

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of W.B.B Utilities,)
Inc. for a water certificate in)
Lake County.)
_____)
DOCKET NO. 900826-WU
ORDER NO. 24007
ISSUED: 1-22-91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
BETTY EASLEY
GERALD L. GUNTER
FRANK S. MESSERSMITH
MICHAEL MCK. WILSON

ORDER GRANTING CERTIFICATE

BY THE COMMISSION:

Background

On October 12, 1990, W.B.B. Utilities, Inc. (WBB or Utility) filed an application with this Commission for a water certificate in Lake County. WBB has been in operation since 1983, but has not been subject to Commission jurisdiction because of its size. The Utility currently serves 21 residential customers. It has requested a water certificate so that it may obtain a construction permit from the Department of Environmental (DER) to extend its lines to serve 79 customers at buildout.

Application

The application, as filed on October 12, 1990, did not meet the minimum filing requirements. On November 13, 1990, WBB filed evidence of land ownership and proof that noticing requirements have been met. The application is now in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning applications for original certificates. In particular, the application contains:

1. A filing fee in the amount of \$150, in accordance with 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(h)

DOCUMENT NUMBER-DATE

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and (i), Florida Administrative Code. The territory is described in Attachment A of this Order.

3. Evidence that the utility owns the land upon which its facilities are located, as required by Rule 25-30.035 (f), Florida Administrative Code.
4. Proof of notice to all interested governmental and regulatory agencies and utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in Lake County, as prescribed by Rule 25-30.030, Florida Administrative Code.

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

As discussed previously, WBB has been providing service since 1983 and currently serves 21 residential customers. The Utility will serve 79 at buildout. DER has no outstanding notices of violation against the Utility.

WBB's parent company, W.B.B., Inc., is developing the Utility's service area, and appears to have sufficient funds to provide financial support for the Utility. Further, since WBB has been in operation since 1983, it appears to have the technical ability to operate the system. Therefore, we find that it is in the public interest to grant WBB Certificate No. 531-W, to serve the territory described in Attachment A of this Order.

The rates currently being charged by WBB are as follows:

Water
(Quarterly Rates)

Base Facility Charge	\$ 24.00
Gallonage Charge Per 1,000 Gallons	.75

Although the customers are billed quarterly rather than monthly, WBB's rates are consistent with those approved for other utilities in Lake County. We find these rates to be reasonable and they are approved. WBB is directed to continue charging these

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rates until authorized to change by the Commission. The Utility has filed an appropriate tariff.

The cost of the water system is included in the cost of the lots; therefore, we are not approving service availability charges. Further, WBB does not collect customer deposits or charge for miscellaneous services, and none are approved herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that W.B.B. Utilities, Inc., 4116 Bair Avenue, Fruitland Park, Florida 34731, is hereby granted Certificate No. 531-W to serve the territory described in Attachment A of this Order. It is further

ORDERED that the rates set forth in the body of this Order are hereby approved. W.B.B. Utilities, Inc. shall continue to charge these rates until authorized to change by this Commission. It is further

ORDERED that Docket No. 900826-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 22nd day of JANUARY, 1991.



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

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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

W.B.B. UTILITIES, INC.

TERRITORY DESCRIPTION

The following described lands located in portions of Section 35, Township 18 South, Range 24 East, Lake County, Florida:

Section 35

The South 3/4 of the West 1/2 of the NW 1/4 less Lake Idlewild.