

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Springs)	DOCKET NO. 891166-SU
Environmental Systems, Inc. for)	
amendment of Certificate No. 375-S)	ORDER NO. 22647
in Lee County.)	
<hr/>		ISSUED: 3-8-90

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING AMENDMENT OF CERTIFICATE
AND CLOSING DOCKET

BY THE COMMISSION:

Background

On August 18, 1989, Springs Environmental Systems, Inc. (Springs Environmental or Utility) filed an application with this Commission, pursuant to Section 367.041, Florida Statutes, seeking to amend Certificate 375-S to include additional territory in Lee County. The Utility serves approximately 214 sewer customers; water is provided by Bonita Springs Water System, Inc.

Springs Environmental is wholly-owned by the Marital Trust created under the Will of David B. Shakarian. The utility was initially established to serve Bonita Bay Properties, Inc.

Application

The application is in compliance with Section 367.041, Florida Statutes, and other pertinent statutes and administrative rules concerning applications for an amendment of certificates. In particular, the notarized application contains:

DOCUMENT NUMBER-DATE

02112 MAR -8 1990

FD-302 RECORDS /REPORTING

1. A filing fee in the amount of \$900, as prescribed by Rule 25-30.020, Florida Administrative Code.
2. Adequate service territory description (Attachment A), pursuant to Rule 25-30.035(i), Florida Administrative Code.
3. Proof of notice to all interested governmental and regulatory agencies, and all utilities within a four-mile radius of the territory to be served, and proof of advertisement in a newspaper of general circulation in the county, as prescribed by Rule 25-30.030, Florida Administrative Code.
4. Evidence that the utility owns the land on which the utility's facilities are located as required by Rule 25-30.035(3)(f), Florida, Administrative Code.

The utility also filed tariff revisions reflecting the additional territory and returned its certificate for amendment. There have been no objections to the utility serving the additional territory, and the time for filing such has expired.

The construction in the additional territory will be in phases. We are informed that the first phase of the construction will be funded by currently reserved funds for the project. All subsequent phases will be funded by Industrial Revenue Bonds, which are backed by Bonita Bay Properties, Inc. and Westinghouse Bayside Communities, Inc.

Springs Environmental has been in operation and under the jurisdiction of the Commission since 1985 and has been providing satisfactory service to its customers. Therefore, since Springs Environmental has demonstrated that it has the technical and financial ability to provide service to the additional territory, we find it is in the public interest to grant Springs Environmental an amendment of Certificate No. 375-S to include the territory shown on Attachment A of this Order and by referenced incorporated herein.

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Rates and Charges

The rates and charges currently approved for Springs Environmental are as follows:

Residential Service
Monthly Rates

Rate - Base Facility Charge

All Meter Sizes \$12.13
Charge per 1,000 gallons 2.52*

*Maximum of 10,000 gallons per month

Minimum Charge - \$12.13 per living unit

Multi-Residential Service
and
General Service - Commercial
Monthly Rates

<u>Meter Size</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 12.13
1"	\$ 30.31
1 1/2"	\$ 60.61
2"	\$ 96.99
3"	\$ 193.97
4"	\$ 303.09
6"	\$ 606.17
Gallonage Charge Per 1,000 Gallons	\$ 2.52

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Service Availability Fees and Charges

<u>Description</u>	<u>Amount</u>
Plant Capacity Charge	
Residential - per ERC (250 GPD)	\$380.00
All others - per gallon	\$ 1.52
Main Extension Charge	
Residential - per ERC (250 GPD)	\$390.00
All others - per gallon	\$ 1.56
Customer Connection (Tap-in) Charge	Actual Cost
Plan Review/Application Charge	Actual Cost
Inspection Fee	\$ 25.00
Account Set-Up Charge (Initial Connection)	\$ 10.00

Springs Environmental shall continue to charge the rates and charges currently approved in its tariff and set forth herein until authorized to change by the Commission.

Springs Environmental submitted an application for modification of its service availability charges, which will be considered in a subsequent proceeding. Funds raised from the modification of service availability charges will contribute towards construction of the additional treatment facility.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 375-S, held by Springs Environmental Systems, Inc., 3451 Bonita Bay Boulevard, S.W., Suite 202, Bonita Springs, Florida 33923, is hereby amended to include the territory shown on Attachment A of this Order. It is further

ORDERED that Springs Environmental Systems, Inc. shall charge the customers in the area added herein the rates and charges set forth in the body of this Order. It is further

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ORDERED that Docket No. 891166-SU is hereby closed.

