

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of General) DOCKET NO. 920658-WS
Development Utilities, Inc. for) ORDER NO. PSC-92-1281-FOF-WS
amendment of Certificates) ISSUED: 11/10/92
Nos. 370-W and 320-S in Marion)
County, Florida.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On June 26, 1992, General Development Utilities, Inc. (GDU or Utility) filed an application with this Commission to amend Certificates Nos. 370-W and 320-S to include additional territory in Marion County, Florida. GDU's Silver Springs Shores Division provides service to 3,557 water and 3,509 wastewater customers. This amendment will not require installation of additional water or wastewater facilities.

In its application, GDU requested that its certificates be amended to include territory along State Road 464. There are three commercial water and wastewater customers located in the territory which GDU is already serving. According to GDU, it believed that the territory was within its service area. However, after it began serving the area, the Utility discovered that the territory had been inadvertently omitted from a previous application for amendment of its certificate in Docket No. 890889-WS. Immediately upon discovering the discrepancy, GDU filed an application for amendment of Certificates Nos. 370-W and 320-S to include the territory. Therefore, we will not initiate show cause proceedings against GDU for serving outside of its certificated territory since the Utility filed the application to amend its certificates to include the area upon discovering the omission.

DOCUMENT NUMBER-DATE

13208 NOV 10 1992

FPSC-RECORDS/REPORTING

Application

Except as discussed previously, the application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the application contains a filing fee in the amount of \$300.00, as prescribed by Rule 25-30.020, Florida Administrative Code. GDU also provided evidence, in the form of a warranty deed, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which GDU is requesting to serve in Marion County is described in Attachment A of this Order.

The Utility has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. No objections to the notice of application have been received and the time for filing such has expired.

Since GDU has been in operation under our jurisdiction since 1971, 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. Also, from the information filed with the application, it appears that GDU has the financial ability to serve the requested area. It should also be noted that, according to the Department of Environmental Regulation (DER), there are no outstanding violations against GDU at this time.

Based on the foregoing, we find that it is in the public interest to amend Certificates Nos. 370-W and 320-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. GDU has returned the Certificates to this Commission for entry reflecting the additional territory. The Utility is also directed to file revised tariff sheets reflecting the amendment within 30 days of the date of this Order.

Rates and Charges

GDU's existing rates became effective on July 19, 1991, pursuant to a 1991 price index and pass-through rate adjustment.

GDU shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding.

It is, therefore,

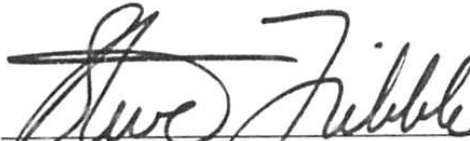
ORDERED by the Florida Public Service Commission that Certificates Nos. 370-W and 320-S, held by General Development Utilities, Inc., 2601 South Bayshore Drive, Miami, Florida 33133-5461, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that General Development Utilities, Inc. shall charge the customers in the territory added herein the rates and charges approved in the Utility's tariff until authorized to change by this Commission. It is further

ORDERED that General Development Utilities, Inc. shall file revised tariff sheets reflecting the additional territory within 30 days of the date of this Order. It is further

ORDERED that Docket No. 920658-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 10th day of November, 1992.



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

GENERAL DEVELOPMENT UTILITIES, INC.

Territory Description

The following described land located in portions of Section 8, Township 16 South, Range 23 East, Marion County, Florida:

Commencing at the intersection of the center line of State Road No. 464 with the East line of said Section 8. Thence along the center line of State Road No. 464 for a distance of approximately 1,800 feet more or less in the Northwesterly direction. Thence 90 degrees Southwesterly from the center line of State Road No. 464 for a distance of 1,000 feet more or less to the intersection with the center line of the Florida Power and Light Easement. Thence Southeasterly and Northeasterly to the Point of Beginning.