

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 950919-WS
Amendment of Certificates Nos.) ORDER NO. PSC-95-1397-FOF-WS
15-W and 76-S in Orange County) ISSUED: November 13, 1995
by Park Manor Waterworks, Inc.)
_____)

ORDER AMENDING CERTIFICATES NOS. 15-W AND 76-S TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On August 3, 1995, Park Manor Waterworks, Inc. (Park Manor or utility), applied for an amendment to Water Certificate No. 15-W and Wastewater Certificate No. 76-S in Orange County, Florida. 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 \$200 (\$100 for water and \$100 for wastewater), which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence that it owns the land upon which its facilities are located as required by Rule 25-30.036(1)(d), Florida Administrative Code.

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 description of the territory requested by the utility is appended as Attachment A to 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.

The utility provided proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the application were received. The applicant states that it does not believe that this extension of its service territory will be consistent with Orange County's adopted comprehensive plan. We note, however, that the County's comprehensive plan requires the County to maximize the beneficial use of existing facilities and available capacity. Moreover, the applicant states that it can provide service to the extended service area that meets or exceeds applicable standards at a lesser cost than similar service provided by Orange County, and that, therefore, the public interest is best served by granting the application.

DOCUMENT NUMBER-DATE

11201 NOV 13 95

FPSC-RECORDS/REPORTING

The utility has provided water and wastewater service to the community of Park Manor for over thirty years. Although the utility had an operating loss in 1994, the utility's fiscal condition can be expected to improve with this extension of its service territory, the more so because it is not required to invest in additional facilities and the developer will contribute the water and wastewater lines. The utility's operation manager holds a Class A operators license for water and wastewater operations. The utility is not subject to any Department of Environmental Protection enforcement actions.

The customers in the service territory extension will require approximately 10,500 gallons per day (gpd) of potable water and return approximately 9,800 gpd of wastewater. The utility currently has two water treatment plants authorized a maximum daily withdrawal of 720,000 gpd. Current flows at the water treatment plant are 365,000 gpd. The wastewater treatment system is permitted to treat 350,000 gpd, compared with the utility's flow for March, 1995, of 203,000 gpd. Therefore, it is apparent that the utility has the water and wastewater treatment capacity to serve these customers. 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 tariffs and returned its certificates for entry reflecting the additional territory.

On March 12, 1986, we issued Order No. 15831 in Docket No. 850051-WS, granting the utility water and wastewater rates and an increase of its service availability charges. The utility's water and wastewater rates were last changed on January 23, 1995, with a pass-through rate increase. The rates and charges currently approved in the utility's tariffs shall be effective for services to the customers in the proposed service territory extension.

Based on the foregoing, we find it to be in the public interest to amend Park Manor Waterworks, Inc.'s Water Certificate No. 15-W and Wastewater Certificate No. 76-S for the territory described in Attachment A to this Order, which, by reference is incorporated herein. No further action is required in this docket; therefore, it shall be closed.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 15-W and 79-S, held by Park Manor Waterworks, Inc., 1527 Park Manor Drive, Orlando, Florida 32825, are hereby amended to include additional territory as described in Attachment A of this Order, which, by reference, is incorporated herein. It is further

ORDERED that Park Manor Waterworks, Inc., shall charge the customers in the territory added hereby the rates and charges approved in its tariffs. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of November, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CJP

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.

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ATTACHMENT A

PARK MANOR WATERWORKS, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Township 22 South, Range 31 East

Section 20

The South 1/3 of North 3/8 of Northwest 1/4 of Southwest 1/4 (less the West 30 feet thereof), and also South 1/4 of North 1/2 of Northwest 1/4 of Southwest 1/4 (less the West 30 feet thereof), Section 20, Township 22 South, Range 31 East.