

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Century Group,) DOCKET NO. 891011-WU
Inc. for original water certificate in) ORDER NO. 22300
Highlands County.) ISSUED: 12-12-89
_____)

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
THOMAS M. BEARD
BETTY EASLEY
JOHN T. HERNDON

ORDER GRANTING CERTIFICATE
AND REQUIRING PAYMENT OF REGULATORY ASSESSMENT FEES

BY THE COMMISSION:

Background

Century Group, Inc. (Century or Utility) operates a water system at its Crystal Lake Mobile Home Park (Crystal Lake). Although Century provides service to approximately 228 customers in the mobile home park, its service territory consists of 599 mobile home lots. The utility presently receives its water on an interim basis from Sebring Ridge Utilities, but will shortly be utilizing its own wells.

In Docket No. 870865-WS, initiated by a customer complaint, the Commission determined the jurisdictional status of the Crystal Lake system, as well as five other utilities owned by Century Realty Funds (CRF) or its affiliates. Order No. 18727, issued January 25, 1988, found Crystal Lake to be jurisdictional and required CRF to apply for water and sewer certificates for the utility.

Pursuant to Order No. 18727, on July 25, 1988, Century filed an application for a sewer certificate. Docket No. 881002-SU was opened to consider that application. Order No. 21515 was issued on July 7, 1989, granting Century a sewer certificate.

As stated above, when Century filed its application, it applied only for a sewer certificate. Upon being advised that

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it also needed to apply for a water certificate, Century filed its application for a water certificate on July 31, 1989. Docket No. 891011-WU was opened to consider that application.

Application

The application is in compliance with Section 367.041, Florida Statutes, and Rule 25-30.035, Florida Administrative Code. Century has paid its filing fee and provided proof of ownership of the land upon which the treatment facilities are located. Adequate territory and system maps have been filed. A territory description is attached to this Order as Attachment A and by reference incorporated herein. Noticing requirements have been met in accordance with Rule 25-30.030, Florida Administrative Code. No objections to the application have been filed with the Commission. The Department of Environmental Regulation has no outstanding citations or violations for this utility system. We have reviewed the financial statements of Century and find it to have adequate resources for the continued operation of the utility.

Based on the above, we find that it is in the public interest to grant Century water certificate No. 525-W to provide service to the territory described in Attachment A.

Rates and Charges

The utility presently charges a \$375 connection charge per lot and a \$7.00 monthly flat rate for water service. Neither customer deposits nor miscellaneous service charges are collected. We find these rates to be reasonable and they are, therefore, approved. The Utility is directed to continue to charge these rates until such time as a change is requested. Century has filed its water tariff reflecting the rates and charges approved herein.

Regulatory Assessment Fees

This Utility was found to be subject to Commission regulation in January, 1988. Therefore, Century shall file a 1988 Annual Report and pay regulatory assessment fees for 1988 and the first six months of 1989. Century shall, within 45 days of the date of this Order, file its annual report and pay the regulatory assessment fees.

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It is, therefore,

ORDERED by the Florida Public Service Commission that Century Group, Inc., Post Office Box 7079, Winter Haven, Florida 32883-7079, is hereby granted Water Certificate No. 525-W to provide service to the territory described in Attachment A of this Order. It is further

ORDERED that Century shall charge the rates and charges approved in the body of this Order. It is further

ORDERED that Century shall file a 1988 Annual Report and pay regulatory assessment fees for 1988 and the first six months of 1989 within 45 days of the date of this Order. It is further

ORDERED that Docket No. 891011-WU is hereby closed.

By ORDER of the Florida Public Service Commission,
this 12th day of DECEMBER, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

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

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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.

DESCRIPTION FOR CENTURY GROUP, INC.
HIGHLANDS COUNTY
SERVICE TERRITORY DESCRIPTION (CRYSTAL LAKE MOBILE HOME PARK)

In Township 34 South, Range 28 East

Section 02:

All that part of the SE1/4 and the SE1/4 of the NE1/4 of Section 2, Township 34 South, Range 28 East, lying West of the A.C.L. Railroad right-of-way together with that part of lots 9 to 14 inclusive, of WARREN AND MONDAY'S SUBDIVISION as recorded in P.D. 1, Page 10, Highlands County, Florida, lying within the following described boundary.

Commence at the SE corner of Sec. 2, T. 34 S., R. 28 E.; run thence N.1°08'50"W. along the line between Section 1 and 2 for 242.14 feet for a point of beginning, thence N.89°48'08"W., 2042.29 feet; thence N.1°16'18"W. in and parallel with the West line of said SE1/4 for 2352.93 feet to intersect the North line of said SE1/4 (being also the South line of said WARREN AND MONDAY SUBDIVISION); thence run N.20°20'23"W. 899.56 feet to a point herein designated point "A" which is the Westerly end of a control line along Lake Denton; thence continue N.20°20'23"W. 30 feet, more or less, to the shore of Lake Denton, thence Easterly along the meanders of Lake Denton, 370 feet, more or less to intersect the North line of lot 9 of WARREN AND MONDAY SUBDIVISION; thence N.88°38'32"E., 50.0 feet, more or less along said North line to a point of the aforesaid control line which bears N.68°29'12"E., 417.65 feet from said point "A", thence continue N.88°38'32"E. along said North line of Lot 9, 626.48 feet to intersect the East line of SW1/4 of NE1/4, thence N.1°12'34"W., 331.46 feet to the NW corner of SE1/4 of NE1/4, thence N.88°38'48"E. along North line of SE1/4 of NE1/4, 220.95 feet to the Westerly R/W line of the A.C.L. Railroad R/W, thence S.18°16'58"E. along said Westerly R/W, 3746.87 feet to the East line of Section 2; thence S.1°08'50"E., along the section line 149.60 feet to the point of beginning. Lying in Section 2, Township 34 South, Range 28 East, Highlands County, Florida. Also a 50 foot easement whose centerline is described as beginning at a point 437.82 feet North and 2051.50 feet West of the Southeast corner of Section 2, Township 34 South, Range 28 East, Highlands County, Florida, run N.89°48'08"W., 1548.40 feet, to the beginning of a 100 foot easement, thence continue N.89°48'08"W., 300.0 feet to a point in the East right-of-way boundary of SR-17A.