By ORDER of the Florida Public Service Commission,
this 8th day of March, 1990.



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 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.

ATTACHMENT A

DESCRIPTION FOR SPRINGS ENVIRONMENTAL SYSTEMS, INC.

LEE COUNTY

SERVICE TERRITORY DESCRIPTION

Township 47 South, Range 25 East

In Sections 8, 16, 17, 18 and 20

SECTION 8:

A tract or parcel of land lying in the southeast quarter (SE-1/4) of Section 8, Township 47 South, Range 25 East which tract or parcel is described as follows:

From the southeast corner of said Section 8 run West along the south line of said section for 1861.47 feet to the center line of Spring Creek Road; thence run North along said center line for 421.76 feet to the Point of Beginning.

From said Point of Beginning continue North along said centerline for 886.76 feet to an intersection with the north line of the south half (S-1/2) of said southeast quarter (SE-1/4); thence run East along said North line for 571.00 feet; thence run South parallel with the centerline of said Spring Creek Road for 886.76 feet; thence run West for 571.00 feet to the Point of Beginning.

SECTION 16:

The south half (S-1/2) of the northwest quarter (NW-1/4) and the southwest quarter (SW-1/4) and the southeast quarter (SE-1/4) lying west of Tamiami Trail (S.R. NO. 45).

LESS and EXCEPT Parcels "A" and "B" described as follows:

PARCEL "A"

Commence at the center of Section 16, Township 47 South, Range 25 East, Lee County, Florida; thence run N 88 degrees 45' 48" E along the north line of the southeast quarter (SE-1/4) of said Section 16 for a distance of 538.06 feet to the Point of Beginning of the parcel of land herein described; thence continue N 88 degrees 45' 48" E along the north line of the southeast quarter (SE-1/4) of said Section 16 for a distance of 631.63 feet to a point on the westerly right-of-way line U.S. Highway 41 (State Road No. 45); thence run S 10 degrees 25' 58" E along the westerly right-of-way line U.S. Highway 41 (State Road No. 45); for a distance of 163.43 feet to the beginning of a tangential circular curve, concave to the southwest; thence run southeasterly along said curve to the right, having a radius of 5,619.58 feet, through a central Application for Sewer Certificate Extension angle of 09 degrees 28' 13" for an arc distance of 928.85 feet; thence run S 88 degrees 45' 48" W for a distance of 744.81 feet; thence run N 00 degrees 27' 03" W for a distance of 1,086.41 feet to the Point of Beginning.

PARCEL "B"

Commence at the south quarter corner of said Section 16; thence run N 88 degrees 56' 03" E along the south line of said Section 16 for a distance of 989.09 feet; thence run N 00 degrees 27' 03" W for a distance of 368.48 feet to the Point of Beginning of the parcel of land herein described; thence continue N 00 degrees 27' 03" W for a distance of 1,077.24 feet; thence run N 88 degrees 45' 48" E for a distance 300.00 feet to a point on the westerly right-of-way line U.S. Highway 41 (State Road 45); thence run S 00 degrees 27' 03" E along the westerly right-of-way line of U.S. Highway 41 (State Road 45); for a distance of 1,077.24 feet; thence run S 88 degrees 45' 48" W for a distance of 300.00 feet to the Point of Beginning. All in Section 16, Township 47 South, Range 25 East.

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SECTION 17:

The southeast quarter (SE-1/4) and the northeast quarter (NE-1/4) lying east of Spring Creek Drive and all that part of the South three-quarter (S-3/4) of the north half (N-1/2) lying West of Spring Creek Drive LESS the West 2,200 feet of the South 990 feet. All in Section 17, Township 47 South, Range 25 East.

SECTION 18:

The south half (S-1/2) of Government Lot 1 and all of Government Lot 2 LESS the South 990 feet thereof.
All in Section 18, Township 47 South, Range 25 East.

SECTION 20:

All that part of Section 20, Township 47 South, Range 25 East lying North and East of Spring Creek Village Utilities, LTD.