

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application For) DOCKET NO. 960229-SU
Amendment of Certificate No.) ORDER NO. PSC-96-0930-FOF-SU
300-S in Lee County by Forest) ISSUED: July 17, 1996
Utilities, Inc.)
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ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 23, 1996, Forest Utilities, Inc. (Forest or Utility) filed an application with this Commission to amend Certificate No. 300-S to include additional territory in Lee County, Florida. The additional territory will be served by Forest's existing wastewater system.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the application contains a filing fee in the amount of \$500, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, Forest provided evidence, in the form of a quitclaim deed with title insurance, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which Forest is requesting to serve in Lee County is described in Attachment A of this Order, which by reference is incorporated herein.

Forest has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. An objection to the application was received on March 29, 1996, from Ms. Kay Greenbury, President, Arrowsmith Corporation; the objection was withdrawn by letter dated May 28, 1996. No other objections to the notice of application have been received and the time for filing such has expired.

Since Forest has been in operation under our jurisdiction since 1981, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. According to the Department of Environmental Protection (DEP), there are no outstanding notices of violation against Forest. In addition, from

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

information filed with the application, it appears that Forest has the financial ability to serve the requested area.

Therefore, we find that it is in the public interest to amend Certificate No. 300-S to include the territory described in Attachment A of this Order. Forest has returned the Certificates to this Commission for entry reflecting the additional territory.

Forest's existing rates and charges became effective on June 15, 1996, pursuant to a 1996 price index rate adjustment. Forest shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding. Forest has filed revised tariff sheets reflecting the additional territory.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 300-S, held by Forest Utilities, Inc., 6385 Presidential Court, Suite 104, Fort Myers, Florida 33919, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Forest Utilities, Inc. shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 960229-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 17th day of July, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. [Signature]
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, 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.

ATTACHMENT A
FOREST UTILITIES, INC.

Territory Description

Township 46 South, Range 24 East

Section 1

The northeast portion of Section 1, Township 46 South, Range 24 East, lying east of US 41 (State Road 45) in Lee County, Florida

and

Township 45 South, Range 24 East

Section 36

The south half of the south half of Section 36, Township 45 South, Range 24 East, lying east of US 41 (State Road 45) in Lee County, Florida

and

The northeast quarter of the southwest quarter of Section 36, Township 45 South, Range 24 East, lying east of US 41 (State Road 45) in Lee County, Florida.