

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of)	DOCKET NO. 900985-WS
Certificates Nos. 462-W and 398-S in)	ORDER NO. 24598
Collier County by North Naples Utilities,)	ISSUED: 5/30/91
Inc. (Quail West II).)	

ORDER AMENDING CERTIFICATES TO INCLUDE ADDITIONAL
TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

During July, August and September, 1989, North Naples Utilities, Inc. (North Naples or Utility) noticed its intent to amend its service territory, pursuant to Section 367.061, Florida Statutes. Collier County Water-Sewer District filed a timely protest to the notice. On May 2, 1990, the parties filed a Settlement Stipulation.

On July 11, 1990, North Naples filed a Motion for Extension of Time to Provide Service. Order No. 23427, issued September 4, 1990, granted North Naples an extension of time until August 18, 1991, to file provide service and file its application.

On December 14, 1990, the Utility filed the application for amendment of its Certificates to include additional territory in Collier County. The application is in compliance with Section 367.061, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the application contains:

1. A filing fee in the amount of \$1800, as prescribed by Rules 25-30.020, Florida Administrative Code.
2. Adequate territory and system maps and a legal description, pursuant to Rule 25.30.035, Florida Administrative Code. The additional territory Collier County is described in Attachment A of this Order.
3. Proof of notice to 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 Collier County, as prescribed by Rule 25-30.030, Florida Administrative Code.

As discussed earlier, an objection to the notice was filed by Collier County. That objection was resolved by a stipulation between the parties.

Section 367.061, Florida Statutes, was repealed in October, 1989. However, proceedings begun under that Section may continue

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to be processed under the terms of that Section. According that Section, a utility files an application for amendment only after it has noticed, constructed the system and is serving the territory. North Naples has complied with the Statute and is ready to provide service to the territory described in Attachment A.

North Naples has two wells from which water is pumped to one of two lime softening water plants. The water is then pumped to a .5 million gallons per day (mgd) concrete ground storage tank that transmits the water by high service pumps to the customers. The Utility also has two steel wastewater plants with a combined capacity of 150,000 gallons per day (gpd), which provide wastewater service to its customers.

North Naples serves approximately 510 water customers and 494 wastewater customers. The Utility will serve an additional 350 equivalent residential connections with the addition of the territory added herein. The Utility is wholly-owned by Naples Road Building Corporation.

North Naples has been in operation under the jurisdiction of this Commission since 1986, and has been providing good service to its customers. From information submitted with the application, it appears that the Utility has the financial ability to provide service to the additional territory. In addition, the Department of Environmental Regulation (DER) has no outstanding citations or violations against the Utility.

Therefore, we find that it is in the public interest to amend Certificates Nos. 462-W and 398-S to include the territory described in Attachment A of this Order. The Utility has returned the Certificates for entry reflecting the amendment. The Utility has also filed revised tariff sheets reflecting the additional territory.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 462-W and 398-S, held by North Naples Utilities, Inc., 4500 Executive Drive, Naples, Florida 33999, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

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

ORDERED that Docket No. 900985-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 30th day of MAY, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Flynn
Chief, Bureau of Records

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

NORTH NAPLES UTILITIES, INC.
TERRITORY DESCRIPTION FOR QUAIL WEST II
IN COLLIER COUNTY

Township 48 South, Range 26 East

In Section 8

The West 1/2

AND

In Section 7

All that portion lying East of the I-75 right-of-way, LESS AND EXCEPT the North 60 feet thereof.