

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Southern States Utilities, Inc., as receiver for West Orange Utility (M & M Utilities), for amendment of Certificate No. 288-S in Orange County.)	DOCKET NO. 900140-SU
)	
)	ORDER NO. 23040
)	
)	ISSUED: 6-6-90
)	

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 23, 1990, Southern States Utilities, Inc., herein referred to as Southern States or Utility, filed an application with this Commission to amend Certificate No. 288-S, held by West Orange Utility (M & M Utilities), herein referred to as West Orange, to include additional territory in Orange County, Florida. Southern States filed the application as receiver for West Orange.

Upon taking over operation of the system, it was discovered that West Orange was serving outside of its certificated territory. The purpose of Southern States' application is to amend Certificate No. 288-S to accurately reflect the territory served.

The application is in compliance with Section 367.045, Florida Statutes, and other 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 \$900.00, 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, Florida Administrative Code. The additional territory in Orange County is described in Attachment A of this Order. Part of the territory is already included in the certificated service area.
- 3) Proof of notice of application to all interested 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 county, as prescribed by Rule 25-30.030, Florida Administrative Code.

DOCUMENT NUMBER-DATE

04898 JUN-6 1990

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No objections to the notice of application have been received and the time for filing such has expired.

Since Southern States has extensive experience and the financial resources to provide the customers in the additional territory with quality service, we find that it is in the public interest to amend Certificate No. 288-S to include the territory described in Attachment A to this Order, which by reference is incorporated herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that the request of Southern States Utilities, Inc., 1000 Color Place, Apopka, 32703, to amend Certificate No. 288-S, held by West Orange Utility (M & M Utilities), to include the territory described in Attachment A of this Order is hereby granted. The Utility is directed to return Certificate No. 288-S to this Commission within 30 days of the date of this Order for appropriate entry. 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 Southern States shall submit revised tariff sheets reflecting the additional territory as set forth herein within 30 days of the date of this Order. It is further

ORDERED that Docket No. 900140-SU is hereby closed.

By ORDER of the Florida Public Service Commission,
this 6th day of JUNE, 1990.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Hizon
Chief, Bureau of Records

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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

Description for West Orange Utilities, Inc. (M & M Utility)

(Southern States Utilities, Inc. Receiver)

Orange County

Service Territory Description

Palm Mobile Home Park (M & M)

Township 22 South, Range 28 East, Orange County.

Section 18,

The Southwest 1/4 of the Northeast 1/4

and

That portion of the Southeast 1/4 of the Northwest 1/4 lying Southwesterly of Palm Drive

and

The East 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4

and

The East 470 feet of the North 525 feet of the Northeast 1/4 of the Southwest 1/4.

Township 22 South, Range 27 East, Orange County

Section 13,

The East 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4.