

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 363-W to add
territory in Marion County by
Sunshine Utilities of Central
Florida, Inc.

DOCKET NO. 030128-WU
ORDER NO. PSC-03-1099-FOF-WU
ISSUED: October 2, 2003

ORDER APPROVING AMENDMENT OF CERTIFICATE NO.
363-W, HELD BY SUNSHINE UTILITIES OF CENTRAL
FLORIDA, INC. TO INCLUDE ADDITIONAL TERRITORY
IN MARION COUNTY, AND CLOSING DOCKET

BY THE COMMISSION:

Background

On February 5, 2003, Sunshine Utilities of Central Florida, Inc. (Sunshine or utility) filed an application with this Commission to amend Certificate No. 363-W to include additional territory in Marion County, pursuant to Section 367.045, Florida Statutes. Sunshine is a Class B utility that has been providing service in Marion County for more than 24 years, owning and operating more than 20 water systems.

The new area requested by Sunshine contains about 300 acres and is located adjacent to an area called Hilltop, which has been served since 1985. Water service is needed for some existing mobile homes and for proposed development in the requested area. We have jurisdiction in this matter pursuant to Section 367.045, Florida Statutes.

Application

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 \$500, pursuant to Rule 25-30.020, Florida Administrative Code. The utility also provided evidence in the form of a warranty deed that the utility owns the land upon which its facilities are located, as required by Rule 25-30.036(3)(d), Florida administrative Code.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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A map of the territory to be served and a territory description have been provided in accordance with Rule 25-30.036(3)(e) and (f), Florida Administrative Code. A description of the territory requested is shown on Attachment A of this Order, which by reference is incorporated herein.

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.

According to the information provided with the application, the development is expected to include 188 residential connections and five commercial lots in Lake Weir Heights. The utility has a signed developer agreement for the property involved in this application. The developer will pay for all necessary permits to expand the water plant and distribution system to service the additional customers, and will pay all costs for construction of the needed improvements to the plant and distribution system, in lieu of the utility collecting its approved system capacity charge. With regard to rates, Sunshine will charge the customers in the requested territory the same rates charged the customers in the Hilltop service area.

Pursuant to Rule 25-30.036(3)(r), Florida Administrative Code, Sunshine submitted an affidavit that it has a tariff and annual reports on file with this Commission. The utility's 2002 annual report was filed April 17, 2003.

With regard to technical ability, Sunshine has been providing service to its customers in Marion County for more than 24 years. Sunshine provided a copy of its most current tax return demonstrating its financial ability to provide service to the additional territory. Further, according to the Department of Environmental Protection, there are no pending notices of violation or consent orders against the utility.

Based on the foregoing, we find that the amendment of Certificate No. 363-W, held by Sunshine, to include the territory shown on Attachment A of this Order is in the public interest and it is approved. Sunshine shall charge the customers in the

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additional territory 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. 363-W, held by Sunshine Utilities of Central Florida, Inc., 10230 East Highway 25, Belleview, Florida 34420-5531, is hereby amended to include the territory shown on Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Sunshine Utilities of Central Florida, Inc. 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 2nd Day of October, 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

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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.

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ATTACHMENT A

SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.
Hilltop Service Area - Marion County

In Section 2, Township 17 South, Range 23 East, Marion County:

the Southwest 1/4;
the West 1/2 of the Northwest 1/4;
the Southeast 1/4 of the Northwest 1/4;
the South 1/2 of the Northeast 1/4 of the Northwest 1/4.