

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 950181-WS
Amendment of Certificates Nos.) ORDER NO. PSC-95-0830-FOF-WS
455-W and 389-S in Volusia) ISSUED: July 12, 1995
County by PLANTATION BAY UTILITY)
CO.)
_____)

ORDER AMENDING CERTIFICATES NOS. 455-W AND 389-S TO
INCLUDE ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 14, 1995, Plantation Bay Utility Co. (Plantation Bay or Utility) filed an application with this Commission to amend Certificates Nos. 455-W and 389-S to include additional territory in Volusia County, Florida. 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 \$1,000, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, Plantation Bay 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 Plantation Bay is requesting to serve in Volusia County is described in Attachment A of this Order.

Plantation Bay has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. One objection was received by the City of Ormond Beach (City) on May 4, 1995. The City's objection was that Plantation Bay's proposed amendment violated local comprehensive plans already established within the City. After a review of the proposed amendment, the City found that the territory requested by Plantation Bay is located just beyond the City's service area. Therefore, the City withdrew its objection on June 9, 1995.

Since Plantation Bay has been in operation under our jurisdiction since 1985, 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. The proposed expansion will require no additional water or wastewater treatment facilities. The new lines will be donated

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by the land developer. From the information filed with the application, it appears that Plantation Bay has the financial ability to serve the requested area. Therefore, we find that it is in the public interest to amend Certificates Nos. 455-W and 389-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Plantation Bay has returned the Certificates to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

Plantation Bay's existing rates and charges became effective on September 11, 1994. Plantation Bay 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.

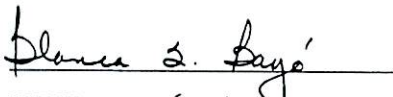
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 455-W and 389-S, held by Plantation Bay Utility Co., 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 Plantation Bay Utility Co. shall charge the customers in the territory added herein the rates and charges approved in the its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 950181-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 12th day of July, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

MSN

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ATTACHMENT A

PLANTATION BAY UTILITY CO.

VOLUSIA COUNTY - DELGADO PARCEL

WATER AND WASTEWATER SERVICE AREA

A portion of Section 11, 14 and 23, Township 13 South, Range 31 East, Volusia County, Florida described as follows, from a point of reference being the Northwest corner of said Section 14 run South 02° 02' 51" East and along the West line of said Section 14 a distance of 1,272.46 feet to the Point of Beginning, said point also being the Northeast corner of Eagle Rock Subdivision as recorded in Map Book 26, pages 51 and 52 of the public Records of Flagler County Florida, thence departing said line run North 40° 11' 55" East, a distance of 2,951.39 feet to a point on the Westerly right-of-way line of Interstate #95, also known as State Road No. 9 a 300 foot right-of-way as laid out, thence South 20° 43' 11" East and along the Westerly right-of-way line of said Interstate 95 a distance of 5,421.18 feet to a point, thence departing said right-of-way line South 40° 11' 55" West a distance of 5,473.32 feet to a point, thence North 49° 46' 12" West a distance of 55.80 feet to a point on the West line of said Section 23 said point also being the Southeast corner of said Eagle Rock Ranch Subdivision, thence North 02° 01' 23" West along said Section line a distance of 2,951.88 feet to the Northwest corner of said Section 23, said corner also being the Southwest corner of said Section 14, thence North 02° 02' 51" West along the West line of said Section 14, a distance of 4,013.28 feet to the Point of Beginning. Parcel containing 461.39 acres more or less.