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COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
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TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

NOV 10 10:57 AM
COMMISSION
CLERK

Public Service Commission

December 1, 2006

Ms. Valerie L. Lord, Esquire
Rose, Sundstrom & Bentley, LLP
Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, Florida 32779

Re: Docket No. 060400-SU; Application for amendment of Certificate No. 379-S to extend service area in Seminole County by Alafaya Utilities, Inc.

Dear Ms. Lord:

Enclosed please find a copy of Order Nos. PSC-06-0826-FOF-SU, PSC-06-0826A-FOF-SU, and PSC-06-0826B-FOF-SU for Certificate No. 379-S. The certificate reflects orders that detail actions taken by the Commission with regard to the certificate. Please forward these orders to the utility. The tariffs from this case have already been sent to your attention.

If you have any questions, please call me at (850)413-6999.

Sincerely,

Richard Redemann, PE
Bureau of Certification, Economics & Tariffs

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH _____

RR:kb
Enclosure
cc: ~~Commission Clerk and Administrative Services~~
General Counsel (Jaeger) w/o attachments

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DOCUMENT NUMBER - DATE

11047 DEC-1 06

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificates No. 379-S to extend service area in Seminole County by Alafaya Utilities, Inc. | DOCKET NO. 060400-SU
ORDER NO. PSC-06-0826-FOF-SU
ISSUED: October 6, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

FINAL ORDER ACKNOWLEDGING WITHDRAWAL OF PROTEST, AMENDING
CERTIFICATE NO. 379-S, AND CLOSING DOCKET

BY THE COMMISSION:

Background

Alafaya Utilities, Inc. (Alafaya or utility), a subsidiary of Utilities, Inc., is a Class A wastewater utility located in Seminole County. It provides wastewater service to approximately 6,842 residential customers, 131 general service customers, and 1,646 reuse customers. Alafaya is located in the St. Johns River Water Management District which is considered a priority water resource caution area. Water service is provided by the City of Oviedo. In 2005, the utility had a net operating loss of \$115,015 on annual operating revenues of \$2,781,123 for its wastewater operations. Alafaya recently applied for a rate increase in Docket No. 060256-SU.¹

On May 17, 2006, the utility filed an application for an amendment to Certificate No. 379-S in Seminole County, Florida, pursuant to Rule 25-30.036(3), Florida Administrative Code. On June 23, 2006, Banc of America Strategic Solutions, Inc. (Banc of America) filed an objection to Alafaya's amendment application, which was subsequently withdrawn, and there is no longer any objection to the amendment application and the time for filing objections has passed. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

Amendment of Certificate

Alafaya's application complies with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate.

¹ In Re: Application for increase in wastewater rates in Seminole County by Alafaya Utilities, Inc.

The application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. The local planning agency was provided notice of the application and did not file a protest to the amendment. The Department of Community Affairs has identified no growth management concerns with the proposed expansion of the utility. The utility states that the provision of service will be consistent with the utility section of the local comprehensive plan. The utility plans to serve about 11 single-family homes in the proposed area, which is adjacent to its existing service territory.

Adequate service territory and system maps and a territory description have been provided. A description of the territory requested to be added by the utility and a list of orders identifying the utility's authorized service territory are appended to this Order as Attachment A. The utility has provided a copy of a warranty deed which provides for the continued use of the land as required by Rule 25-30.036(3)(d), Florida Administrative Code.

With respect to technical ability, the utility is an established utility with a long history of quality service and operations. There are no outstanding Consent Orders or Notices of Violation from the Florida Department of Environmental Protection. Regarding the financial impact of the proposed amendment, the utility has entered into a developer agreement, which provides for cash contributions in aid of construction and donated lines. The financial information filed with the application shows that Alafaya has the financial ability to serve the requested area.

Based on the above information, Alafaya's amendment application to add the River Pines Estates, LLC area described in Attachment A is approved. This Order shall serve as Alafaya's amended certificate and shall be retained by the utility. The utility shall charge the customers in the territory added herein the monthly service rates and charges contained in its current tariff until authorized to change by this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the objection by Banc of America has been withdrawn, and Alafaya Utilities, Inc.'s amendment application to add the River Pines Estates, LLC area described in Attachment A shall be approved. It is further

ORDERED that Attachment "A" is incorporated into this Order by reference. It is further

ORDERED that this Order shall serve as Alafaya Utilities, Inc.'s amended certificate and shall be retained by the utility. It is further

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

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 6th day of October, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: /s/ Hong Wang
Hong Wang, Supervisor
Case Management Review Section

This is a facsimile copy. Go to the Commission's Web site,
<http://www.floridapsc.com> or fax a request to 1-850-413-
7118, for a copy of the order with signature.

