

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 347-W to add
territory in Marion County by
Marion Utilities, Inc.

DOCKET NO. 970117-WU
ORDER NO. PSC-97-0683-FOF-WU
ISSUED: June 11, 1997

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On January 27, 1997, Marion Utilities, Inc. (MUI or Utility) filed an application with this Commission to amend Certificate No. 347-W to include additional territory in Marion 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 \$100, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, MUI 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 MUI is requesting to serve in Marion County is described in Attachment A of this Order.

MUI 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 MUI has been in operation under our jurisdiction for more than ten years providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. In addition, from the information filed with the application, it appears that MUI has the financial ability to serve the requested area. Therefore, we find that it is in the public interest to amend Certificate No. 347-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. MUI has returned Certificate No. 347-W to this Commission for entry reflecting the

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additional territory. The Utility has also filed revised tariff sheets reflecting the amendment. MUI 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 Certificate No. 347-W, held by Marion Utilities, Inc., is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Marion 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. 970117-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 11th day of June, 1997.



BLANCA S. BAYO, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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

MARION UTILITIES, INC.

TERRITORY DESCRIPTION - MARION COUNTY

SERVED FROM THE WOODS AND MEADOWS WATER PLANT

Water Service Area Addition

A portion of Sections 24 and 25, Township 16 South, Range 20 East, Marion County, Florida more particularly described as follows:

Commence at the Southeast corner of Section 24, Township 16 South, Range 20 East, thence South $88^{\circ} 47' 30''$ West along the South boundary of said Section for a distance of 2,076.37 feet to the Point of Beginning; said Point being on the Southeasterly right-of-way line of State Road 200 (A 100.00 foot right-of-way); thence South $41^{\circ} 34' 12''$ West, along said right-of-way, a distance of 1,332.02 feet; thence South $48^{\circ} 25' 48''$ East a distance of 250.00 feet; thence North $41^{\circ} 34' 12''$ East, a distance of 200.00 feet; thence South $48^{\circ} 25' 48''$ East a distance of 249.08 feet to a point on a curve, concave to the Northwest, having a radius of 1,583.98 feet, a central angle of $04^{\circ} 30' 32''$, and a chord of 124.62 feet Bearing North $37^{\circ} 21' 16''$ East, said point being on the Northwesterly right-of-way line of Southwest 84th Avenue Road (a 60.00 foot right-of-way); thence Northeasterly along said curve and right-of-way a distance of 124.65 feet to a point of tangency; thence North $35^{\circ} 06' 00''$ East a distance of 238.14 feet to the Point of Curvature of a Tangent Curve, Concave to the Southeast, having a radius of 1,505.00 feet and a central angle of $12^{\circ} 17' 08''$; thence Northeasterly along said curve a distance of 322.71 feet to a point of tangency; thence North $47^{\circ} 23' 08''$ East a distance of 283.64 feet to the Point of Curvature of a tangent curve concave to the Northwest, having a radius of 1,946.86 feet and a Central Angle of $05^{\circ} 48' 56''$; thence Northeasterly along said curve, a distance of 197.61 feet to a Point of Tangency; thence North $41^{\circ} 34' 12''$ East, a distance of 137.56 feet; thence departing from the Northwesterly right-of-way of Southwest 84th Avenue Road, North $48^{\circ} 25' 48''$ West a distance of 250.00 feet; thence North $41^{\circ} 34' 12''$ East a distance of 300.00 feet; thence North $48^{\circ} 25' 48''$ West a distance of 250.00 feet to the Northwesterly right-of-way of State Road 200; thence South $41^{\circ} 34' 12''$ West, along said right-of-way a distance of 467.98 feet to the Point of Beginning.