

**GATLIN, WOODS & CARLSON**  
Attorneys at Law  
a partnership including a professional association

ORIGINAL  
FILE COPY

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B. KENNETH GATLIN, P.A.  
THOMAS F. WOODS  
JOHN D. CARLSON  
WAYNE L. SCHIEFELBEIN

August 13, 1996

**HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

960915-WS

RE: Application for Extension of Service Area  
(Amendment to Certificates 7-W and 3-S)  
by FLORIDA CITIES WATER COMPANY in  
Brevard County, Florida

ACK \_\_\_\_\_

AFA \_\_\_\_\_

APP \_\_\_\_\_

Dear Ms. Bayo:

CAF \_\_\_\_\_

Enclosed for filing on behalf of Florida Cities Water Company is an original and fifteen copies of the Application for Extension of Service Area (Amendment of Certificates Nos. 7-W and 3-S) by Florida Cities Water Company in Brevard County, Florida.

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

Please open a docket for this application.

LEG \_\_\_\_\_

LIN \_\_\_\_\_

Also enclosed is Check No. 121518 in the amount of \$200.00 as payment of the filing fee for this application.

OPC \_\_\_\_\_

RCH \_\_\_\_\_

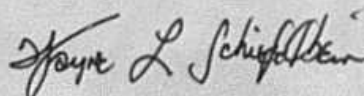
Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention. Thank you for your assistance.

SEC \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

Sincerely,

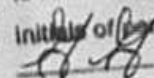


Wayne L. Schiefelbein

WLS/met

cc:w/encl.:

John Williams, Division of Water and Wastewater  
(including Exhibits 4, 5 & 7)

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.  
Initials of person who forwarded check:  


DOCUMENT NUMBER-DATE

08477 AUG 13 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL  
FILE COPY

In re: Application for Extension )  
of Service Area (Amendment of )  
Certificates Nos. 7-W and 3-S) )  
by FLORIDA CITIES WATER COMPANY )  
in Brevard County, Florida )

FLORIDA CITIES WATER COMPANY'S APPLICATION FOR EXTENSION  
OF SERVICE AREA (AMENDMENT OF CERTIFICATES NOS. 7-W AND 3-S)  
IN BREVARD COUNTY, FLORIDA

Pursuant to Section 367.045, Florida Statutes, Florida Cities Water Company (FCWC), by and through its undersigned counsel, files this application for extension of service area (amendment of Certificates Nos. 7-W and 3-S) in Brevard County, Florida, and in accordance with Rule 25-30.036, Florida Administrative Code, hereby supplies the following information:

1. The name and address of the utility is:

Florida Cities Water Company  
931 Barefoot Boulevard, Suite 2  
Barefoot Bay, FL 32976

The name and address of the person to receive a copy of all papers, pleadings, and filings in this docket is:

Wayne L. Schiefelbein  
Gatlin, Woods & Carlson  
1709-D Mahan Drive  
Tallahassee, FL 32308

Attorneys for Florida Cities Water Company

2. (a) In September, 1995, FCWC was contacted by the developer of an 8-acre parcel adjacent to but outside of FCWC's certificated service area. The developer requested that FCWC extend water service to this parcel (Barefoot Medical, Inc.) through a 2" master meter to be located within the certificated service area. FCWC thereupon consulted with PSC supervisory Staff, who indicated that pending submittal and approval of an application

DOCUMENT NUMBER-DATE

08477 AUG 13 8

FPSC-RECORDS/REPORTING

for extension of service area, Staff would take no issue with FCWC's provision of service through a master meter located within the certificated service area, with FCWC simply applying its tariffed general service rate prescribed for a 2" meter.

(b) Development of the Barefoot Medical, Inc. parcel (and the concomitant need for water service) was delayed. FCWC again consulted with PSC supervisory Staff, who indicated agreement that an extension application would be appropriately filed approximately 90 days after the inception of service through the master meter located within the certificated service area.

(c) Such water service was initiated by FCWC to the Barefoot Medical, Inc. facility in March, 1996. The facility represents one (1) Equivalent Residential Connection (ERC), and is a commercial customer.

