

MEMORANDUM

March 10, 1998

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FPBC Records Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FERGUSON) *GF*

RE: DOCKET NO. 971404-WS - Application for amendment of  
Certificates Nos. 511-W and 467-S in Sumter County by  
Spruce Creek South Utilities, Inc.

98-0380-FOF WS

Attached is an ORDER AMENDING CERTIFICATES TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET, to be issued in the above-  
referenced docket.

(Number of pages in order - 5)

CF/lw

Attachment

cc: Division of Water and Wastewater (Redemann, Crouch)

I:971404or.cf

*forwarded  
2/10*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment  
of Certificates Nos. 511-W and  
467-S in Sumter County by Spruce  
Creek South Utilities, Inc.

DOCKET NO. 971404-WS  
ORDER NO. PSC-98-0380-FOF-WS  
ISSUED: March 10, 1998

ORDER AMENDING CERTIFICATES TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On October 22, 1997, Spruce Creek South Utilities, Inc., (Spruce Creek or Utility) filed an application with this Commission to amend Certificates Nos. 511-W and 467-S to include additional territory in Sumter 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 \$300, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, the utility 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 the utility is requesting to serve in Sumter County is described in Attachment A of this Order.

Spruce Creek 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. The local planning agency was provided notice of the application and did not file a protest to the amendment. The Department of Community Affairs has identified no growth management concerns with the proposed expansion of the Spruce Creek into Sumter County. The utility states that the provision of service will be consistent with the utility section of the local comprehensive plan.

DOCUMENT NUMBER-DATE

03027 MAR 10 88

FPSC-RECORDS/REPORTING

The utility has invested net rate bases totalling over \$2,000,000 and is currently providing service to approximately 1,700 residential water customers and 1,000 residential wastewater service customers. Water service will be provided by the 1.9 million gallon per day (mgd) water treatment plant (Spruce Creek South Water Treatment System). Existing flows are approximately 1.5 mgd. Additional maximum flows expected from areas within the Utility's existing territory at build-out will add approximately 100,000 gallons on a maximum day demand. This area is expected to place a demand of 42,000 gallons per day (gpd). Therefore, the system will still have substantial unused capacity after build-out of the existing territory and after the addition of the new commercial development proposed.

The utility's wastewater system (Spruce Creek Wastewater Treatment System) currently has a DEP permitted capacity of 216,000 gpd. The average daily flow for the peak month within the last year was 156,000 (gpd). It is believed that when the residential and commercial area in the existing certificated area is built out, the peak seasonal periods will be 171,580 gpd. The commercial area in this application is expected to place an additional demand of 14,200 gpd of wastewater flow on the system at build-out. The utility will extend its water and wastewater lines to serve the this customer. It is apparent that the utility has adequate water and wastewater capacity to service this commercial development.

Spruce Creek has been in operation under our jurisdiction since March 24, 1989, and has been providing satisfactory service to its customers. The utility has extensive experience in the water and wastewater industry. The Department of Environmental Protection has been contacted and has indicated that Spruce Creek has no outstanding notices of violation issued for this system.

In consideration of the foregoing, we find 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 certificate for entry reflecting the additional territory.

Therefore, we find that it is in the public interest to amend Certificates Nos. 511-W and 467-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein.

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Spruce Creek 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. 511-W and 467-S, held by Spruce Creek South 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

ORDERED that Spruce Creek South 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. 971404-WS is hereby closed.

By ORDER of the Florida Public Service Commission this 10th day of March, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

CF

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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

SPRUCE CREEK SOUTH UTILITIES, INC.

SUMTER COUNTY

WATER SERVICE FROM SPRUCE CREEK SOUTH WATER  
AND WASTEWATER TREATMENT SYSTEMS

WATER AND WASTEWATER AREA

OAKLAND HILLS PROFESSIONAL CENTER

In Section 1, Township 18 South, Range 23 East, Sumter County

Commence at the S.W. corner of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of Section 1, Township 18 South, Range 23 East; thence N.88°27'07"E., along the South line of the N.E. 1/4 of the N.E. 1/4 of the N.W. 1/4 of said Section, a distance of 175.33 feet to a point on the Southwesterly right of way line of U.S. Highway 27-441 (being a 200 foot right of way) and the Point of Beginning. Thence S.41°46'50"E., along said right of way line, a distance of 370.00 feet to a point on the Northerly right of way line of County Road 109; thence S.48°13'10"W., along said right of way line, a distance of 100.41 feet to the Point of curvature of a 350.00 foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35°00'00", a distance of 213.80 feet to the point of tangency; thence continue along said right of way line, S.13°13'10"W., a distance of 120.66 feet; thence departing said right of way line, N.41°46'50"W. a distance of 1665.10 feet; thence S.89°51'32"E. a distance of 537.59 feet to a point on the Southwesterly right of way line of said U.S. Highway 27-441; thence S.41°46'50"E., along said right of way line, a distance of 803.42 feet to the Point of Beginning. Said lands being situated in Sumter County, Florida and containing 12.740 acres, more or less.