

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for quick-take amendment of Certificate No. 247-W in Seminole County by Sanlando Utilities Corp. | DOCKET NO. 080644-WU  
ORDER NO. PSC-09-0093-FOF-WU  
ISSUED: FEBRUARY 13, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER ACKNOWLEDGING AMENDMENT TO APPLICATION

BY THE COMMISSION:

Background

On October 17, 2008, Sanlando Utilities Corporation (Sanlando or utility) applied for a "Quick Take" application with us to amend Water Certificate No. 247-W, in order to include two houses whose wells have gone dry. Sanlando provides water service to approximately 10,102 water and 8,198 wastewater customers in Seminole County. The utility is located in the St. Johns River Water Management District, and Seminole County is in a priority water resource caution area. There is a year-round, two-day a week irrigation rule. We have jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.).

Decision

On October 17, 2008, Sanlando applied for a "Quick Take" amendment to Water Certificate No. 247-W in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code (F.A.C.). The application was completed on November 5, 2008. Septic tanks provide wastewater service. The requested territory is contiguous to the utility's existing service territory.

We find that the application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning an application for amendment of certificate. Adequate service territory maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e) and (i), F.A.C. 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), F.S., that it has tariffs and annual reports on file with us.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

The "Quick Take" amendment is designed to provide water and/or wastewater service quickly for areas that serve less than 25 Equivalent Residential Connections (ERCs). Typically, a well or septic tank fails or service is otherwise not available and is needed as soon as possible. In this case, both customers' wells were going dry. The request for service territory expansion and amendment of an existing certificate is considered approved when the utility complies with Rule 25-30.036(2), F.A.C., and if no protest is timely filed to the notice of application. No protest was filed in this case, and the time for doing so has passed. The application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, F.A.C.

The utility states that the new territory will not exceed a maximum of 25 ERCs at the time the territories are built out. According to Sanlando, no other utility in the area is willing and/or capable of providing reasonably adequate service to the territory. We have contacted the Department of Environmental Protection (DEP) and learned that there are no outstanding notices of violation issued for Sanlando. We find that the rates and charges approved by the us for Sanlando's service area shall be applied to the customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff.

Based on the above information, we acknowledge Sanlando's amendment application to expand its territory. The proposed territory amendment is described in Attachment A to this Order. The Order shall serve as Sanlando's amended certificate and it shall be retained by the utility.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Sanlando Utilities Corporation for an amendment of its Certificate No. 247-W in Seminole County is acknowledged and the certificate is amended as set forth in the body of this Order. It is further


ORDERED that the approved territory amendment is as described in Attachment A, which is incorporated by reference herein. It is further

ORDERED that this Order shall serve as Sanlando Utilities Corporation amended certificate and shall be retained by the utility. It is further

ORDERED that shall charge the customers in the added territory the rates and charges contained in its tariff until authorized to change by this Commission in a subsequent proceeding. It is further

ORDERED that because no further action is required, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th day of February, 2009.

  
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ANN COLE  
Commission Clerk

( S E A L )

JEH

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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.

Sanlando Utilities Corporation  
Seminole County

Water Service Area

Township 20 South, Range 29 East, Section 25

A tract of land lying in Seminole County, Florida, being more particularly described as follows:

Commence from the Northeast corner of Section 25, Township 20 South, Range 29 East and run 1,868.2 feet North  $89^{\circ}28'20''$  West, thence run South  $0^{\circ}31'40''$  West a distance of 1,790.9 feet to the Point of Beginning, thence run East 188 feet, thence run South 210 feet, thence run West 1888 feet, thence run North 208 feet to the Point of Beginning.

**FLORIDA PUBLIC SERVICE COMMISSION**  
**Authorizes**  
**Sanlando Utilities Corporation**  
**pursuant to**  
**Certificate Number 247-W**

to provide water service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
7128	02/26/76	750737-WS	Original Certificate
8354	06/12/78	780097-W	Amendment
9846	03/03/81	800643-WS	Amendment
9843	03/03/81	780727-W	Amendment
		780813-WS	
		780952-W	
10084	06/19/81	810179-WS	Amendment
10326	10/07/81	810362-WS	Amendment
12567	09/30/83	830237-WS	Amendment
14180	03/14/85	840436-WS	Amendment
15331	11/04/85	850551-WS	Amendment
15750	02/26/86	860066-WS	Amendment
16748	10/20/86	861178-WU	Amendment
PSC-99-0152-FOF-WS	01/25/99	980957-WS	Majority Organizational Control
PSC-04-0532-AS-WS	05/25/04	030637-WS	Amendment
		030667-WS	
PSC-06-0752-FOF-WS	09/05/06	040384-WS	Amendment
PSC-09-0093-FOF-WU	02/13/09	080644-WU	Amendment