

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificate No. 401-W in Highlands County, by Placid Lakes Utilities, Inc.	DOCKET NO. 130261-WU ORDER NO. PSC-14-0132-FOF-WU ISSUED: March 18, 2014
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The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER APPROVING PLACID LAKES UTILITIES, INC.'S APPLICATION FOR
AMENDMENT OF CERTIFICATE NO. 401-W IN HIGHLANDS COUNTY

BY THE COMMISSION:

Placid Lakes Utilities, Inc. (Placid Lakes or Utility) is a Class B water utility in Highlands County, Florida and provides service to approximately 1,971 water connections. The Utility is in the Southwest Florida Water Management District. On October 24, 2013, the Utility filed an application with this Commission to amend Certificate No. 401-W to add territory in Highlands County pursuant to Section 367.045, Florida Statutes (F.S.).

This application was filed in response to a recent review of the Utility's service territory which revealed that the Utility is currently providing service to approximately 55 water connections located outside its certificated territory. The Utility has indicated that it has been providing service to this area since the 1980s. Shortly after the Utility was notified that it was serving outside of its territory, the Utility filed its application for amendment of Certificate Number 401-W to extend its water service territory to include those customers it is already serving. The proposed amendment areas are located adjacent to Placid Lake's existing Commission-approved service territories. On December 5, 2013, in Order PSC-13-0646-PAA-WU, this Commission declined to initiate a show cause proceeding against the Utility for serving outside of its certificated territory.¹ We have jurisdiction to address this application pursuant to Section 367.045, F.S.

This application is in compliance with the governing statute, Section 367.045, F.S., and Rule 25-30.036, Florida Administrative Code (F.A.C.). The application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, F.A.C.

¹ See Order PSC-13-0646-PAA-WU, issued December 5, 2013, in Docket No. 130025-WU, In re: Application for increase in water rates in Highlands County by Placid Lakes Utilities, Inc.

The Utility is currently providing service to approximately 55 water connections located outside its certificated territory. Until recently, the Utility had assumed that the proposed areas had always been within the certificated areas authorized by the Commission. By providing service to the extended area since the 1980s, the Utility has demonstrated that it has the necessary financial and technical expertise to do so. The Utility has indicated that throughout this time period, the calculation of the annual regulatory assessment fees for Placid Lakes were inclusive of all of these customers. In addition, the Utility has indicated that its current water system has sufficient capacity to serve the proposed areas.

There are no outstanding notices of violation for the Utility's water treatment facilities according to the Department of Environmental Protection and the Southwest Florida Water Management District. Adequate service territory maps and territory descriptions have also been provided. No objections to the applications have been received at this time, and the time for filing objections has passed.

Based on the above, we find it appropriate to approve Placid Lakes' application for amendment of Certificate No. 401-W to include territory as reflected in Attachment A to this Order. This Order shall serve as Placid Lakes' amended certificate and shall be retained by the Utility. The Utility shall continue to charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to change by this Commission. In addition, the Utility shall file revised tariff sheets that incorporate the additional territory within thirty days from the date of this order.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby approve Placid Lakes Utilities, Inc.'s application for amendment of Certificate No. 401-W in Highlands County. It is further

ORDERED that Placid Lakes Utilities, Inc. shall continue to charge the customers in the territory added herein the rates and charges contained in its current tariff until authorized to change by the Commission. It is further

ORDERED that this Order shall serve as Placid Lakes' amended certificate and shall be retained by the Utility. It is further

ORDERED that the Utility shall file revised tariff sheets that incorporate the additional territory within thirty days from the date of this order. It is further

ORDERED that no further action is necessary and this docket shall be closed.

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ORDERED by the Florida Public Service Commission that By ORDER of the Florida Public Service Commission this 18th day of March, 2014.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 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.

Description of Water Territory Added

Township 37 South, Range 29 East

Section 13

All of said Section 13 lying South and West of Catfish Creek.

Section 24

All of said Section 24 lying South and West of Catfish Creek and West of Lake Placid, excluding the area south of a line described thusly:

Commence at the Southwest Corner of Section 24, Township 37 South, Range 29 East; thence run northerly along the West Section Line of said Section 24 for a distance of approximately 660 feet to the Point of the Beginning; thence run easterly until reaching Lake Placid.

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Placid Lakes Utilities, Inc.
pursuant to
Certificate No. 401-W

to provide water service in Highlands 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 suspended, canceled, or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
12954	10/10/83	820478-W	Original
17372	04/07/87	860532-WU	Amendment
22164	11/08/89	891158-WU	Amendment
PSC-97-1148-FOF-WU	09/30/97	970231-WU	Amendment
PSC-98-0687-FOF-WU	05/19/98	971204-WU	Amendment
PSC-14-0132-FOF-WU	03/18/14	130261-WU	Amendment