3. This application also seeks approval of the extension of FCWC's certificated areas to authorize service to the following potential water and wastewater customers located adjacent to its existing service areas:

	<u>ERCs</u>	<u>Type</u>
Florida Power & Light Company	1	Commercial
Barefoot Bay Propane Gas	1	Commercial
Vacant lots	<u>14</u>	Commercial
Total	16	ERCs

4. Upon preparation of the territorial map for this application, FCWC discovered that due to inadvertent errors in interpretation of the legal description of its certificated service areas, water and wastewater service was being provided to the

following customers located outside of such certificated service areas:

	<u>ERCs</u>	<u>Type</u>
Brevard County Rescue	1	Commercial
Micco Fire Department	1	Commercial
South Mainland Library	1	Commercial
Abbott Manufactured Homes	1	Commercial
Barefoot Bay Baptist Church	1	Commercial
Sunshine Mall	<u>6</u>	Commercial

Total 11 ERCs

5. FCWC has the financial and technical ability to continue to provide service to the customers identified in paragraphs 2 and 4, and to initiate service to the customers identified in paragraph 3. FCWC is a large, multi-county operation in the State of Florida, and has been in the water and wastewater utility business since 1965. FCWC's operations are financially well supported, and the technical support and expertise are firmly in place. The proposed extension is not expected to have any impact in these regards.

6. (a) The customers identified in paragraphs 2 and 4 continue to need uninterrupted service.

(b) Owners/developers of some of the vacant parcels identified in paragraph 3 have previously expressed an interest in obtaining water and wastewater service from FCWC.

7. There are no existing facilities other than FCWC's facility within the immediate geographical areas capable of providing water and wastewater service to the proposed extension of the certificated territory.

8. To the best of FCWC's knowledge, at the time this

**WATER and WASTEWATER SERVICE AREA DESCRIPTION - Micco, Florida**  
**(description revised July 8, 1996)**

A portion of Sections 9, 10, 11, 15 and 16, Township 30 South, Range 38 East, Brevard County, Florida, being more particularly described as follows:

Begin at the Northeast corner of Section 15, Township 30 South, Range 38 East, proceed Southerly along the Eastern boundary line of said Section 15, a distance of 1334 feet, more or less, to the Southeast corner of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence Westerly along the South boundary of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15, a distance of 1331 feet, more or less, to the Southwest corner of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15; thence N  $00^{\circ} 32' 12''$  W, a distance of 11.20 feet; thence S  $89^{\circ} 32' 20''$  W, a distance of 330.01 feet; thence N  $00^{\circ} 32' 12''$  W, a distance of 330 feet to a line described as the North boundary of the South 330 feet of the North 1320 feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15, thence S  $89^{\circ} 32' 20''$  W, along said boundary line for a distance of 335.43 feet; thence S  $00^{\circ} 32' 12''$  E, a distance of 330 feet to a line described as the South boundary of the North 1320 feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15; thence S  $89^{\circ} 32' 20''$  W, a distance of 343.26 feet; thence N  $00^{\circ} 31' 40''$  W, along the East boundary of the West 10 acres of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15 a distance of 1320.00 feet to a point on a line 50.00 feet south of and parallel with the North line of said Section 15 (the Southern boundary of Micco Road right-of-way); thence S  $89^{\circ} 32' 20''$  W parallel with and 50.00 feet south of the North line of said Section 15 to a point on a line 40.00 feet west of and parallel with the west line of the Northeast  $\frac{1}{4}$  of said Section 15 (the East line of Flemming Grant Road); thence S  $00^{\circ} 31' 40''$  E along said line a distance of 1950 feet; thence S  $89^{\circ} 32' 20''$  E, a distance of 1350 feet to the Southeast corner of the North  $\frac{1}{2}$ , Southwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of said Section 15; thence S  $0^{\circ} 05' 00''$  E, a distance of 950 feet, more or less; thence S  $89^{\circ} 46' 20''$  W, to the West line of the Southeast  $\frac{1}{4}$  of said Section 15; thence northerly along the North-South centerline of said Section 15, a distance of 261.75 feet to the center of said Section 15; thence S  $89^{\circ} 46' 20''$  W, along South boundary of the Northwest  $\frac{1}{4}$  of said Section 15, for a distance of 2333.53 feet; thence N  $44^{\circ} 37' 18''$  W, a distance of 475.72 feet, to the West line of said Section 15; thence N  $0^{\circ} 32' 45''$  W, along said West line, a distance of 993.85 feet, to the South boundary of the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ , of said Section 15; thence N  $89^{\circ} 53' 10''$  E, to Southwest corner of the East  $\frac{1}{2}$ , East  $\frac{1}{2}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15; thence N  $00^{\circ} 31' 49''$  W, along the West line of the East  $\frac{1}{2}$ , East  $\frac{1}{2}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15, a distance of 1319.16 feet to a line lying 50.00 feet South of and parallel with the North line of said Section 15 (the South boundary of Micco Road right-of-way); thence Westerly parallel with and 50.00 feet South of the North lines of said Sections 15 and 16 to the West boundary of the Northeast  $\frac{1}{4}$  of Section 16, Township 30 South, Range 38 East, thence N  $00^{\circ} 33' 44''$  W along said boundary and the West boundary of the Southeast  $\frac{1}{4}$  of Section 9, Township 30 South Range 38 East, to the center of said Section 9; thence N  $89^{\circ} \text{ deg } 49' 31''$  W, along the South line of the Northwest  $\frac{1}{4}$  of said Section 9 for a distance of 1326.90

