

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of MAGNOLIA)	DOCKET NO. 890803-WS
VALLEY SERVICES INC. for amendment)	
of Certificates 126-W and 90-S for)	ORDER NO. 21938
deletion of territory in Pasco County)	
<hr/>		ISSUED: 9/22/89

The following Commissioners participated in the disposition of this matter:

- MICHAEL McK. WILSON, Chairman
- THOMAS M. BEARD
- BETTY EASLEY
- GERALD L. GUNTER
- JOHN T. HERNDON

ORDER DELETING TERRITORY FROM THE CERTIFICATE FOR MAGNOLIA VALLEY SERVICES, INC.

BY THE COMMISSION:

On June 16, 1989, Magnolia Valley Services, Inc. (Magnolia Valley) notified this Commission of its intent to amend its certificates to delete certain territory in Pasco County, more particularly described in Appendix A of this Order, pursuant to the provisions of Section 367.055, Florida Statutes. Upon deletion of the territory from Magnolia Valley's certificated service area, the City of New Port Richey will provide water and sewer service to that territory.

On June 16, 1989, Magnolia Valley notified certificated utilities and appropriate governmental agencies in Pasco County of its intention to amend its Certificates to delete the territory described in Appendix A, attached to this Order. Proof of notification has been furnished by the Utility.

Notice of the utility's intent to delete the territory from its certificates was published in The West Pasco Press, a newspaper of general circulation, published in Pasco County, Florida, on June 26, 28, and July 5, 1989. No protests to the application were received within the prescribed time period.

The correct application fee has been paid. The application has been reviewed and found to be in compliance with the statutory requirements. Accordingly, we find it is in the public interest to amend Certificates Nos. 126-W and 90-S to delete the territory described in Appendix A of this Order, which by reference is incorporated herein.

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It is, therefore,

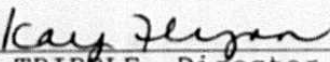
ORDERED by the Florida Public Service Commission that Certificates Nos. 126-W and 90-S, held by Magnolia Valley Services Inc., Post Office Box 55, New Port Richey, Florida 33552, are hereby amended to delete the territory described in Appendix A of this Order. It is further

ORDERED that within thirty (30) days of the date of this Order Magnolia Valley Services Inc. shall submit Certificates Nos. 126-W and 90-S to this Commission for deletion of the territory described in Appendix A of this Order. It is further

ORDERED that within thirty (30) days of the date of this Order Magnolia Valley Services Inc. shall submit revised tariff sheets reflecting the deletion. It is further

ORDERED that Docket No. 890803-WS is hereby closed.

By ORDER of the Florida Public Service Commission
this 22nd day of SEPTEMBER, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MAB

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

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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 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 or sewer 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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APPENDIX A

LEGAL DESCRIPTION:

Being a portion of the Southwest 1/4 of the Southwest 1/4 of Section 34, Township 25 South, Range 16 East, Pasco County, Florida, being more fully described as follows:

Commence at the Southwest corner of said Section 34; thence North $00^{\circ}42'33''$ East, along the West boundary line of the Southwest 1/4 of said Section 34, for a distance of 58.00 feet to a point on the extended North right-of-way line of County Road No. C-587 as described in Official Records Book 1474, Page 1936, of the Public Records of Pasco County, Florida, said right-of-way line being 55.00 feet North of the centerline of survey of said County Line Road No. C-587 (Massachusetts Avenue); thence South $89^{\circ}56'40''$ East, along the North right-of-way extended, of said County Road No. C-587, for a distance of 94.89 feet to a point on the proposed Easterly right-of-way line of Baker Road Extension and the POINT OF BEGINNING; thence North $44^{\circ}16'49''$ West, along the said Easterly right-of-way of Baker Road Extension, for a distance of 28.18 feet to the point of a non-tangent curve, concave Southeasterly; thence along the arc of the said curve, being the said Easterly right-of-way line for a distance of 148.45 feet through a central angle of $15^{\circ}45'03''$, having a radius of 540.00 feet, a long chord of 147.98 feet, chord bearing North $08^{\circ}34'01''$ East, to the point of a reverse curve, concave Northwesterly; thence along the arc of the said curve, being the said Easterly right-of-way line of Baker Road extension, for a distance of 130.98 feet through a central angle of $11^{\circ}22'13''$, having a radius of 660.00 feet, a long chord of 130.76 feet, chord bearing North $10^{\circ}45'08''$ East thence South $89^{\circ}56'04''$ East, for a distance of 173.52 feet; thence South $00^{\circ}03'20''$ West, for a distance of 295.00 feet to a point on the said North right-of-way line of County Road No. C-587; thence North $89^{\circ}56'40''$ West, along the said North right-of-way line for a distance of 200.00 feet to the Point of Beginning.

Said parcel contains 58,855.0 square feet, more-or-less.
 1.3511 acres, more-or-less.