

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 363-W to add
territory in Marion County
(Sandy Acres) by Sunshine
Utilities of Central Florida,
Inc.

DOCKET NO. 021034-WU
ORDER NO. PSC-03-0244-FOF-WU
ISSUED: February 20, 2003

ORDER APPROVING AMENDMENT OF CERTIFICATE NO.
363-W TO INCLUDE ADDITIONAL TERRITORY IN
MARION COUNTY AND CLOSING DOCKET

BY THE COMMISSION:

On October 9, 2002, Sunshine Utilities of Central Florida, Inc. (Sunshine or utility) filed an application with this Commission for amendment of Certificate No. 363-W to include additional territory in Marion County, pursuant to Section 367.045, Florida Statutes. Sunshine is a Class B utility that provides service to 3,233 equivalent residential connections. Although the utility's service area lies primarily in the St. Johns River Water Management District, a few systems are located in the Southwest Florida Water Management District.

A portion of the territory being requested in this docket was already being served by Linadale Water Company (Linadale) prior to Linadale being transferred to Sunshine by Order No. PSC-02-1832-PAA-WU, issued December 20, 2002, in Docket No. 011632-WU. That Order required Sunshine to file an application for amendment to correct the description of the territory being served. The instant docket was filed to correct the territory and to request additional territory. The additional territory will be served by the existing water plant in Sandy Acres.

The utility's 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. The utility also provided evidence, in the form of a recorded warranty

DOCUMENT NUMBER-DATE

01756 FEB 20 8

FPSC-COMMISSION CLERK

deed, that it owns the land upon which its facilities are located, pursuant to Rule 25-30.036(3)(d), Florida Administrative Code.

Sunshine provided a map and a description of the territory to be served, as required by Rule 25-30.036(3)(e) and (f), Florida Administrative Code. A description of the territory requested is shown on Attachment A of this Order, which by reference is incorporated herein.

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 filing such has expired.

According to the Department of Community Affairs, there are no growth management issues involved in the amendment. The amendment involves Sandy Acres located in a rural area of unincorporated Marion County. The comprehensive plan in this area allows water facilities where lots of record existed prior to the adoption of the plan.

According to the information provided with the application, the utility has the financial and technical ability to provide service to the additional territory. Sunshine has been providing water service in Marion County for more than 20 years. In addition, there will be no impact upon the utility's rates because the majority of the area requested is already being served.

Based on the foregoing, we find that Sunshine's request to amend Certificate No. 363-W to include additional territory in Marion County is in the public interest and it is approved. A description of the additional territory Sunshine is authorized to serve is shown on Attachment A of this Order. Sunshine has provided a revised tariff sheet reflecting the additional territory. The tariff shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets.

Sunshine shall charge the customers in the territory added herein the rates and charges approved in that portion of its tariff which reflects the rates and charges of the Linadale system (Sandy Acres) that was transferred to Sunshine in Docket No. 011632-WU.

ORDER NO. PSC-03-0244-FOF-WU
DOCKET NO. 021034-WU
PAGE 3

Sunshine shall continue to charge these rates and charges until authorized to change by this Commission in a subsequent proceeding.

It is, therefore,

ORDERED by the Florida Public Service Commission that the amendment of Certificate No. 363-W requested by Sunshine Utilities of Central Florida, Inc., 10230 East Highway 25, Belleview, Florida 34420, is hereby approved. The additional territory added herein is shown on Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Sunshine Utilities of Central Florida, Inc. shall charge the customers in the additional territory the rates and charges approved in that portion of its tariff which reflects the rates and charges of the Linadale system (Sandy Acres) that was transferred to Sunshine in Docket No. 011632-WU. It is further

ORDERED that the tariff which reflects the additional territory shall be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 20th day of February, 2003.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)
ALC

ORDER NO. PSC-03-0244-FOF-WU

DOCKET NO. 021034-WU

PAGE 4

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.

ORDER NO. PSC-03-0244-FOF-WU
DOCKET NO. 021034-WU
PAGE 5

ATTACHMENT A

SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.

Water Service Area for Sandy Acres
Marion County

In Township 17 South, Range 26 East, Marion County:

The Southwest 1/4 of the Northwest 1/4 of Section 29.
The West 1/2 of the Southwest 1/4 of Section 29.
The Southeast 1/4 of Section 30.
The East 1/2 of the Northeast 1/4 of Section 31.
The West 1/2 of the Northwest 1/4 of Section 32.