

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment  
of Certificates 618-W and 532-S  
to extend water and wastewater  
service area in Sumter County by  
North Sumter Utility Company,  
L.L.C.

DOCKET NO. 021036-WS  
ORDER NO. PSC-03-0768-FOF-WS  
ISSUED: June 27, 2003

ORDER APPROVING AMENDMENT OF CERTIFICATES NOS.  
618-W AND 532-S TO INCLUDE ADDITIONAL TERRITORY  
IN SUMTER COUNTY AND CLOSING DOCKET

BY THE COMMISSION:

On October 10, 2002, North Sumter Utility Company (North Sumter or utility) filed an application with this Commission for amendment of Certificates Nos. 618-W and 532-S to include additional territory in Sumter County, pursuant to Section 367.045, Florida Statutes. There are no customers being served by the utility at this time. The utility facilities are under construction and it is anticipated that customers will be on line during the fourth quarter of 2003.

North Sumter was granted Certificates Nos. 618-W and 532-S by Order No. PSC-02-0554-PAA-WS, issued April 23, 2002, in Docket No. 010859-WS. The territory the utility was granted by Order No. PSC-02-0554-PAA-WS is approximately eight square miles. The utility is requesting an additional four and one-half square miles in the application filed in the instant docket.

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 \$4,500, as prescribed by Rule 25-30.020, Florida Administrative Code. The utility also provided evidence in the form of warranty deeds that it owns the land upon which its facilities are located, as required by Rule 25-30.036(3)(d), Florida Administrative Code. The utility's facilities consist of two water plants, one well site, wastewater plant site, and a rapid infiltration basin site.

A map of the territory to be served and a territory description have been provided in accordance with Rule 25-

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30.036(3)(e) and (f), Florida Administrative Code. A description of the territory requested is shown on Attachment A of this Order.

The application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the application have been received and the time for filing such has expired.

The territory requested will enlarge the utility's service area, allowing expansion to the east toward Lake County (approximately 2000 acres). The territory also includes an area on the western boundary of the current territory near Lake Miona (approximately 190 acres). Water and wastewater lines have been designed to serve the new areas, and the water and wastewater plants now under construction will provide service to the requested territory. The construction of the distribution and collection systems will be financed by debt financing, service availability charges, and, if necessary, loans from The Villages of Lake-Sumter, Inc., which is the utility's affiliate and developer.

Comments from the Department of Community Affairs (DCA) concerning this amendment indicate that the eastern site is within the approved portion of The Villages Development of Regional Impact (DRI). However, the western site is partially within the DRI and partially on land designated agricultural. At the time of DCA's input to this Commission, The Villages was preparing a notice of proposed change to request the addition of the land to The Villages' DRI. A comprehensive plan amendment by Sumter County has been filed and approved by the DCA to include this site.

Based upon information provided with the application, North Sumter has the financial and technical ability to provide service to the additional territory. The application includes the financial statement of North Sumter's affiliate, The Villages of Lake-Sumter, Inc. The utility has an operations agreement with a management company for the operation and maintenance of the utility's facilities. There are no notices of violation or consent orders against the utility according to the Department of Environmental Regulation. The additional service area will have no material impact upon monthly rates or service availability fees.

Based on the foregoing, we find that the amendment of Certificates Nos. 618-W and 532-S to include additional territory in Sumter County is in the public interest and it is granted. The additional territory that North Sumter is authorized to serve is shown on Attachment A of this Order, which by reference is incorporated herein. North Sumter 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 the amendment of Certificates Nos. 618-W and 532-S, held by North Sumter Utility Company, LLC, 1100 Main Street, The Villages, Florida 32159, to include additional territory in Sumter County is hereby granted. The additional territory North Sumter Utility Company, LLC is authorized to serve is shown on Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that North Sumter Utility Company, LLC 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 further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 27th day of June, 2003.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )  
ALC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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

North Sumter Utility Company

Water and Wastewater Service

Sumter County

In Township 18 South, Range 23 East, and, Township 19 South Range 23 East, Sumter County:

Those portions of Sections 24, 25, 26, 35, and 36 of Township 18 South, Range 23 East, and those portions of Sections 1 and 2 of Township 19 South, Range 23 East, described as follows:

Begin at the Northeast corner of said Section 1, run thence south along the east line thereof to the North right-of-way line of County Road 466-A (formerly State Road 466-A); thence Westerly along said right-of-way to the East line of the East 3/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 2; thence north to the Northeast corner of the said East 3/4 of the Southeast 1/4 of the Northeast 1/4; thence West to the Northwest corner thereof; thence South along the West line thereof to the said North right-of-way; thence West to the north-south midsection line of said Section 2; thence North to the South 1/4 section corner of said Section 35; thence North along the midsection lines of Sections 35 and 26 to the North 1/4 section corner of said Section 26; thence east along the North line of Section 26 to the Southwest corner of said Section 24; thence East along the South line thereof to the Southwest corner of the East 1/2 of the Southeast 1/4 of the Southwest 1/4; thence North along the West line thereof, 941.57 feet to the South line of a dirt road; thence Northeast along said road the following five courses: North 74°18'03" East, 217.73 feet; thence North 74°41'34" East, 68.15 feet; thence North 72°09'04" East, 181.74 feet; thence North 69°47'34" East, 133.55 feet; thence North 67°32'39" East, 96.46 feet to the West line of the Southwest 1/4 of the Southeast 1/4 of said Section 24; thence North to the Northwest corner of the Southwest 1/4 of the Southeast 1/4; thence East to the Northeast corner thereof; thence South to the Northwest corner of the South 3/4 of the Southeast 1/4 of the Southeast 1/4

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of said Section 24; thence South along the East lines of aforesaid Sections 24, 25, and 36 of Township 18 South, Range 23 East, to the point of beginning.

LESS the following described parcel: the South 296.00 feet of the East 296.00 feet of the Southwest 1/4 of the Southeast 1/4 of said Section 24;

LESS the North 540 feet of the East 965 feet of the Southeast 1/4 of said Section 25;

LESS the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 36;

LESS the following described tract of land: Begin 16.95 feet South of the Northeast corner of said Section 36; thence run South  $89^{\circ}35'30''$  West, 1464 feet; thence South  $00^{\circ}52'00''$  West, 643.25 feet; thence South  $00^{\circ}54'40''$  East, 665.55 feet to the South line of the North 1/2 of the Northeast 1/4; thence East along said South line to the East line of said Section 36; thence North along said East line to the point of beginning.

ADDITIONAL AREA TO BE INCLUDED:

The Northeast 1/4 of the Northeast 1/4 of Section 20, Township 18 South, Range 23 East, Sumter County;

The North 1/2 of Section 21, Township 18 South, Range 23 East, Sumter County;

LESS the East 1/8 of the Southeast 1/4 of the Northwest 1/4 of said Section 21;

LESS the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 21.