

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. 030294-WU  
ORDER NO. PSC-03-0875-FOF-WU  
ISSUED: July 29, 2003

ORDER AMENDING CERTIFICATE TO INCLUDE ADDITIONAL TERRITORY  
AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

Residential Water Systems, Inc. (RWSI or utility) is a Class C water utility providing service to approximately 590 customers in Marion County. RWSI was granted Certificate No. 419-W by Order No. 12842, issued January 4, 1984, in Docket No. 830436-W. The annual report for 2002 shows that the annual operating revenue is \$198,018 and the net operating income is \$7,103.

On March 25, 2003, RWSI applied for an amendment to Certificate No. 419-W. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

APPLICATION

By its amendment application, RWSI requests to add to its certificate approximately 23 acres of land located immediately east of its current service area. The subdivision which the utility requests to be added is Dalton Woods, First Addition. The area is in the St. Johns River Water Management District (SJRWMD), and is within a critical water supply problem area. The entire SJRWMD is designated as a critical water supply problem area.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules. The application contains a check in the amount of \$100, which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The utility has provided evidence in the form of a warranty deed that the utility owns the land upon which its

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water facilities are located, as required by Rule 25-30.036(3)(d), Florida Administrative Code. Homes in the subdivision have septic tanks.

Adequate service territory and system maps and a territory description have been provided as required 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, which is incorporated herein by reference.

RWSI has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, affirming that it has a tariff and annual reports on file with this Commission. The 2002 annual report was received on February 3, 2003. Moreover, the utility has filed revised tariff sheets incorporating the additional territory into its tariff.

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. The Department of Community Affairs has reviewed the application and states that it is consistent with the Marion County Comprehensive Plan. The territory requested will serve 24 residential customers in the development known Dalton Woods, First Addition.

The territory requested will enlarge the utility's service area to the east. Water lines have been designed to serve the new areas. Construction of the distribution system will be financed by the developer and deeded to RWSI as contributions-in-aid-of-construction.

RWSI has the financial and technical ability to provide the service to the requested territory. Aqua Pure is responsible for plant operation and testing, according to the annual report. There are no notices of violation or consent orders from the Department of Environmental Protection. No material impact upon monthly rates or service availability fees is expected. The utility is aware that no changes can be made to these rates, charges, or fees without prior approval of this Commission.

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Based on the above information, we find that it is in the public interest to approve RWSI's application for amendment of Certificate No. 419-W. The application is therefore granted, and RWSI's Certificate No. 419-W is amended to include the territory shown on Attachment A. RWSI shall charge the customers in the territory added herein the rates and charges contained in its tariff until authorized to change by this Commission in a subsequent proceeding.

Based on the foregoing, it is

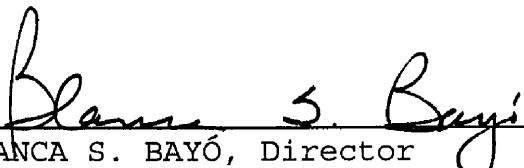
ORDERED by the Florida Public Service Commission that Residential Water Systems, Inc.'s application to amend Certificate No. 419-W is hereby approved. It is further

ORDERED that Certificate No. 419-W is hereby amended to include the territory described in Attachment A, which is attached hereto and 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 contained in its tariff until authorized to change by this Commission in a subsequent proceeding. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 29th Day of July, 2003.

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

( 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 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.

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ATTACHMENT A

RESIDENTIAL WATER SYSTEMS, INC.

DALTON WOODS, FIRST ADDITION

In Section 36, Township 15 South, Range 22 East, Marion County, Florida:

Begin at the Southwest corner of said Section 36; thence N 00°03'20" W, along the west boundary of said Section 36, a distance of 1323.85 feet to an intersection with the north boundary of the SW 1/4 of the SW 1/4 of said Section 36; thence N 89°51'06" E, along said north boundary 247.63 feet to a point on the westerly boundary of railroad right-of-way (200' wide); thence S 37°33'40" E, along said westerly boundary 1667.75 feet to an intersection with the south boundary of the aforesaid Section 36; thence S 89°53'19" W, along said south boundary 1263.03 feet to the Point of Beginning, containing 22.957 acres more or less.