

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of JACKSONVILLE)	DOCKET NO. 891159-WS
SUBURBAN CORPORATION for amendment of)	ORDER NO. 22162
Certificates 236-W and 179-S in Duval)	ISSUED: 11-8-89
County)	
)	

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY

BY THE COMMISSION:

On September 28, 1989, Jacksonville Suburban Utilities Corporation (JSUC or Utility) filed an application with the Commission to amend its Certificates Nos. 236-W and 179-S to include additional territory in Duval County, Florida, pursuant to the provisions of Section 367.061, Florida Statutes.

On June 19, 1987, JSUC notified certificated utilities and appropriate governmental agencies in Duval County of its intention to amend its Certificates to include the territory described in Appendix A, attached to this Order. Proof of Notification has been furnished by the Utility.

Notice of the Utility's intent to extend its service area was published in The Financial News and Daily Record, a newspaper of general circulation, published in Duval County, Florida, on June 14, July 1, and 8, 1987.

Subsequent to the notice, an objection to the proposed extension was filed by the City of Jacksonville and later withdrawn. On December 12, 1987, the Commission issued Order No. 18616, acknowledging withdrawal of that objection.

Pursuant to Section 367.061(4), Florida Statutes, a utility must file an application for extension of its service area within one year of serving notice unless for good cause shown the Commission extends such time for filing. Because of the delay caused by the objection, JSUC requested extensions of time in which to file its application on June 2, 1988, December 12, 1988 and May 31, 1989. These requests were granted by Order No. 19772, issued August 8, 1988; Order No. 20855, issued March 13, 1989; and Order No. 21722, issued August 11, 1989, respectively.

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The appropriate filing fee has been paid, and the Utility is ready, willing and able to provide service in the territory for which it has applied. The application has been reviewed and found to be in compliance with the statutory requirements. Accordingly, we find it is in the public interest to amend Certificates Nos. 236-W and 179-S to include the territory described in Appendix A to this Order, which by reference is incorporated herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 236-W and 179-S, held by Jacksonville Suburban Utilities Corporation, 644 Cesery Boulevard, Suite 108, Jacksonville, Florida 32211, are hereby amended to include the territory described in Appendix A of this Order. The Utility is directed to return Certificates Nos. 236-W and 179-S to this Commission within 20 days of the date of this Order for appropriate entry. It is further

ORDERED that the customers in the territory added herein shall be charged the rates approved in the Utility's tariff. It is further

ORDERED that Jacksonville Suburban Utilities Corporation shall submit revised tariff sheets reflecting the additional territory as set forth herein within 20 days of the date of this Order. It is further

ORDERED that Docket No. 891159-WS is hereby closed.

By ORDER of the Florida Public Service Commission,
this 8th day of NOVEMBER, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 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 or sewer 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.

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ATTACHMENT A

DESCRIPTION FOR

JACKSONVILLE SUBURBAN UTILITIES CORPORATION

DUVAL COUNTY

SERVICE TERRITORY DESCRIPTION (ARLINGTON SERVICE AREA)

TRACT "4-A"

A portion of Section 12, Township 2 South, Range 27 East, Duval County, Florida, being more particularly described as follows:

Begin at the point of intersection of the West line of said Section 12 with the Southerly right-of-way line of Merrill Road (according to State of Florida Department of Transportation Right-of-Way Map, Section 72515-2601); thence North $89^{\circ} 32' 28''$ East along said Southerly right-of-way line, 71.41 feet to an angle point therein; thence South $89^{\circ} 28' 47''$ East along said Southerly right-of-way line, 380.34 feet to an angle point therein; thence North $89^{\circ} 32' 28''$ East continuing along said Southerly right-of-way line of Merrill Road, 896.96 feet to its intersection with the Westerly line of the Northeast $1/4$ of the Northwest $1/4$ of the aforesaid Section 12; thence South $00^{\circ} 53' 54''$ East departing from said Southerly right-of-way line and along said Westerly line of the Northeast $1/4$ of the Northwest $1/4$ of Section 12, a distance of 1267.51 feet to the South line of said Northeast $1/4$ of the Northwest $1/4$ of Section 12; thence South $00^{\circ} 21' 48''$ West, departing from said South line, 580.48 feet to the Northwest corner of those lands described and recorded in Official Records Volume 4991, Page 943 of the Current Public Records of the aforesaid county; thence South $01^{\circ} 24' 42''$ East along the Westerly line of said lands, 356.41 feet to the Southwest corner of said lands; thence South $02^{\circ} 11' 30''$ East, 378.18 feet to the Southeast corner of the West $1/2$ of the Northwest $1/4$ of the aforesaid Section 12; thence South $89^{\circ} 45' 56''$ West, along the South line of said West $1/2$ of the Northwest $1/4$ of Section 12, a distance of 1331.90 feet to the West line of said Section 12; thence North $01^{\circ} 14' 47''$ West along said West line, 2583.81 feet to the Point of Beginning.

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LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS:

TRACT 4-A S.R. 9A EXCEPTION

A portion of Section 12, Township 2 South, Range 27 East, Duval County, Florida, being more particularly described as follows:

For a Point of Reference commence at the point of intersection of the West line of said Section 12 with the Southerly right-of-way line of Merrill Road (according to State of Florida Department of Transportation Right-of-Way Map, Section 72515-2601); thence North $89^{\circ} 32' 28''$ East along said Southerly right-of-way line, 71.41 feet to an angle point therein; thence South $89^{\circ} 28' 47''$ East along said Southerly right-of-way line, 380.34 feet to an angle point therein; thence North $89^{\circ} 32' 28''$ East continuing along said Southerly right-of-way line of Merrill Road, 484.66 feet to the Point of Beginning for this description.

From the Point of Beginning thus described continue North $89^{\circ} 32' 28''$ East along said Southerly right-of-way line, 412.30 feet to its intersection with the Westerly line of the Northeast 1/4 of the Northwest 1/4 of the aforesaid Section 12; thence South $00^{\circ} 53' 54''$ East departing from said Southerly right-of-way line and along said Westerly line of the Northeast 1/4 of the Northwest 1/4 of Section 12, a distance of 140.18 feet to a point situated on a curve, said curve leading Northwesterly, being concave Southwesterly and having a radius of 260.00 feet; thence 224.35 feet along the arc of said curve to the point of tangency thereof; said arc being subtended by a chord which bears North $81^{\circ} 59' 44''$ West, 217.45 feet; thence South $73^{\circ} 17' 06''$ West, 62.56 feet to the point of curvature of a curve leading Northwesterly, being concave Northeasterly and having a radius of 108.00 feet; thence 200.29 feet along the arc of said curve to the point of tangency thereof, said arc being subtended by a chord which bears North $53^{\circ} 35' 13''$ West, 172.80 feet; thence North $00^{\circ} 27' 32''$ West, 22.00 feet to the Point of Beginning.