

STATE OF FLORIDA

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DIVISION OF LEGAL SERVICES
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Public Service Commission

March 7, 1997

Patrick K. Wiggins, Esquire
Wiggins & Villacorta
501 E. Tennessee Street
Tallahassee, FL 32302

Re: Docket No. 97-1-WU - Application for amendment of Certificates Nos. 347-W by Marion Utilities, Inc.

Dear Mr. Wiggins:

After reviewing the application in the above referenced docket, the staff has identified the following deficiencies, which need to be corrected.

- As required by Rule 25-30.036(3)(e), Florida Administrative Code, provide a description of the territory proposed to be served, using township, range and section references as specified in Rule 25-30.030(2). Although a description was provided, part of the description is not in compliance with the above mentioned rule. The problem areas in the territory description that need to be corrected are the references to 103rd Street Road (Hialeah Boulevard) and Southwest 62nd Avenue Road (Aqueduct Boulevard). These are not County or State Roads that are located on our Marion County, Florida DOT Map. Please see Attachment A for details. You can identify the roads as North of a line with a metes and bounds description. Also, we have included a copy of "Instructions for Preparation of Territory Description and Map" for your convenience. Please provide an updated territory description.
- As required by Rule 25-30.036(3)(i), Florida Administrative Code, provide one copy of the official county tax assessment map or other map showing township, range, and section, with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. Please label all angles and distances on the map.
- As required by Rule 25-30.036(3)(n), Florida Administrative Code, the utility must provide a statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges. The utility's current statement is insufficient. What service availability charges apply to this system, and does the utility intend to file a service availability case?

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4. As required by Rule 25-30.036(3)(b), Florida Administrative Code, the utility must provide a statement showing the financial and technical ability of the utility to provide service and the need for service in the area requested. The utility's financial statement is insufficient. Such statement makes reference to the utility's annual report; however, each docket must be complete in and of itself. Please provide a brief summary of the financial ability of the utility.
5. As required by Rule 25-30.036(3)(o), Florida Administrative Code, the utility must provide the original and two copies of the sample tariff sheets reflecting the additional service area. Since the territory description will change, your tariff will change. Please resubmit.
6. As required by Rule 25-30.036(3)(p), Florida Administrative Code, the utility must return their certificate for possible amendment. Please provide Certificate No. 347-W

Exhibit F-1 contains a system map for Forest Glen drawn by Robert L. Rogers, P.E. and a system map for Whispering Pines drawn by Ronald H. Wilson, P.E. Are these the only areas that need service at this time, and when will service be required?

Please file an original and twelve copies of the requested information no later than April 7, 1997 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

If you have any questions please call.

Sincerely,

Tim Vaccaro
Senior Attorney

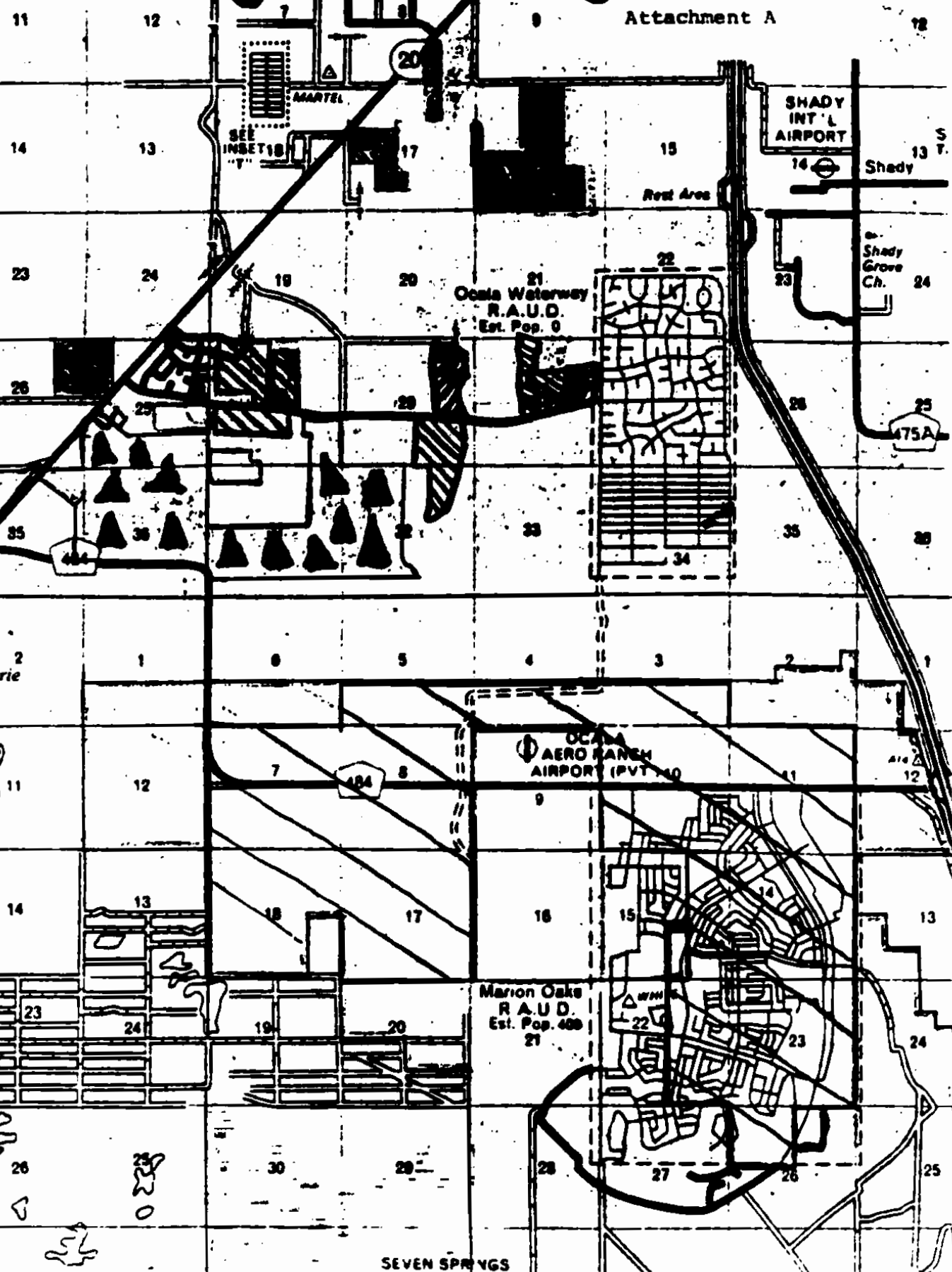
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Enclosure