**Composite Exhibit 4**

**System Maps  
(furnished directly to  
Division of Water & Wastewater,  
Attn: John Williams)**

**Composite Exhibit 6**  
**Proposed Tariff Sheets**

Second Revised Sheet No. 1.0  
Cancelling First Revised Sheet No. 1.0

**WATER TARIFF  
OF  
FLORIDA CITIES WATER COMPANY  
Barefoot Bay Division**

**Main Office:  
4837 Swift Road  
Sarasota, Florida 34231**

**Division Office:  
931 Barefoot Boulevard, Suite 2  
Barefoot Bay, Florida 32976**

**Telephone:  
During Regular Hours and Emergencies  
(407) 664-5916**

**Filed with  
FLORIDA PUBLIC SERVICE COMMISSION**

**Gerald S. Allen  
President**



Fourth Revised Sheet No. 2.0  
Cancelling Third Revised Sheet No. 2.0

Florida Cities Water Company  
Barefoot Bay Division - Water

WATER TARIFF

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Effective Date:

Gerald S. Allen  
President

Florida Cities Water Company  
Barefoot Bay Division - Water

TERRITORY SERVED  
WATER SERVICE AREA DESCRIPTION - MICCO, FLORIDA

A parcel of land lying in said Section 11, Township 30 South, Range 38 East, Brevard County, Florida:

Begin at the Northeast corner of Section 15, Township 30 South, Range 38 East, proceed Southerly along the Eastern boundary line of said Section 15, a distance of 1334 feet, more or less, to the Southeast corner of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence Westerly along the South boundary of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15, a distance of 1331 feet, more or less, to the Southwest corner of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15; thence N 00'32' 12" W, a distance of 11.20 feet; thence S 89' 32' 20" W, a distance of 330.01 feet; thence N 00' 32' 12" W, a distance of 330 feet to a line described as the North boundary of the South 330 feet of the North 1320 feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15, thence S 89' 32' 20" W, along said boundary line for a distance of 335.43 feet; thence S 00' 32' 12" E, a distance of 330 feet to a line described as the South boundary of the North 1320 feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15; thence S 89' 32' 20" W, a distance of 343.26 feet; thence N 00' 31' 40" W, along the East boundary of the West 10 acres of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 15 a distance of 1320.00 feet to a point on a line 50.00 feet south of and parallel with the North line of said Section 15 (the Southern boundary of Micco Road right-of-way); thence S 89'32'20" W parallel with and 50.00 feet south of the North line of said Section 15 to a point on a line 40.00 feet west of and parallel with the west line of the Northeast  $\frac{1}{4}$  of said Section 15 (the East line of Flemming Grant Road); thence S00'31'40" E along said line a distance of 1950 feet; thence S 89' 32' 20" E, a distance of 1350 feet to the Southeast corner of the North  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of said Section 15; thence S 0' 05' 00" E, a distance of 950 feet, more or less; thence S 89' 46' 20" W, to the West line of the Southeast  $\frac{1}{4}$  of said Section 15; thence northerly along the North-South centerline of said Section 15, a distance of 261.75 feet to the center of said Section 15; thence S 89' 46' 20" W, along South boundary of the Northwest  $\frac{1}{4}$  of said Section 15, for a distance of 2333.53 feet; thence N 44' 37' 18" W, a distance of 475.72 feet, to the West line of said Section 15; thence N 0' 32' 45" W, along said West line, a distance of 993.85 feet, to the South boundary of the North  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , of said Section 15; thence N 89' 53' 10" E, to