(SEAL)

RRJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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

Page 1 of 2

ALAFAYA UTILITIES, INC.

DESCRIPTION OF TERRITORY SERVED

Wastewater Service Area

Seminole County

Serving River Pines Estates

The West 1/4 of the Northeast 1/4 of the Southeast 1/4

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

Alafaya Utilities Inc.
pursuant to
Certificate Number 379-S

to provide wastewater service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
14841	09-03-1985	850209-SU	Original Certificate
15573	01-23-1986	860014-SU	Amendment
18486	12-02-1987	870923-SU	Amendment
19579	06-28-1988	880562-SU	Amendment
PSC-93-0358-FOF-SU	03-08-1993	920885-SU	Amendment
PSC-95-0489-FOF-SU	04-18-1995	941106-SU	Transfer
PSC-96-1281-FOF-SU	10-15-1996	951419-SU	Amendment
PSC-04-0149-FOF-SU	02-11-2004	030957-SU	Amendment
PSC-06-0826-FOF-SU	10-06-2006	060400-SU	Amendment

ORDER NO.
DOCKET NO. 060400-SU
PAGE 2

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of DOCKET NO. 060400-SU
Certificates No. 379-S to extend service area in ORDER NO. PSC-06-0826A-FOF-SU
Seminole County by Alafaya Utilities, Inc. ISSUED: November 20, 2006

AMENDATORY ORDER

BY THE COMMISSION:

On October 6, 2006, the Commission issued Order No. PSC-06-0826-FOF-SU, in Docket No. 060400-SU, which approved Alafaya Utilities, Inc.'s request to amend its service territory. After issuance, it was noted that due to a scrivener's error, a portion of the legal description in Attachment A, which was incorporated into the Order as part thereof, was incorrectly stated. To correct this error, the Order shall be amended to include the Amendatory Attachment A, as corrected, which is attached to this Order. Order No. PSC-06-0826-FOF-SU is affirmed in all other respects.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0826-FOF-SU is hereby amended as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-06-0826-FOF-SU is reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 20th day of November, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: /s/ Marcia Sharma
Marcia Sharma, Assistant Director
Division of the Commission Clerk
and Administrative Services

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<http://www.floridapsc.com> or fax a request to 1-850-413-
7118, for a copy of the order with signature.

(SEAL)

RRJ

ALAFAYA UTILITIES, INC.

DESCRIPTION OF TERRITORY SERVED

Wastewater Service Area

Seminole County

Serving River Pines Estates

The West 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 31 East, Seminole County, Florida.

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

Alafaya Utilities Inc.
pursuant to
Certificate Number 379-S

to provide wastewater service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
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15573	01-23-1986	860014-SU	Amendment
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19579	06-28-1988	880562-SU	Amendment
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PSC-04-0149-FOF-SU	02-11-2004	030957-SU	Amendment
PSC-06-0826-FOF-SU	10-06-2006	060400-SU	Amendment
PSC-06-0826A-FOF-SU	11-20-2006	060400-SU	Amendatory

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificates No. 379-S to extend service area in Seminole County by Alafaya Utilities, Inc. | DOCKET NO. 060400-SU
ORDER NO. PSC-06-0826B-FOF-SU
ISSUED: November 22, 2006

SECOND AMENDATORY ORDER

BY THE COMMISSION:

On November 20, 2006, the Commission issued Order No. PSC-06-0826A-FOF-SU, which amended Order No. PSC-06-0826-FOF-SU to correct the attached legal description. However, due to a scrivener's error, the incorrect header and pagination was applied to the attachments of the first amended order. Therefore, Order No. PSC-06-0826A-FOF-SU is amended to reflect the correct header and pagination of the attachments.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0826A-FOF-SU is hereby amended by Order No. PSC-06-0826B-FOF-SU. It is further

ORDERED that Order Nos. PSC-06-0826-FOF-SU and PSC-06-0826A-FOF-SU are reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 22nd day of November, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: /s/ Kay Flynn
Kay Flynn, Chief
Bureau of Records

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(SEAL)

RRJ

ALAFAYA UTILITIES, INC.

DESCRIPTION OF TERRITORY SERVED

Wastewater Service Area

Seminole County

Serving River Pines Estates

The West 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 31 East, Seminole County, Florida.

FLORIDA PUBLIC SERVICE COMMISSION

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<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
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PSC-06-0826-FOF-SU	10-06-2006	060400-SU	Amendment
PSC-06-0826A-FOF-SU	11-20-2006	060400-SU	Amendatory
PSC-06-0826B-FOF-SU	11-22-2006	060400-SU	Second Amendatory