

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application For) DOCKET NO. 930960-WS
amendment of Certificates Nos.) ORDER NO. PSC-93-1743-FOF-WS
337-W and 292-S in Martin County) ISSUED: December 3, 1993
by Hydratech Utilities, Inc.)
_____)

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On September 28, 1993, Hydratech Utilities, Inc. (Hydratech or Utility) filed an application with this Commission to amend Certificates Nos. 337-W and 292-S to include additional territory in Martin County, Florida. Hydratech currently serves approximately 4,471 water customers and 4,258 wastewater customers in Martin County. An 8-inch water main and a wastewater collection system will be installed and connected to the Utility's existing lines by the developer to serve the additional territory.

Hydratech will provide service in the new territory to a development known as Banner Lake plus connections outside of the development. One parcel will consist of 80 residential lots, which will receive both water and wastewater service from Hydratech. The other parcel is being developed into 15 single family residential lots to which only wastewater service will be provided.

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, Hydratech 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 Hydratech is requesting to serve in Martin County is described in Attachment A of this Order.

DOCUMENT NUMBER-DATE

12917 DEC-38

FPSC-RECORDS/REPORTING

Hydratech 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 Hydratech has been in operation under our jurisdiction for several 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 Hydratech has the financial ability to serve the requested area. In addition, according to the Department of Environmental Protection, there are no outstanding notices of violation against the Utility.

Therefore, we find that it is in the public interest to amend Certificates Nos. 337-W and 292-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Hydratech 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

Hydratech's existing rates and charges became effective on July 16, 1993, pursuant to a price index rate increase, WS-93-0090. Prior to that time, the rates were changed by Order No. 22166, issued on December 5, 1989 in Docket No. 881053-WS. Service availability charges were set on April 26, 1988 in Docket No. 870689-WS, by Orders Nos. 19092 and 19233. Hydratech 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. 337-W and 292-S, held by Hydratech Utilities, Inc, 6570 Southeast Federal Highway, Stuart, Florida 34997-8383, 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 Hydratech Utilities, Inc. shall charge the customers in the territory added herein the rates and charges

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approved in the its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 930960-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 3rd day of December, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Hays

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

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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

HYDRATECH UTILITIES, INC.

Territory Descriptions - Martin County

Water and Wastewater Service

In Township 39 South, Range 42 East, Sections 27 and 28, Martin County

Being a portion of the Gomez Grant as recorded in Plat Book 1, Page 80, Public Records of Palm Beach (now Martin) County, Florida. Being bounded as follows:

On the South by the Southerly line of said Gomez Grant; on the East by a curvealinear line that is 2,500.00 feet West of and parallel to the centerline of State Road 5, also known as Federal Highway and U.S. Highway 1, having a right-of-way of 200.00 feet; on the North by the centerline of State Road 708, also known as Bridge Road having a right-of-way of 80.00 feet; and on the West by the centerline of Flora Avenue (f/k/a Florard Drive) as now laid out and in use, having a right-of-way of 80.00 feet.

Wastewater Service

In Township 39 South, Range 42 East, Sections 27 and 28, Martin County

Being a portion of the Gomez Grant as recorded in Plat Book 1, Page 80, Public Records of Palm Beach (now Martin) County, Florida. Being bounded as follows:

On the South by the Southerly line of said Gomez Grant; on the East by the centerline of State Road No. 5, also known as Federal Highway, and U.S. Highway No. 1, on the North by the centerline of State Road 708, also known as Bridge Road, and on the West by a line that is 2,500.00 feet West of and Parallel to the centerline of said State Road No. 5.