

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment  
of Certificate No. 419-W to add  
territory in Marion County by  
Residential Water Systems, Inc.

DOCKET NO. 990698-WU  
ORDER NO. PSC-99-2248-FOF-WU  
ISSUED: November 15, 1999

ORDER AMENDING CERTIFICATE NO. 419-W  
TO ADD TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

Residential Water Systems, Inc. (Residential, applicant, or utility) is a class C water utility located in Marion County. At the end of the year 1998, the utility served a total of 525 water customers. According to the utility's 1998 annual report, its total annual revenues were \$138,843 and the net operating income was \$12,489.

On June 1, 1999, Residential applied for an amendment of Certificate No. 419-W to add the Dalton Woods territory in Marion County. The utility stated in its application that it has been requested to provide service by the developer and owner of the planned residential subdivision known as Dalton Woods. The water system consists of two 8" wells with two 30 horsepower submersible pumps. The plant can produce 1,440,000 gallons per day. The peak demand could be 400,000 gallons per day, after the Dalton Woods is added. The average is now 160,000 gallons per day. The utility is planning to add two 20,000 gallon hydro-tanks and a second automatic generator. The residents receive wastewater service by septic tanks.

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 \$200 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. Pursuant to Rule 25-30.036(3)(d), Florida Administrative Code, the applicant provided evidence, in the form of a warranty deed, accompanied by a copy of the recorded plat for High Point Subdivision showing the location of Tract "A", that the utility owns the land upon which the its facilities are located.

DOCUMENT NUMBER-DATE

13992 NOV 15 99

FPSC-RECORDS/REPORTING

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), (f) and (i), Florida Administrative Code. A description of the territory requested by the utility is appended to this Order as Attachment A.

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 were filed 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 addition of territory in Marion County. The utility states that the provision of service will be consistent with the utility section of the local comprehensive plan.

Regarding the financial impact of these customers to the utility, according to the utility's tariff and service availability policy, developers of the property will be required to construct all on-site facilities and convey those to the utility at no cost in exchange for service. The developers will also pay the standard system capacity fees to offset a portion of the cost of the transmission, and treatment facilities in order to serve the properties. Furthermore, the applicant has submitted an application to the Florida Department of Environmental Protection for a State Revolving Loan for the improvements at the water treatment plant and the application should be approved shortly. Consequently, we find that the utility has demonstrated the financial ability to provide quality service to these customers.

Regarding the utility's technical ability, the applicant has owned and operated private utilities since 1983, and Aqua Pure currently operates the water plant. Our staff has confirmed with the Florida Department of Environmental Protection that the utility was found to be in satisfactory working condition and in compliance with environmental rules.

Based on the above information, we find that it is in the public interest to grant the application of Residential Water Systems, Inc. for amendment of Water Certificate No. 419-W for the territory described in Attachment A and the application is therefore granted.

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Rates and Charges

The rates and charges previously approved by the Commission shall be applied to customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory.

Based on the foregoing, it is

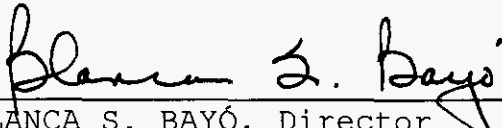
ORDERED by the Florida Public Service Commission that Water Certificate No. 419-W, held by Residential Water Systems, Inc., is hereby amended to include the territory described in Attachment A of this Order. It is further

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

ORDERED that Residential Water Systems, 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.

By ORDER of the Florida Public Service Commission this 15th day of November, 1999.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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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.

Residential Water Systems

Marion County

Water Service Area

<b>PARCEL NOS.</b>	<b>DESCRIPTION</b>
31319-000-17	SECTION 35, TOWNSHIP 15 SOUTH, RANGE 22 EAST BEGIN AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SOUTHEAST 1/4; THENCE WEST ALONG THE NORTH BOUNDARY OF SOUTHWEST 1/4 OF SOUTHEAST 1/4, 629.17 FEET TO EASTERLY RIGHT OF WAY OF BUFFINGTON ROAD; THENCE SOUTH 26°30'07" WEST ALONG THE RIGHT OF WAY 344.78 FEET; THENCE EAST 783.69 FEET; THENCE NORTH 308.30 FEET TO POINT OF BEGINNING.
31368-000-00	SECTION 35, TOWNSHIP 15 SOUTH, RANGE 22 EAST SOUTHEAST 1/4 OF THE SOUTHEAST 1/4
35800-018-00	SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 EAST NORTHEAST 1/4 OF THE NORTHEAST 1/4
35800-019-00	SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 EAST NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4
35800-019-01	SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 E NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 EXCEPT THE WEST 30 FEET FOR ROAD ROW

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35803-020-01 SECTION 2, TOWNSHIP 16 SOUTH, RANGE, 22 EAST  
SOUTH 134.5 FEET OF EAST 248 FEET OF THE NORTH 1/2  
OF THE SOUTHEAST 1/4 OF NORTHEAST 1/4  
NORTHWEST 1/4 EXCEPT THE EAST 30 FEET FOR ROAD  
ROW

35803-000-00 SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 EAST  
35803-006 COMMENCE AT THE NORTHEAST CORNER OF THE  
SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST  
1/4 OF THE NORTHWEST 1/4; THENCE WEST 660 FEET,  
SOUTH 417.33 FEET, EAST 660 FEET NORTH 417.33 FEET,  
EXCEPT THE EAST 30 FEET FOR ROAD ROW

35803-005-00 SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 EAST  
35803-004-00 THE SOUTH 1232.67 FEET OF THE EAST 1/2 OF THE  
35803-003-00 SOUTHEAST 1/4 OF THE NORTHWEST 1/4 EXCEPT THE  
35803-002-01 EAST 30 FEET FOR ROAD ROW

35804-001-00 SECTION 2, TOWNSHIP 16 SOUTH, RANGE 22 EAST  
35804-002-00 COMMENCE AT THE NORTHEAST CORNER OF THE  
35804-003-00 SOUTHWEST 1/4, THENCE WEST 30 FEET FOR THE POB,  
35804-003-01 SOUTH 707.21 FEET, WEST 867 FEET, NORTH 353.28  
35808-000-00 FEET, EAST 105 FEET, THENCE NORTH 353.93 FEET  
35808-001-00 EAST 762.58 FEET TO THE POB.  
35808-002-00  
35808-003-00