

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 961246-WS  
amendment of Certificates Nos. ) ORDER NO. PSC-97-0053-POF-WS  
533-W and 464-S to add territory ) ISSUED: January 14, 1997  
in Lake County by Southlake )  
Utilities, Inc. )  
\_\_\_\_\_ )

ORDER AMENDING CERTIFICATE TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

Background

Southlake Utilities, Inc. (Southlake or utility) is a Class C utility which provides water and wastewater service to approximately 62 water and wastewater customers pursuant to Certificates Nos. 533-W and 464-S in Lake County, Florida. Southlake's 1995 annual report indicates operating revenues of \$78,901 and a net operating loss of \$218,962.

On October 16, 1996, Southlake filed an application for an amendment of its certificates to include additional territory in Lake County. Southlake's existing water facilities and an extension of its water and wastewater lines will provide service to the additional territory. The utility, however, intends to expand its wastewater treatment plant. The construction will be offset by contributions-in-aid-of-construction from the developer. For the present, Southlake will continue to dispose of effluent by percolation ponds, but plans to provide reuse service sometime in the future.

Application

Southlake's 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. 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, Southlake provided evidence, in the form of a ninety-nine year lease, 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 Southlake is requesting to serve in Lake County is described in

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Attachment A of this Order. In addition, the application contains 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.

Southlake has been in operation under our jurisdiction since 1991, and has been providing satisfactory service to its customers. The utility has hired Southeast Utilities to operate the water and wastewater plants and facilities. Mr. Ronald H. Wilson, P.E., is the utility's consulting engineer, who works for the utility on an as needed basis. According to the Department of Environmental Protection, there are no outstanding notices of violation issued for this system. Therefore, we find that the utility has demonstrated its technical ability to provide service to the additional territory.

Also, from the information filed with the application, Southlake has the financial ability to serve the requested area. Therefore, we find that it is in the public interest to amend Certificates Nos. 533-W and 464-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Southlake 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

Southlake's approved rates and charges were effective June 21, 1991, pursuant to Order No. 24564, issued May 21, 1991, in Docket No. 900738-WS. Southlake has exercised the statutory provision of increasing rates through price indexing and pass through rate adjustments. The utility's current rates and charges became effective on May 6, 1996, pursuant to a 1995 price index. Southlake 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,

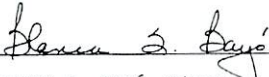
ORDERED by the Florida Public Service Commission that Certificates Nos. 533-W and 464-S, held by Southlake Utilities, Inc., 800 U.S. Highway 27, Clermont, Florida, 34711, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

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ORDERED that Southlake 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 Docket No. 961246-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 14th day of January, 1997.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

DCW

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

SOUTHLAKE UTILITIES, INC.

LAKE COUNTY

Water and Wastewater Territory Description

A portion of Section 35, Township 24 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

BEGIN at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 35; thence run North 00°30'21" East, along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 35, a distance of 641.20 feet to a point on the South boundary line of an existing Florida Power Sub-Station Site; thence run South 89°53'12" East, along said South boundary line, a distance of 529.72 feet to a point on the Westerly right-of-way line of U.S. Highway No. 27; thence run South 20°08'20" East, along said Westerly right-of-way line, a distance of 699.96 feet; thence run North 89°55'32" West, a distance of 145.00 feet; thence run South 00°04'28" West, a distance of 164.25 feet; thence run North 89°55'32" West, a distance of 632.75 feet to a point on the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35; thence run North 00°30'21" East, along said West line, a distance of 180.29 feet to the POINT OF BEGINNING.

Containing 12.23 acres, more or less.