.94 feet to the point of curvature of a curve concave westerly having a radius of 120.0 feet; thence

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(continued)

northeasterly 176.70 feet along the arc of said curve, through a central angle of 84°22'00", a chord bearing and distance of North 10°32'02" East, a distance of 161.16 feet to the point of tangent of said curve; thence North 31°38'58" West, a distance of 241.43 feet to the point of intersection with the southeasterly right-of-way line of State Road No. 109; thence run North 37°06'20" West along an arbitrary line being at right angles to the northwesterly right-of-way line of said State Road No. 109 (University Boulevard), as now established by the State Road Department of Transportation right-of-way map (section 72014-3502), a distance of 114.56 feet to the point of intersection with the northwesterly right-of-way line of the aforementioned State Road No. 109 (University Boulevard); thence North 52°53'40" East along said northwesterly right-of-way line of State Road No. 109 (University Boulevard), a distance of 341.13 feet to the point of intersection with the southwesterly right-of-way line of the Florida East Coast Railroad (a 100 foot right-of-way); thence depart said northwesterly right-of-way line of State Road No. 109 (University Boulevard), and run South 31°32'15" East, along said southwesterly right-of-way line of the aforementioned Florida East Coast Railroad, a distance of 116.52 feet to the POINT OF BEGINNING.

Containing 1.893 acres or 82,463 square feet more or less.