

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 930439-WS  
amendment of Certificates Nos. ) ORDER NO. PSC-95-0567-FOF-WS  
84-W and 73-S in Orange County ) ISSUED: May 8, 1995  
by SOUTHERN STATES UTILITIES, )  
INC. )  
\_\_\_\_\_)

ORDER AMENDING CERTIFICATES TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Southern States Utilities, Inc. (Southern States or utility) is a Class A utility that provides water and wastewater service to approximately 78,962 water customers and 26,696 wastewater customers in 28 counties in Florida. The utility's 1993 annual report shows an annual operating revenue of \$50,521,158 and a net operating income of \$1,029,574.

On April 28, 1993, Southern States filed an application with this Commission to amend Water Certificate No. 84-W and Wastewater Certificate No. 73-S to add areas in Orange County that are presently served. Section 367.045(2), Florida Statutes, provides that a utility may not extend its service outside the area described in its certificate of authorization until it has obtained an amended certificate of authorization from the Commission. By serving customers outside its certificated territory, Southern States violated that provision. Docket No. 921014-WS addressed the violation and allowed our staff to process the amendment administratively if the area was included in that docket. We have verified that these systems were mentioned in that docket.

Except as noted above, the application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code concerning an application for amendment of certificate. The application contains a filing fee in the amount of \$300, as prescribed by Rule 25-30.020, Florida Administrative Code. Southern States provided evidence 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 utility has extended their existing water and wastewater lines to serve the additional territory. The additional territory which Southern States is

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requesting to serve in Orange County is described in Attachment A of this Order. 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.

Southern States has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. The local planning agency was provided notice of the application and did not file a protest to the amendment. Objections to the application were received on May 20, 1993, by the City of Winter Park, and on May 26, 1993, by Orange County. On November 24, 1993, the City of Winter Park withdrew its objection to the application. On January 23, 1995, we received Orange County's letter withdrawing its objection.

The utility has extensive experience in the water and wastewater industry. As mentioned earlier, the utility currently services approximately 78,000 customers in 28 counties in Florida. The Department of Environmental Protection has no outstanding notices of violation issued for these systems. Since these customers are already being served by this utility, it is apparent that the utility has the capacity to serve them. Consequently, we believe the utility has demonstrated the financial and technical expertise to provide quality service to these customers. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificates for entry reflecting the additional territory. Therefore, we find that it is in the public interest to amend Water Certificate No. 84-W and Wastewater Certificate No. 73-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein.

On May 26, 1994, SSU filed a systemwide price index increase, pursuant to Section 367.081(4)(a), Florida Statutes. The increase was approved and the rates became effective on July 24, 1994. We find that the rates and charges approved by us shall be applied to customers in the new service territory until authorized to change by this Commission in a subsequent proceeding. Since no further action is necessary, this docket shall be closed.

It is, therefore,

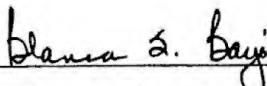
ORDERED by the Florida Public Service Commission that Water Certificate No. 84-W and Wastewater Certificate No. 73-S, held by Southern States Utilities Inc., are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

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

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 8th day of May, 1995.



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BLANCA S. BAYO, Director  
Division of Records and Reporting

( S E A L )

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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 and/or wastewater 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

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Unlversity Shores Water Service Area

Parcel 1

Township 22 South, Range 30 East

Section 1

Begin at the Southwest corner of said Section 1, thence run North  $02^{\circ} 14' 46''$  West along the West line of said Section 1 a distance of 30.58 feet to a point on the Southerly right-of-way line of University Boulevard, said point on a curve concave Northwesterly having a radius of 1,962.86 feet, a central angle of  $23^{\circ} 14' 41''$  and a tangent bearing of North  $71^{\circ} 04' 17''$  West; thence along the Southerly right-of-way line of University Boulevard and along the arc of said curve an arc distance of 796.33 feet to the point of tangency; thence North  $47^{\circ} 50' 06''$  East along said Southerly right-of-way line a distance of 26.44 feet to the point of curvature of a curve Southeasterly having a radius of 1,856.86 feet and a central angle of  $61^{\circ} 24' 56''$ ; thence along said right-of-way line and along the arc of said curve a distance of 1,990.38 feet to the point of tangency; thence run South  $70^{\circ} 44' 58''$  East along said Southerly right-of-way line a distance of 2,132.62 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1,962.86 feet and a central angle of  $06^{\circ} 36' 18''$  (more or less); thence along said Southerly right-of-way line and along the arc of said curve and arc distance of 226.28 feet (more or less) to a point on the Southerly line of said Section 1; thence South  $89^{\circ} 15' 45''$  West along said Southerly line a distance of 4,789.43 feet (more or less) to the Point of Beginning.

Less the West 312.00 feet of the East 890.00 feet of said Section 1 lying South of the previously described Southerly right-of-way line of University Boulevard (formerly S.R. 518)

Parcel 2

Section 12

All of Section 12, Township 22 South, Range 30 East, Less the West 312.00 feet of the East 890.00 feet of the Northeast  $1/4$  of the Northeast  $1/4$  of said Section 12.

ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Water Service Area

Parcel 3

Township 22 South, Range 30 East

Section 13

All of Section 13, Less the South 915.00 feet of the Southeast 1/4 and Less the South 1/2 of the Southwest 1/4.

Parcel 4

Township 22 South, Range 31 East

Section 6

The South 1/4 of the East 3/4 of said Section 6; and the South 145.00 feet of the East 430.00 feet of the Northeast 1/4 of the Southwest 1/4 of said Section 6 and the East 300.00 feet of the South 799.00 feet of the Southwest 1/4 of the Southwest 1/4.

Less the following:

Commence at the Northwest corner of the Southeast 1/4 of the South east 1/4 of said Section 6; thence run North 84° 07' 48" East along the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 6 a distance of 317.05 feet (more or less) to a point on the Southerly right-of-way line of Lake Georgia Drive, said point also being a point on a curve concave Northeasterly having a radius of 230.00 feet (more or less), a central angle of 33° 41' 24" (more or less), and a tangent bearing of South 44° 50' 13" East; thence along the Southerly right-of-way line of Lake Georgia Drive and along the arc of said curve an arc distance of 135.24 feet (more or less) to the Point of Tangency; thence South 78° 31' 37" East along said Southerly right-of-way line of Lake Georgia Drive a distance of 435.00 feet (more or less) to the Point of Tangency of a curve of curve concave Northerly, having a radius of 335.0 feet (more or less) and a central angle of 44° 40' 00" (more or less); thence along said Southerly right-of-way line of Lake Georgia Drive and along the arc of said curve an arc distance of 261.16 feet (more or less) to the Point of Tangency; thence North 56° 48' 23" East along said Southerly right-of-way line a distance of 398.84 feet (more or less) to a point on said Northerly line of the Southeast 1/4 of the Southeast 1/4 of said Section 6; thence South 84° 05' 50" West along said Northerly line a distance of 1,133.46 feet (more or less) to the Point of Beginning.

ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Water Service Area

Parcel 5

Township 22 South, Range 31 East

Section 7

All of Section 7, Less the East 1/2 of the Southeast 1/4 excluding the North 145.00 feet of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 7, Less the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4.

Parcel 6

Township 22 South, Range 31 East

Section 18

The West 3/4 of the West 1/2 of Section 18 (Less the South 915.00 feet thereof); together with the South 350.00 feet of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 18; together with the Southeast 1/4 of the Southwest 1/4 of said Section 18 (Less the South 915.00 feet thereof).

Parcel 7

Township 22 South, Range 31 East

Section 5

The East 1/2 of the Southwest 1/4 of Section 5, the Southwest 1/4 of the Southwest 1/4, and the West 1/2 of the Southeast 1/4.

ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Water Service Area

Township 22 South, Range 31 East

Section 5

Together with:

Begin at the Southeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 5; thence run South 89° 54' 34" West along the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 5 a distance of 1,143.81 feet (more or less) to a point on the Easterly right-of-way line of Dean Road (S.R. 425); thence run Northeasterly (North 34° 27' 37" East more or less) along said Easterly right-of-way line a distance of 812.43 feet (more or less) to a point on the North line of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 5; thence North 89° 51' 08" East along said North line a distance of 710.00 feet (more or less) to a point on the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 5; thence South 02° 12' 50" West along said East line a distance of 670.39 feet (more or less) to the Point of Beginning.

Parcel 8

Township 22 South, Range 30 East

Section 11

The East 1/2 of the Northeast 1/4 (Less the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4); and the East 330.00 feet of the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4; and the East 185.00 feet of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4; and the Southwest 1/4 of the Northeast 1/4 (Less the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4, and Less the North 330.00 feet of the Southwest 1/4 of the Northeast 1/4); and the East 1/2 of the Southeast 1/4; and the South 330.00 feet of the Southwest 1/4 of the Southeast 1/4 (Less the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4).



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ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Unlversly Shores Water Service Area

Parcel 9

Township 22 South, Range 30 East

Section 14

The East 110.00 feet of the North 398.30 feet. Also, the East 331.00 feet of the South 264.00 feet of the North 662.30 feet.

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ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Daetwyler Shores Water Service Area

Township 23 South, Range 30 East

Section 29

The Southwest 1/4 of the Southwest 1/4 and the South 1/2 of the Southeast 1/4 of the Southwest.

Section 30

The South 1/2 of the Southeast 1/4.

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ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Druid Hills Water Service Area

Township 21 South, Range 29 East

Section 26

The North 400 feet of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 and that portion of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 lying East of Interstate 4.

ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Wastewater Service Area

Parcel 1

Township 22 South, Range 30 East

Section 1

Begin at the Southwest corner of said Section 1, thence run North  $02^{\circ}14'46''$  West along the West line of said Section 1 a distance of 30.58 feet to a point on the Southerly right-of-way line of University Boulevard, said point on a curve concave Northwesterly having a radius of 1,962.86 feet, a central angle of  $23^{\circ}14'41''$  and a tangent bearing of North  $71^{\circ}04'17''$  West; thence along the Southerly right-of-way line of University Boulevard and along the arc of said curve an arc distance of 796.33 feet to the point of tangency; thence North  $47^{\circ}50'06''$  East along said Southerly right-of-way line a distance of 26.44 feet to the point of curvature of a curve Southeasterly having a radius of 1,856.86 feet and a central angle of  $61^{\circ}24'56''$ ; thence along said right-of-way line and along the arc of said curve a distance of 1,990.38 feet to the point of tangency; thence run South  $70^{\circ}44'58''$  East along said Southerly right-of-way line a distance of 2,132.62 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1,962.86 feet and a central angle of  $06^{\circ}36'18''$  (more or less); thence along said Southerly right-of-way line and along the arc of said curve and arc distance of 226.28 feet (more or less) to a point on the Southerly line of said Section 1; thence South  $89^{\circ}15'45''$  West along said Southerly line a distance of 4,789.43 feet (more or less) to the Point of Beginning.

Less the West 312.00 feet of the East 890.00 feet of said Section 1 lying South of the previously described Southerly right-of-way line of University Boulevard (formerly S.R. 518)

Parcel 2

Section 12

All of Section 12, Township 22 South, Range 30 East, Less the West 312.00 feet of the East 890.00 feet of the Northeast  $1/4$  of the Northeast  $1/4$  of said Section 12.

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SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Wastewater Service Area

Parcel 3

Township 22 South, Range 30 East

Section 13

All of Section 13, Less the South 915.00 feet of the Southeast 1/4 and Less the South 1/2 of the Southwest 1/4.

Parcel 4

Township 22 South, Range 31 East

Section 6

The South 1/4 of the East 3/4 of said Section 6; and the South 145.00 feet of the East 430.00 feet of the Northeast 1/4 of the Southwest 1/4 of said Section 6.

Less the following:

Commence at the Northwest corner of the Southeast 1/4 of the South east 1/4 of said Section 6; thence run North 84° 07' 48" East along the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 6 a distance of 317.05 feet (more or less) to a point on the Southerly right-of-way line of Lake Georgia Drive, said point also being a point on a curve concave Northeasterly having a radius of 230.00 feet (more or less), a central angle of 33° 41' 24" (more or less), and a tangent bearing of South 44° 50' 13" East; thence along the Southerly right-of-way line of Lake Georgia Drive and along the arc of said curve an arc distance of 135.24 feet (more or less) to the Point of Tangency; thence South 78° 31' 37" East along said Southerly right-of-way line of Lake Georgia Drive a distance of 435.00 feet (more or less) to the Point of Tangency of a curve concave Northerly, having a radius of 335.0 feet (more or less) and a central angle of 44° 40' 00" (more or less); thence along said Southerly right-of-way line of Lake Georgia Drive and along the arc of said curve an arc distance of 261.16 feet (more or less) to the Point of Tangency; thence North 56° 48' 23" East along said Southerly right-of-way line a distance of 398.84 feet (more or less) to a point on said Northerly line of the Southeast 1/4 of the Southeast 1/4 of said Section 6; thence South 84° 05' 50" West along said Northerly line a distance of 1,133.46 feet (more or less) to the Point of Beginning.

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SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Wastewater Service Area

Parcel 5

Township 22 South, Range 31 East

Section 7

All of Section 7, Less the East 1/2 of the Southeast 1/4 excluding the North 145.00 feet of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 7, Less the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4.

Parcel 6

Township 22 South, Range 31 East

Section 18

The West 3/4 of the West 1/2 of Section 18 (Less the South 915.00 feet thereof); together with the South 350.00 feet of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 18; together with the Southeast 1/4 of the Southwest 1/4 of said Section 18 (Less the South 915.00 feet thereof).

Parcel 7

Township 22 South, Range 31 East

Section 5

The East 1/2 of the Southwest 1/4 of Section 5, the Southwest 1/4 of the Southwest 1/4, and the West 1/2 of the Southeast 1/4.

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TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Wastewater Service Area

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Together with:

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Parcel 8

Township 22 South, Range 30 East

Section 11

The East 1/2 of the Northeast 1/4 (Less the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4); and the East 330.00 feet of the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4; and the East 185.00 feet of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4; and the Southwest 1/4 of the Northeast 1/4 (Less the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4, and Less the North 330.00 feet of the Southwest 1/4 of the Northeast 1/4); and the East 1/2 of the Southeast 1/4; and the South 330.00 feet of the Southwest 1/4 of the Southeast 1/4 (Less the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4).

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ATTACHMENT A

SOUTHERN STATES UTILITIES, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

University Shores Wastewater Service Area

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Township 22 South, Range 30 East

Section 14

The East 110.00 feet of the North 398.30 feet. Also, the East 331.00 feet of the South 264.00 feet of the North 662.30 feet.