

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 930129-WU  
Amendment of Certificate No. ) ORDER NO. PSC-93-1306-FOF-WU  
106-W in Lake County by SOUTHERN ) ISSUED: September 8, 1993  
STATES UTILITIES, INC. )  
\_\_\_\_\_ )

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

Southern States Utilities, Inc. (SSU or utility) is a Class A utility which provides water and wastewater service in 27 counties throughout the State of Florida. The annual report for 1992 indicates that the operating revenue is \$19,042,175 and \$9,370,486 for the water and wastewater systems respectively. The net operating income for water is \$2,979,619 and for wastewater is (\$611,642).

On February 2, 1993, the utility applied for an amendment to Certificate No. 106-W in Lake County, Florida. The proposed extensions were to the utility's nine water systems in Lake County: Picciola Island, Venetian Village, Sunshine Parkway, Skycrest, Piney Woods, Hobby Hills, Fern Terrace, Holiday Haven and Imperial Terrace. On August 9, 1993, we amended Certificate No. 106-W in Lake County, Florida to include all the revised system territories except for the Imperial Terrace system. Based upon an objection received from the City of Tavares (City) to SSU's request to extend the Imperial Terrace system, we had previously set this territory request for formal hearing. Subsequently, the utility filed a revised legal description. The City formally removed its objection subject to the revised legal description on August 5, 1993.

SSU is currently in compliance with Order No. PSC-93-0202-FOF-WS, issued on February 9, 1993, which approved SSU's schedule for submitting amendment applications. That Order provided also that the amendment applications could be processed administratively.

Application

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate. The application contains a check in the amount of \$150.00 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.036(1)(d), Florida Administrative Code, in the form of a warranty deed.

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Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(1)(e), (f) and (i), Florida Administrative Code. A revised description of the portions of the territory requested by the utility is appended to this Order as Attachment A. The utility has submitted an affidavit consistent with Section 367.045(2) (d), Florida Statutes, that it has tariffs and annual reports on file with the Commission.

In addition, the Utility provided proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. As mentioned previously, the City of Tavares filed a timely objection to SSU's application for amendment in Lake County. After further review, both parties reached an agreement on the portion of territory to be served by SSU's Imperial Terrace system and the City removed its objection. No other objection to the notice of application has been received and the time for filing such has expired.

The proposed additional territory will add 15 new customers to the Imperial Terrace System. They are currently being served by the SSU. The added service area is immediately adjacent to the utility's existing territory which serves approximately 250 customers. No additional water facilities will be built to serve the territory as service will be provided by extending existing transmission and distribution lines.

The proposed territory is in a critical use area as defined by the St. Johns River Water Management District and the amendment is consistent with the Lake County Comprehensive Plan. SSU is currently in compliance with Department of Environmental Protection requirements. Further, SSU has the capability and financial resources to adequately serve the requested area.

Therefore, we find that it is in the public interest to amend Certificate No. 106-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. SSU has returned Certificate No. 106-W to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

Rates and Charges

The utility's currently approved water rates are interim rates authorized by Order No. PSC-92-0948-FOF-SU, issued in Docket No. 920199-WS, September 18, 1992. Although Order No. PSC-92-0948-FOF-SU approved statewide uniform rates for SSU, the utility has not implemented these statewide uniform rates pending resolution of reconsideration petitions which have been filed in Docket No. 920199-WS. In the meantime, we find the current rates and charges to be reasonable as approved for Imperial Terrace. These rates and charges shall be applied to customers in the added service territory until authorized to change by this Commission.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 106-W, held by Southern States Utilities, Inc., 1000 Color Place, Apopka, Florida 32703, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Southern States Utilities, Inc. shall charge the customers in the territory added herein the rates and charges approved in the body of this Order until authorized to change by this Commission. It is further

ORDERED that Docket No. 930129-WU be closed.

By ORDER of the Florida Public Service Commission this 8th day of September, 1993.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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

WATER TERRITORY  
IMPERIAL MOBILE TERRACE

Township 19 South, Range 25 East, Lake County, Florida.

Section 25

Begin at the Northeast corner of Government Lot 7 in Section 25, thence run South 0°1' East 660.71 feet; thence South 89°50'10" West 661.31 feet; thence North 7°53'40" West 24.01 feet; thence North 61°28'20" West 308.02 feet; thence South 80°31'30" West 360.43 feet; thence North 84°29'10" West 340.52 feet; thence South 67°53'50" West 505.97 feet; thence South 37°31'10" West 777.16 feet; thence South 89°58'10" West 450.74 feet; thence North 0°1' West 1,323.23 feet; thence North 89°58' East 3,045.18 feet more or less to the Point of Beginning. Together with, commence at the Northeast corner of Section 25, Township 19 South, Range 25 East, Lake County, Florida; thence run South a distance of 1,197.2 feet to the Point of Beginning; thence continue South a distance of 125.0 feet to the Southeast corner of Government Lot 1; thence run North 89°59'00" West a distance of 1,202.47 feet; thence run North a distance of 50.0 feet to the Southwest corner of Lot 1, Tropical Shores Manor, Plat Book 13 page 19; thence run Northeasterly along the high-water line of Tropical Canal a distance of 300 feet more or less to the Northeast corner of Lot 3 of said Tropical Shores Manor; thence run South 32°29'00" East along the Easterly line of said Lot 3 and its prolongation a distance of 201.00 feet more or less to a point on the Easterly right-of-way line of Tropical Shore Drive; thence run North 57°31'00" East along said right-of-way a distance of 85.28 feet to the point of intersection of said Easterly right-of-way line and the Southerly right-of-way line of Indiana Avenue; thence South 89°59'00" East along said Southerly right-of-way line a distance of 366.15 feet; thence North a distance of 175.90 feet to the Northwest corner of Lot 55 of said Tropical Shores Manor; thence South 77° 50'41" East a distance of 76.72 feet to the Northeast corner of said Lot 55; thence South a distance of 170 feet to a point on said Southerly right-of-way line of Indiana Avenue; thence South 89°59'00" East along said right-of-way line and its prolongation a distance of 245 feet to a point on the Easterly right-of-way line of Blanton Lane; thence North along said Easterly right-of-way line a distance of 15 feet to the Northwest corner of Lot 37 of said Tropical Shores Manor; thence South 89°59'00" East a distance of 125.00 feet to the Point of Beginning.