

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of ALAFAYA PALM) DOCKET NO. 900166-WS
VALLEY ASSOCIATES, LTD. for amendment of)
Certificates Nos. 277-W and 233-S in) ORDER NO. 23094
Seminole County, Florida.)
_____) ISSUED: 6-20-90

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On March 2, 1990, Alafaya Palm Valley Associates, Ltd. (Alafaya or Utility) filed an application with this Commission to amend Certificates Nos. 277-W and 233-S to include additional territory in Seminole County, Florida. The application is in compliance with Section 367.045, Florida Statutes, and other statutes and administrative rules concerning an application for amendment of certificate. In particular, the notarized application contains:

- 1) A filing fee in the amount of \$300, as prescribed by Rule 25-30.020, Florida Administrative Code.
- 2) Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.035, Florida Administrative Code. The additional territory in Seminole County is described in Attachment A of this Order.
- 3) Proof of notice of application to all interested governmental and regulatory agencies and all utilities within a four-mile radius of the territory, 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 upon which the utility's facilities are located as required by Rule 25-30.035, Florida Administrative Code.

No objections to the notice of application have been received and the time for filing such has expired.

It should be noted that the description of the territory shown on the notice submitted with Alafaya's application contained territory already within the Utility's service area. Therefore, the territory description has been restated, in

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Attachment A to this Order, to reflect only the additional territory sought by Alafaya.

Since Alafaya has been in operation under our jurisdiction since 1976, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. Therefore, we find that it is in the public interest to amend Certificates Nos. 277-W and 233-S to include the territory described in Attachment A to this Order, which by reference is incorporated herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 277-W and 233-S, held by Alafaya Palm Valley Associates, Ltd., 3751 Alafaya Trail, Oviedo, Florida 32765, are hereby amended to include the territory described in Attachment A of this Order. The Utility is directed to return Certificates Nos. 277-W and 233-S to this Commission within 30 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 Docket No. 900166-WS is hereby closed.

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

DESCRIPTION FOR ALAFAYA PALM VALLEY ASSOCIATES LTD

SEMINOLE COUNTY

SERVICE TERRITORY DESCRIPTION

Township 21 South, Range 31 East

In Sections 34 and 35

Parcels 5 & 6: This description is in Order No. 14480, except that is in a different format.

From the Northeast Corner of Section 34, run South along the East line of Section 34 3,250 feet. Thence run West 1,100 feet to the point of beginning. Thence South $00^{\circ} 30' 26''$ East 218.31 feet. Thence South $01^{\circ} 42' 27''$ East 180.76 feet. Thence South $01^{\circ} 42' 27''$ East 300.87 feet. Thence North $89^{\circ} 36' 50''$ West 129.82 feet. Thence South $74^{\circ} 26' 00''$ West 364.01 feet. Thence North $89^{\circ} 40' 34''$ West 68.30 feet. Thence North $89^{\circ} 40' 34''$ West 691.70 feet. Thence North $00^{\circ} 00' 38''$ West 387.73 feet. Thence South $89^{\circ} 34' 08''$ East 224.94 feet. Thence North $00^{\circ} 54' 35''$ East 18.92 feet. Thence South $89^{\circ} 44' 01''$ East 287.87 feet. Thence North $01^{\circ} 21' 41''$ West 208.21 feet. Thence North $89^{\circ} 40' 28''$ West 508.25 feet. Thence North $00^{\circ} 02' 34''$ West 185.42 feet. Thence South $89^{\circ} 38' 18''$ East 800.12 feet. Thence South $89^{\circ} 37' 25''$ East 424.39 feet to the point of beginning.

Parcel A-2: The South 1/2 of the East 3/4 of the Southwest 1/4 of the Northwest 1/4, less the South 453.34 feet of the East 1/2 of the West 1/2 of said Southwest 1/4 of the Northwest 1/4, all in Section 35.