

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for) DOCKET NO. 911139-WU
amendment of Certificate No.) ORDER NO. PSC-92-0685-FOF-WU
512-W in Lake County by LAKE) ISSUED: 07/21/92
HILLS UTILITIES, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
LUIS J. LAUREDO

ORDER MODIFYING ORDER NO. PSC-92-0255-FOF-WU TO
INCLUDE ADDITIONAL PROPERTY IN AMENDMENT TO CERTIFICATE,
AND CLOSING DOCKET

BY THE COMMISSION:

On November 18, 1991, Lake Hills Utilities, Inc. (Lake Hills or utility) applied to this Commission for an amendment to Certificate No. 512-WU in order to extend its service territory in Lake County, Florida. The City of Clermont (City) filed a timely objection to the application. After negotiations were held, the utility deleted the portions of territory in dispute, and on March 16, 1992, the City withdrew its objection to the amendment. On April 7, 1992, we voted to approve the amendment. Order No. PSC-92-0255-FOF-WU was issued on April 27, 1992, wherein we granted the utility the territory it had requested in its revised application.

However, the utility has since discovered that it erred in the drafting of the amended territorial description filed as part of its revised application, which was the service area that we approved in Order No. PSC-92-0255-FOF-WU. A large portion of territory which was not the subject of an objection or of any dispute was mistakenly deleted from the revised application. The utility is now requesting approval from this Commission to include the territory, the Guber Property, as described in Attachment A, and issue an order modifying Order No. PSC-92-0255-FOF-WU reflecting that we have granted the extension of the utility's service territory as requested.

The Guber Property was included in the initial application and, therefore, there is no need for re-noticing. The sole objector, the City, has by letter to the Commission indicated that it does not object to the modification requested. In addition, Lake Hills has filed a revised, accurate territorial description

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ORDER NO. PSC-92-0685-FOF-WU
DOCKET NO. 911139-WU
PAGE 2

and map of the Guber Property, as required. The utility has filed revised tariff sheets that reflect the additional territory, and it has returned Certificate No. 512-WU for entry. Hence, we find it appropriate to grant Lake Hills its request to modify Order No. PSC-92-0255-FOF-WU to include the Guber Property as part of the utility's certificated service territory in Lake County.

The utility's approved rates and service availability charges were effective June 14, 1989, pursuant to Order No. 21272 issued in Docket No. 881473-WU, which was an original certificate application. As reflected in Order No. PSC-92-0255-FOF-WU, the utility shall apply its existing rates and charges to the additional territory.

As there are no further actions to be taken in this docket, this docket may be closed.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-92-0255-FOF-WU, issued April 27, 1992, is hereby modified to reflect that the Guber Property is included in the Lake Hills Utilities, Inc.'s service territory in Lake County. It is further

ORDERED that the rates and charges contained in Lake Hills Utilities, Inc.'s tariff, which is currently on file with this Commission, are hereby made applicable to the additional territory. It is further

ORDERED that this docket is closed.

By Order of the Florida Public Service Commission this 21st day of July, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

LK

by: Kary Ferguson
Chief, Bureau of Records

ORDER NO. PSC-92-0685-FOF-WU
DOCKET NO. 911139-WU
PAGE 3

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ATTACHMENT A

LAKE HILLS UTILITIES, INC.

SERVICE TERRITORY DESCRIPTION - LAKE COUNTY

Guber Property

Section 22, Township 22 South, Range 26 East, Lake County, Fl.

All the Northwest 1/4 of the Northeast 1/4, North of Old Highway 50.

Section 15, Township 22 South, Range 26 East, Lake County, Fl.

All the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4, South of the Sunshine State Parkway.

All the Southeast 1/4 of the Northwest 1/4, South of the Sunshine State Parkway.

All the Southwest 1/4 of the Northeast 1/4, South of the Sunshine State Parkway.

All the East 1/2 of the Northwest 1/4 of the Southwest 1/4.

All the Northeast 1/4 of the Southwest 1/4.

All the Southeast 1/4 of the Southwest 1/4, North of Old Highway 50.

All the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4, North of Old Highway 50.

All the Northwest 1/4 and the North 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4.

All the North 1/2 of the Southeast 1/4, South of the Sunshine State Parkway.

All the Southwest 1/4 of the Southeast 1/4, North of Old Highway 50.