

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 951062-WS
correction of territory in) ORDER NO. PSC-95-1232-FOF-WS
Flagler County included in) ISSUED: October 3, 1995
Certificates Nos. 509-W and 391-)
S by Ocean City Utilities)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER CORRECTING SERVICE TERRITORY DESCRIPTION

BY THE COMMISSION:

Ocean City Utilities, Inc. (Ocean City or utility) is a Class B utility which provides water and wastewater service to approximately 342 water customers and 241 wastewater customers in Flagler County. The utility's 1994 consolidated annual report shows \$241,921 in annual revenues and a net operating loss of \$65,066.

We granted Certificate No. 509-W to Ocean City on December 9, 1988, in Docket No. 880390-WS by Order No. 20440. On February 1, 1991, we approved the transfer of Beverly Beach Surfside Utilities (Beverly Beach) to Ocean City in Order No. 24050 in Docket No. 900665-WS. The service territory description in Order No. 24050 was not correct. Two angles and distances were inadvertently left out. The original order granting certificates to Beverly Beach, Order No. 15504, issued December 26, 1985, has the correct territory description.

The service territory description as corrected does not include any more or any less territory than the original description. The only difference is in the addition of the two angles and distances left out of Order No. 24050, and the use of a different point of commencement in compliance with Rule 25-30.030(2)(b)2, Florida Administrative Code. The corrected service territory description is appended to this order as Attachment A.

DOCUMENT NUMBER-DATE

09793 OCT-3 95

FPSC-RECORDS/REPORTING

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The utility returned its certificates to be revised to include the corrected territory and filed revised tariff sheets that reflect the corrected service territory description.

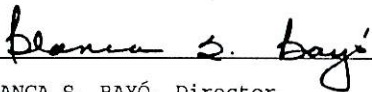
Upon consideration, we find it to appropriate to correct the service territory description in Ocean City's Water Certificate No. 509-W and Wastewater Certificate No. 391-S as set forth in Attachment A, which by reference is incorporated herein.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the service territory description in Ocean City Utilities, Inc.'s Water Certificate No. 509-W and Wastewater Certificate No. 391-S is hereby corrected as set forth in Attachment A of this Order. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 3rd day of October, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CJP

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.

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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, 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 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.

OCEAN CITY UTILITIES, INC.

(FORMERLY BEVERLY BEACH SURFSIDE UTILITIES)

ORIGINAL CERTIFICATE ORDER NO. 15504
DOCKET NO. 840393-WS

TRANSFER ORDER NO. 24050 (Corrected)
DOCKET NO. 900665-WS

AREA A1 - Water and Wastewater

A part of government Lot 4, Section 26, Township 11 South, Range 31 East being more particularly described as follows: Commence at the Northwest corner of said Section 26; thence South along the West line of said Section 26 a distance of 2,698 feet more or less; thence North $88^{\circ} 54' 14''$ East a distance of 1310 feet more or less to the Southwest corner of said government Lot 4; thence continue North $88^{\circ} 54' 14''$ East along the South line of said government Lot 4, a distance of 2159.97 feet to the Point of Beginning, said Point being on the Easterly Right-of-Way of State Road A-1-A (A 100-foot Right-of-Way); thence North $23^{\circ} 39' 03''$ West along said Easterly Right-of-Way line a distance of 1458.87 (deed), 1459.09 (measures) to the North line of government Lot 4; thence North $88^{\circ} 50' 18''$ East 260 feet more or less to the last apparent high tide; thence South $23^{\circ} 39' 03''$ East 1459.09 feet more or less to the South line of government Lot 4; thence South $88^{\circ} 54' 14''$ West 260 feet more or less to the Point of Beginning. Said parcel contains 17.5838 acres more or less.

Surveyors Note: Bearing rotated to match D.N.R. Coastal Construction set back lines.

OCEAN CITY UTILITIES, INC.

(FORMERLY BEVERLY BEACH SURFSIDE UTILITIES)

ORIGINAL CERTIFICATE ORDER NO. 15504
DOCKET NO. 840393-WS

TRANSFER ORDER NO. 24050 (Corrected)
DOCKET NO. 900665-WS

AREA A2 - Water and Wastewater

A portion of government Lot 4, Section 26, Township 11 South, Range 31 East being more particularly described as follows: Commence at the Northwest corner of said Section 26; thence South along the West line of said Section 26 a distance of 2,698 feet more or less; thence North $88^{\circ} 54' 14''$ East a distance of 1310 feet more or less to the Southwest corner of government Lot 4; thence continue North $88^{\circ} 54' 14''$ East along the South line of government Lot 4, 988.99 feet to the Point of Beginning. Said point being on the Easterly Right-of-Way of Intracoastal Right-of-Way (A 500-foot right-of-way); thence North $16^{\circ} 46' 07''$ West along said Easterly Right-of-Way 141.96 feet (deed) 141.48 feet (measures); thence North $17^{\circ} 09' 17''$ West 1258.54 feet (deed) 1259.24 feet (measures) to the North line of government Lot 4, thence North $88^{\circ} 50' 14''$ East along the North line of government Lot 4, 754.32 feet; thence South $23^{\circ} 39' 03''$ East 511.74 feet; thence North $66^{\circ} 20' 57''$ East 125.00 feet to the Westerly Right-of-Way of State Road A-1-A (A 100-foot right-of-way); thence South $23^{\circ} 39' 03''$ East along said Easterly Right-of-Way, 468.96 feet; thence South $66^{\circ} 20' 57''$ West 125 feet; thence South $23^{\circ} 39' 03''$ East 239.86 feet; thence South $88^{\circ} 54' 14''$ West 603.90 feet; thence South $23^{\circ} 35' 12''$ East 238.31 feet to the South line of government Lot 4; thence South $88^{\circ} 54' 14''$ West along the South line of government Lot 4, 323.16 feet to the Point of Beginning.

SAID PARCEL CONTAINS 24-26 acres more or less.