cc: James A. Bell, Decca Utilities
Chuck A. Pigeon, P.E., Berryman & Henigar
Tim Thompson, Marion Utilities
Division of Records & Reporting ✓
Division of Water & Wastewater (Hill, Redemann)

Circle Square Ranch

Attachment A



SHADY INT'L AIRPORT

Shady

Shady Grove Ch.

Ocala Waterway R.A.U.D. Est. Pop. 0

Ocala Aero Ranch Airport (Pvt)

Marion Oaks R.A.U.D. Est. Pop. 400

SEVEN SPRINGS RANCH AIRPORT

UNWELL 1ST

Cross Prairie

MARTEL
SEE INSET 18

Rest Area

475A

484

475A

AIR

475A

FLORIDA PUBLIC SERVICE COMMISSION

INSTRUCTIONS FOR PREPARING TERRITORY DESCRIPTIONS AND MAPS

An accurate description of the territory served or proposed to be served is essential. The noticing requirement in Rule 25-30, Florida Administrative Code, and the territory description requirement for each of the certification applications require the territory to be described using township, range and land sections. Failure to use the required format will cause your application to be delayed and may result in your having to renotice. The following information is provided to assist you in preparing a correct legal description and plotting that territory on the service territory map.

TERRITORY DESCRIPTION

The territory description must contain the following:

- 1) A reference to a township(s), range(s), land section(s) and county.
- 2) A complete and accurate description of the territory served or proposed to be served. There are two acceptable formats which may be used.
 - a) Sections - If the territory includes complete sections, the description may only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
 - b) Metes and Bounds - A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. Also, the description shall include all bearings and distances necessary to provide a continuous description.
- 3) References to interstates, state roads, and major bodies of water are acceptable.
- 4) References to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments are not acceptable.

Acceptable territory description formats are shown in the attached Examples 1 and 2.

FORMAT TO BE FOLLOWED IN PREPARING TERRITORY DESCRIPTIONS. EXAMPLE 1 IS PREFERRED OVER METES AND BOUNDS IN EXAMPLE 2.

EXAMPLE 1

Township 26 South, Range 29 East, Osceola County, Florida

Section 18

The South 1/2 of the Southeast 1/4 and the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 18

also

The East 1/2 of the Southeast 1/4 of the South West 1/4 and the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 18

Section 19

The North 1/2 of the Northeast 1/4 and the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 19

also

The East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 19

EXAMPLE 2

A portion of Section 18 and 19, Township 26 South, Range 29 East, Osceola County Florida; being more particularly described as follows: Commencing at the SE corner of Section 18, this point also being the Point of Beginning; thence run due south along the east line of Section 19 a distance of 1980 feet to a point; thence run due west a distance of 2706 feet to a point; thence run due north a distance of 3960 feet to a point; thence run due east a distance of 2706 feet to a point of east line of Section 18; thence run due south along the east line of Section 18 a distance of 1980 feet to the Point of Beginning.