Gerald S. Allen  
President

Second Revised Sheet No. 4.1  
Cancelling First Revised Sheet No. 4.1

Florida Cities Water Company  
Barefoot Bay Division - Water

Southwest corner of the East  $\frac{1}{4}$ , East  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15; thence N 00° 31' 49" W, along the West line of the East  $\frac{1}{4}$ , East  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15, a distance of 1319.16 feet to a line lying 50.00 feet South of and parallel with the North line of said Section 15 (the South boundary of Micco Road right-of-way); thence Westerly parallel with and 50.00 feet South of the North lines of said Sections 15 and 16 to the West boundary of the Northeast  $\frac{1}{4}$  of Section 16, Township 30 South, Range 38 East, thence N 00° 33' 44" W along said boundary and the West boundary of the Southeast  $\frac{1}{4}$  of Section 9, Township 30 South Range 38 East, to the center of said Section 9; thence N 89° deg 49' 31" W, along the South line of the Northwest  $\frac{1}{4}$  of said Section 9 for a distance of 1326.90 feet, to the Southwest corner of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , said Section 9; thence N 00° 29' 39" W, along the West line of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , said Section 9, for a distance of 1343.21 feet to the Northwest corner of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , Section 9 of said Township and Range; thence S 89° 44' 36" E, along the North boundary of the Southeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of said Section 9 a distance of 1325.33 feet, more or less to the Northeast corner of the Southeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of said Section 9; thence N 00° 33' 44" W, along the West boundary of the Northeast  $\frac{1}{4}$  of said Section 9 a distance of 1341, more or less to the North  $\frac{1}{4}$  corner of said Section 9; thence Easterly along the North boundary of said Sections 9 and 10, Township 30 South, Range 38 East, to the North  $\frac{1}{4}$  corner of said Section 10; thence S 00° 38' 31" E, along the West boundary of the Northeast  $\frac{1}{4}$  to the center point of said Section 10; thence Easterly along the East-West centerline of said Section 10 to the Northeast corner of the Southeast  $\frac{1}{4}$  of said Section 10; thence East along the East-West centerline of said Section 11, to Westerly boundary of U.S. Highway 1 (State Road No. 5) right-of-way; thence Southeasterly along said westerly boundary a distance of 2368.9 feet (plus or -); thence S 77° 30" W a distance of 720 (plus or -) feet; thence Southeasterly parallel to Florida East Coast Railroad right-of-way a distance of 175 (plus or -) feet to the South line of said Section 11; thence West along the South line of said Section 11, for a distance of 1,570 feet (plus or -) to the Southwest corner of said Section 11, said point also being the Northeast corner of said Section 15 and the POINT OF BEGINNING.

Gerald S. Allen  
President

Second Revised Sheet No. 1.0  
Cancelling First Revised Sheet No. 1.0

**WASTEWATER TARIFF  
OF  
FLORIDA CITIES WATER COMPANY  
Barefoot Bay Division**

**Main Office:  
4837 Swift Road  
Sarasota, Florida 34231**

**Division Office:  
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During Regular Hours and Emergencies  
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**Filed with  
FLORIDA PUBLIC SERVICE COMMISSION**

**Gerald S. Allen  
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Fourth Revised Sheet No. 2.0  
Cancelling Third Revised Sheet No. 2.0

Florida Cities Water Company  
Barefoot Bay Division - Wastewater

WASTEWATER TARIFF

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Effective Date:

Gerald S. Allen  
President

Florida Cities Water Company  
Barefoot Bay Division - Wastewater

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Gerald S. Allen  
President

Florida Cities Water Company  
Barefoot Bay Division - Wastewater

Southwest corner of the East  $\frac{1}{4}$ , East  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15; thence N 00' 31' 49" W, along the West line of the East  $\frac{1}{4}$ , East  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of said Section 15, a distance of 1319.16 feet to a line lying 50.00 feet South of and parallel with the North line of said Section 15 (the South boundary of Micco Road right-of-way); thence Westerly parallel with and 50.00 feet South of the North lines of said Sections 15 and 16 to the West boundary of the Northeast  $\frac{1}{4}$  of Section 16, Township 30 South, Range 38 East, thence N 00' 33' 44" W along said boundary and the West boundary of the Southeast  $\frac{1}{4}$  of Section 9, Township 30 South Range 38 East, to the center of said Section 9; thence N 89' deg 49' 31" W, along the South line of the Northwest  $\frac{1}{4}$  of said Section 9 for a distance of 1326.90 feet, to the Southwest corner of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , said Section 9; thence N 00' 29' 39" W, along the West line of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , said Section 9, for a distance of 1343.21 feet to the Northwest corner of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , Section 9 of said Township and Range; thence S 89' 44' 36" E, along the North boundary of the Southeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of said Section 9 a distance of 1325.33 feet, more or less to the Northeast corner of the Southeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of said Section 9; thence N 00' 33' 44" W, along the West boundary of the Northeast  $\frac{1}{4}$  of said Section 9 a distance of 1341, more or less to the North  $\frac{1}{4}$  corner of said Section 9; thence Easterly along the North boundary of said Sections 9 and 10, Township 30 South, Range 38 East, to the North  $\frac{1}{4}$  corner of said Section 10; thence S 00' 38' 31" E, along the West boundary of the Northeast  $\frac{1}{4}$  to the center point of said Section 10; thence Easterly along the East-West centerline of said Section 10 to the Northeast corner of the Southeast  $\frac{1}{4}$  of said Section 10; thence East along the East-West centerline of said Section 11, to Westerly boundary of U.S. Highway 1 (State Road No. 5) right-of-way; thence Southeasterly along said westerly boundary a distance of 2368.9 feet (plus or -); thence S 77' 30" W a distance of 720 (plus or -) feet; thence Southeasterly parallel to Florida East Coast Railroad right-of-way a distance of 175 (plus or -) feet to the South line of said Section 11; thence West along the South line of said Section 11, for a distance of 1,570 feet (plus or -) to the Southwest corner of said Section 11, said point also being the Northeast corner of said Section 15 and the POINT OF BEGINNING.

Gerald S. Allen  
President

Composite Exhibit 7

Certificates 7-W and 3-S

(furnished directly to  
Division of Water & Wastewater,  
Attn: John Williams





# FLORIDA PUBLIC SERVICE COMMISSION

## CERTIFICATE NUMBER

7-W

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to

Florida Cities Water Company

Whose principal address is

P. O. Box 5846

Sarasota, Florida 33579 (Brevard)

to provide Water service in accordance with the provisions of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER 5016 DATED 12/30/70 DOCKET 70394-WS

ORDER 9526 DATED 9/9/80 DOCKET 8004F5-WS

ORDER 10561 DATED 2/2/82 DOCKET 820024-WS

ORDER 17803 DATED 7/2/87 DOCKET 870531-WS

BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION

[Signature]  
Director, Division of Records & Reporting

[Signature]  
Executive Director

**Exhibit 8**

**Affidavit regarding tariffs  
and annual reports**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension )  
of Service Area (Amendment of )  
Certificates Nos. 7-W and 3-S) )  
by FLORIDA CITIES WATER )  
COMPANY in Brevard County, )  
Florida )

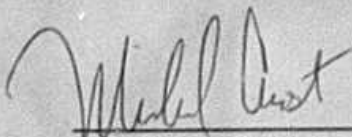
AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF SARASOTA

BEFORE me personally appeared Michael Acosta, who  
is Vice President, Engineering & Operations of Florida Cities Water Company and  
who, upon being duly sworn, deposes and says that:

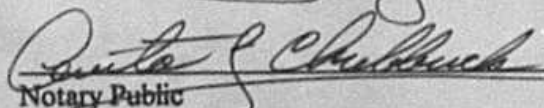
Florida Cities Water Company has tariffs and annual reports on file with the Commission  
as required by Commission regulations.

Further affiant says not.



As: Vice President, Engineering &  
Operations

SWORN TO AND SUBSCRIBED before me this 5<sup>th</sup> day of July, 1996.

  
Notary Public

Anita J. Chubbuck  
Printed Name

