

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application by Southern) DOCKET NO. 930412-WS
States Utilities, Inc. For) ORDER NO. PSC-93-1314-FOF-WS
Amendment of Certificates Nos.) ISSUED: September 9, 1993
373-W and 322-S in Marion)
County, Florida.)
_____)

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On April 21, 1993, Southern States Utilities, Inc. (SSU or Utility) filed an application with this Commission to amend Certificates Nos. 373-W and 322-S to include additional territory, which it is already serving in Marion County, Florida. Since SSU is already serving the area, it is in violation of Section 367.045(2), Florida Statutes, which requires a utility to obtain Commission approval prior to extending its service area.

Docket No. 921014-WS was opened to address areas which SSU serves outside of its certificated territory in violation of Section 367.045(2), Florida Statutes. Order No. PSC-93-0202-FOF-WS, issued on February 9, 1993 in that Docket, approved a timetable for SSU to follow in filing applications for amendments to include the territory being served outside of its service area. SSU provided an explanation for its actions and the Commission determined that if the utility complied with the Order and followed the timetable for filing the amendment applications addressed in Docketed No. 921014-WS, show cause proceedings would not be initiated and the amendment applications could be processed administratively.

In the instant Docket, SSU is seeking to amend the territory served by its Marion Oaks and Salt Springs divisions. The Marion Oaks portion of the territory is not in a critical use area as defined by the South Florida Water Management District. However, the Salt Springs portion, which has a small water and wastewater plant, is in a critical use area as defined by the St. Johns River Water Management District. The capacity of Salt Springs' water plant is 150,000 gallons per day and the wastewater plant capacity

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is 85,000 gallons per day. Currently, the facilities are not sized to provide for reuse of reclaimed water; however, in an effort to promote water conservation, when flows reach 100,000 gallons per day, SSU should make every effort to find ways to reuse reclaimed water.

Application

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, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, SSU 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 SSU is requesting in Marion County is described in Attachment A of this Order.

SSU 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 SSU has been in operation under our jurisdiction for more than 20 years, 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. From the information filed with the application, it appears that SSU has the financial ability to serve the requested area. Therefore, we find that it is in the public interest to amend Certificates Nos. 373-W and 322-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. SSU has returned the Certificates to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

Rates and Charges

SSU's existing rates and charges are interim rates and charges which became effective on September 18, 1992, pursuant to Order No.

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PSC-92-0948-FOF-SU, issued in Docket No. 920199-WS. Although that Order approved statewide uniform rates for SSU, petitions for reconsideration of the Order have been filed. The rates may change once a final decision has been made. In the meantime, we find the current rates and charges to be reasonable and they are approved pending the outcome of the rate case (Docket No. 920199-WS). SSU shall charge the customers in the additional territory these rates and charges until authorized to change by the Commission.

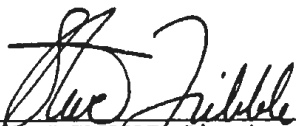
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 373-W and 322-S, held by Southern States Utilities, Inc., 1000 Color Place, Apopka, Florida 32703, 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 Southern States Utilities, Inc. shall charge the customers in the territory added herein the interim rates and charges authorized by Order No. PSC-92-0948-FOF-SU until authorized to change by this Commission. It is further

ORDERED that Docket No. 930412-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 9th day of September, 1993.



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 Civil 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
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WATER TERRITORY

Salt Springs

Township 13 South, Range 26 East, Marion County, Florida.

That portion of the Joseph M. Hernandez Grant lying East of State Road 19, extending for 1,000 feet into the U. S. Forestry Service land, that is also lying between Fort Gates Ferry Road to the North and the Intersection of State Road 314 and State Road 19 to the South.

WASTEWATER TERRITORY

Salt Springs

Township 13 South, Range 26 East, Marion County, Florida.

That portion of the Joseph M. Hernandez Grant lying East of State Road 19, extending for 1,000 feet into the U. S. Forestry Service land, that is also lying between Fort Gates Ferry Road to the North and the Intersection of State Road 314 and State Road 19 to the South.

Marion Oaks

Township 17 South, Range 21 East, Marion County, Florida.

Section 15

The East 1/4 of the Southwest 1/4 of said Section 15.

Township 17 South, Range 21 East, Marion County, Florida.

Section 26

The North 3/4 of the West 1/2 of the Northeast 1/4 of said Section 26.

and

The West 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 26.