

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Amendment
of Certificates Nos. 534-W and
465-S to add additional
territory in Lake County by Lake
Groves Utilities, Inc.

DOCKET NO. 990195-WS
ORDER NO. PSC-99-0884-FOF-WS
ISSUED: May 3, 1999

ORDER AMENDING CERTIFICATES TO INCLUDE ADDITIONAL TERRITORY AND
CLOSING DOCKET

BY THE COMMISSION:

Background

Utilities, Inc. - Lake Groves Utilities, Inc. (Lake Groves or utility) provides water and wastewater service in Lake County and serves approximately 615 water and 605 wastewater customers. Lake Groves is a subsidiary of Utilities, Inc. The annual report for 1997 shows that the annual operating revenue for the Lake Groves system is \$338,544 and the net operating income is \$163,217. The utility is a Class B utility company.

On February 22, 1999, the utility applied for an amendment of Water Certificate No. 534-W and Wastewater Certificate No. 465-S in Lake County to include an area requested by a developer known as the McPherson property. The developer will require the utility to extend existing water and wastewater lines to provide service to the amended territory. The utility anticipates serving about 196 equivalent residential connections (ERCs) with water and wastewater service in this area.

Application

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 \$400 (\$200 each for water and wastewater) which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence, in the form of a warranty deed, that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.036(3)(d), Florida Administrative Code.

DOCUMENT NUMBER-DATE

05550 MAY-3 99

FPSC-RECORDS/REPORTING

Adequate service territory and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), and (i), Florida Administrative Code. Descriptions of the water and wastewater territory are appended to this Order as Attachment A, and by reference are incorporated herein.

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. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the application have been received and the time for 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 not identified any growth management concerns related to consistency with the Lake County Comprehensive Plan. The utility states that the provision of service will be consistent with the utility section of the local comprehensive plan.

The utility has demonstrated the financial and technical ability to provide quality service to the customers. Water service will be provided by the utility's 0.523 Million Gallons per Day (MGD) water treatment plant. The latest flow information is from the 1997 Annual Report. The average flows were 63% (0.329 MGD) of the water treatment plant capacity, and the peak day flow was 100% (0.523 MGD). The water plant consists of two (2) 18 inch wells that total a rated capacity of 3.312 MGD. Since the 1997 Annual Report, the utility has added a third hydropneumatic tank (12,000 gallons capacity) to the distribution system which increases its total storage capacity to 27,000 gallons. A future expansion plan is in progress that will upgrade the water treatment plant to 1.08 million gallons per day to handle peak demands. When completed, the plant expansion is anticipated to serve 1371 ERCs. There appears to be sufficient water treatment capacity to serve the proposed territorial extension. Wastewater service will be provided by the utility's .175 MGD wastewater treatment plant. The 1997 Annual Report listed average daily flows for the twelve-month period as .076 MGD (43%), with flows for the peak day at .096 MGD (55%). The utility currently disposes of its effluent via percolation ponds. The Department of Environmental Protection has no outstanding notices of violation or open citations regarding

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this utility. It appears that the utility has sufficient wastewater treatment plant capacity to serve the new development.

Based on the above information, we find it is in the public interest to grant the application of Lake Groves Utilities, Inc. for amendment of Water Certificate No. 534-W and Wastewater Certificate No. 465-S. The utility has returned the certificates for entry of the additional territory and filed revised tariff sheets which reflect the amended territory description.

Rates and Charges

The water and wastewater rates were last changed on January 12, 1999, by a disposition of gross-up funds collected by Lake Groves Utilities, Inc., in Lake County. Lake Groves has not had a rate adjustment through either a file and suspend rate case or an index rate adjustment. The rates and charges previously approved by the Commission should be applied to customers in the new service territory.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Water Certificate No. 534-W and Wastewater Certificate No. 465-S, held by Lake Groves Utilities, Inc., 2335 Sanders Road, Northbrook, Illinois, 60062, are hereby amended to include the territory described in Attachment A of this Order. It is further

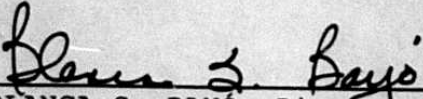
ORDERED that Attachment A is incorporated herein by reference. It is further

ORDERED that Lake Groves 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 this docket is hereby closed.

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By ORDER of the Florida Public Service Commission this 3rd day
of May, 1999.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

SAC

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.

LAKE GROVES UTILITIES, INC.

McPherson Property:

A portion of the North ½ of Section 15, Township 24 South, Range 26 East, Lake County Florida, being more particularly described as follows:

Commence at the West 1/4 corner of said Section 15, thence N.02°26'42"W. along the West line of the Northwest 1/4 of said Section 15, a distance of 9.63 feet to the Point of Beginning; thence continue N.02°26'42"W. along said West line 2623.35 feet to the Northwest corner of said Section 15; thence N.87°51'46"E. along the North line of the Northwest 1/4 of Section 15, a distance of 2652.60 feet to the Westerly right-of-way line of State Road no.25 (U.S. Highway 27); thence S.22°18'00"E. along said Westerly right-of-way line 1893.03 feet; thence departing said right-of-way line, run S.87°42'23"W. 2188.30 feet; thence run S.32°33'34"W. 21.65 feet; thence run S.22°20'29"W. 25.64 feet; thence run S.06°12'43"W. 17.83 feet; thence run S.09°01'59"W. 32.00 feet; thence run S.02°35'39"W. 27.51 feet; thence run S.01°22'54"W. 32.47 feet; thence run S.06°15'55"W. 28.98 feet; thence run S.01°08'40"W. 26.89 feet; thence run S.40°49'35"W. 39.40 feet; thence run S.17°46'26"W. 19.22 feet; thence run S.12°22'58"W. 31.26 feet; thence run S.31°02'35"W. 30.08 feet; thence run S.29°56'09"W. 56.27 feet; thence run S.32°46'12"W. 33.20 feet; thence run S.09°07'31"W. 29.24 feet; thence run S.33°57'05"W. 15.47 feet; thence run S.82°43'14"W. 28.35 feet; thence run S.51°31'55"W. 26.43 feet; thence run S.37°15'11"W. 9.23 feet; thence run S.12°43'21"W. 15.71 feet; thence run S.36°24'31"E. 9.02 feet; thence run S.35°55'40"E. 18.32 feet; thence run S.29°46'29"W. 34.00 feet; thence run S.20°14'26"W. 23.67 feet; thence run S.49°12'19"W. 38.63 feet; thence run S.56°20'25"W. 35.28 feet; thence run S.04°58'16"W. 49.75 feet; thence run S.34°48'36"E. 29.15 feet; thence run S.20°27'55"E. 28.33 feet; thence run S.06°10'28"E. 31.60 feet; thence run S.48°36'21"E. 28.01 feet; thence run S.79°42'45"E. 15.09 feet; thence run S.66°23'04"E. 26.33 feet; thence run S.74°07'08"W. 27.80 feet; thence run S.71°42'54"W. 36.05 feet; thence run S.64°25'59"W. 42.91 feet; thence run S.75°03'46"W. 45.16 feet; thence run S.73°36'21"W. 44.62 feet; thence run S.71°03'29"W. 52.35 feet; thence run N.73°58'20"W. 24.18 feet; thence run S.45°19'12"W. 27.72 feet; thence run S.73°03'05"W. 31.36 feet; thence run S.81°47'29"W. 46.10 feet; thence run S.86°22'45"W. 65.11 feet; thence run S.84°57'36"W. 53.58 feet;

thence run S.87°17'59"W. 48.05 feet; thence run S.88°09'57"W. 39.00 feet; thence run S.87°56'37"W. 45.73 feet; thence run S.89°51'17"W. 54.99 feet; thence run N.89°53'40"W. 59.03 feet; thence run S.88°18'51"W. 49.27 feet; thence run S.88°29'00"W. 59.15 feet; thence run S.87°34'30"W. 55.95 feet to the Point of Beginning. Containing 139.599 acres, more or less.

LESS AND EXCEPT:

A portion of the North ½ of Section 15, Township 24 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of said Section 15, thence N.02°26'42"W. along the West line of the Northwest 1/4 of said Section 15, a distance of 9.63 feet to the Point of Beginning; thence continue N.02°26'42"W. along said West line 2623.35 feet to the Northwest corner of said Section 15; thence N.87°51'46"E. along the North line of the Northwest 1/4 of Section 15, a distance of 991.05 feet; thence S.25°04'49"E. 76.28 feet; thence S.35°24'35"E. 114.64 feet; thence S.52°57'20"W. 53.45 feet; thence S.04°48'52" E. 126.70 feet; thence S.00°14'42"E. 91.38 feet; thence S.14°17'14"E. 113.42 feet; thence S.11°31'57"E. 112.56 feet; thence S.14°05'17"E. 108.97 feet; thence S.09°56'17"E. 82.22 feet; thence S.09°16'13"E. 47.92 feet; thence S.15°14'33"E. 103.36 feet; thence S.02°54'25"W. 25.79 feet; thence S.04°22'51"E. 70.16 feet; thence S.01°17'00"E. 66.17 feet; thence S.44°09'28"W. 62.22 feet; thence S.51°52'31"E. 38.36 feet; thence S.09°18'07"W. 49.70 feet; thence N.84°17'26"W. 31.38 feet; thence S.19°51'44"W. 19.38 feet; thence S.63°43'32"E. 35.93 feet; thence S.14°06'33"E. 34.81 feet; thence S.11°24'47" W. 36.40 feet; thence S.86°39'10"E. 79.45 feet; thence S.20°39'49"W. 136.87 feet; thence S.05°21'36"E. 104.21 feet; thence S.08°41'38"E. 52.74 feet; thence S.00°48'44"W. 82.41 feet; thence S.00°36'41"W. 41.24 feet; thence S.22°20'52"W. 19.53 feet; thence S.87°42'23"W. 20.77 feet; thence S.32°33'34"W. 21.65 feet; thence S.22°20'29"W. 25.64 feet; thence S.06°12'43"W. 17.83 feet; thence S.09°01'59"W. 32.00 feet; thence S.02°35'39"W. 27.51 feet; thence S.01°22'54"W. 32.47 feet; thence S.06°15'55"W. 28.98 feet; thence S.01°08'40"W. 26.89 feet; thence S.40°49'35"W. 39.40 feet; thence S.17°46'26"W. 19.22 feet; thence S.12°22'58"W. 31.26 feet; thence S.31°02'35"W. 30.08 feet; thence S.29°56'09"W. 56.27 feet; thence S.32°46'12"W. 33.20 feet; thence S.09°07'31"W. 29.24 feet; thence S.33°57'05"W. 15.47 feet; thence S.82°43'14"W. 28.35 feet; thence S.51°31'55"W. 26.43 feet; thence S.37°15'11"W. 9.23 feet; thence S.12°43'21"W. 15.71 feet; thence S.36°24'31"E. 9.02 feet; thence S.35°55'40"E.

LESS AND EXCEPT (CONT.):

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