

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by General Develop- ) DOCKET NO. 900077-SU  
ment of Certificate No. 462-S in ) ORDER NO. 22998  
Charlotte, DeSoto and Sarasota Counties.) ISSUED: 5-29-90  
\_\_\_\_\_)

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 5, 1990, General Development Utilities, Inc. (GDU or Utility) filed an application with the Commission to amend its Certificate No. 462-S to include additional territory in Charlotte, DeSoto and Sarasota Counties, Florida. The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of a certificate. In particular, the notarized application contains:

1. A filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code.
2. Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.035(h) and (i), Florida Administrative Code.
3. Evidence that the Utility owns the land upon which the Utility's facilities are located as required by Rule 25-30.035(3)(f), Florida Administrative Code.
4. Proof of notice of application to all governmental and regulatory agencies and all utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in the counties, as prescribed by Rule 25-30.030, Florida Administrative Code. No objections have been received and the time for filing such has expired.

The territory description, filed with the application and referred to in (2) above, must be restated to show the actual territory sought, stated in metes and bounds, with references to township, range and section. Although the territory shown in Attachment A of this Order encompasses approximately 160 acres, GDU intends to serve only 5 acres or 20 lots at this time. We will accept the territory description, as filed, on a temporary basis.

DOCUMENT NUMBER-DATE

04697 MAY 29 1990

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Accordingly, we find it is in the public interest to amend Certificate No. 462-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. GDU is directed to refile the territory description, as set forth above, within 120 days of this date of this Order.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 462-S, held by General Development Utilities, Inc., 2601 South Bayshore Drive, Miami, Florida 33133-5461, is hereby amended to include the territory described in Appendix A of this Order. The Utility is directed to return Certificate No. 462-S to this Commission within 30 days of the date of this Order for appropriate entry. It is further

ORDERED that General Development Utilities, Inc. shall file a revised territory description, as set forth herein, within 120 days of the date of this Order. It is further

ORDERED that the customers in the territory added herein shall be charged the rates approved in the Utility's tariff. It is further

ORDERED that GDU shall submit revised tariff sheets reflecting the additional territory as set forth herein within 120 days of the date of this Order. It is further

ORDERED that Docket No. 900077-SU is hereby closed.

By ORDER of the Florida Public Service Commission,  
this 29th day of May, 1990.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ALC

by: Kay Flynn  
Chief, Bureau of Records

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 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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ATTACHMENT A

SERVICE TERRITORY DESCRIPTION FOR GENERAL DEVELOPMENT UTILITIES, INC.

CHARLOTTE, DESOTO, AND SARASOTA COUNTIES

(WEST COAST DIVISION)

WASTEWATER

TOWNSHIP 40 SOUTH, RANGE 21 EAST

SECTION 12

That portion of the S.E. 1/4 of Section 12, lying North of Toledo Blade Blvd., West of Auburn Waterway, East of Spear Street and South of Castlerock lane.