

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for "quick take" amendment of Certificate No. 226-S in Seminole County by Florida Water Services Corporation. | DOCKET NO. 040296-SU  
ORDER NO. PSC-04-0594-FOF-SU  
ISSUED: June 15, 2004

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

ORDER ACKNOWLEDGING QUICK TAKE AMENDMENT OF CERTIFICATE NO. 226-S  
IN SEMINOLE COUNTY BY FLORIDA WATER SERVICES CORPORATION

BY THE COMMISSION:

Florida Water Services Corporation (Florida Water or utility) is a Class A utility. According to its 2003 annual report, Florida Water's Meredith Manor system serves approximately 638 water and 28 wastewater customers with combined annual operating revenues of \$257,475, and a combined net income of \$52,348. Florida Water has a number of non-contiguous water and wastewater systems in Seminole County.

On April 5, 2004, the utility applied for a "Quick Take" amendment to Wastewater Certificate No. 226-S in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on April 16, 2004. The customer requesting wastewater service currently receives water service from the Meredith Manor water system and is now requesting that Florida Water provide wastewater service because of a septic tank failure. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

The "Quick Take" amendment is designed to provide water and/or wastewater service quickly for areas that serve less than 25 ERCs. Typically, a well or septic tank fails, or service is otherwise not available, and service is needed as soon as possible. The request for service territory expansion and amendment of an existing certificate is considered approved when the utility complies with Rule 25-30.036(2), Florida Administrative Code, and if no timely protest is filed to the notice of 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 contained a check in the amount of \$100, which is the

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correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. Florida Water's Meredith Manor system obtains bulk wastewater service from the City of Altamonte Springs and does not own any land for the Meredith Manor wastewater system.

Adequate service territory maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e) and (i), Florida Administrative Code. A description of the territory extension is contained in 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. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory. In addition, the application contained 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 local planning agency was provided notice of the application and did not file a protest to the amendment.

The utility states that the new territory will not exceed a maximum of 25 ERCs at the time the territory is built out. The utility will provide service to one customer whose septic tank failed. No other utility in the area is willing and/or capable of providing reasonably adequate service to the territory, according to Florida Water. The Department of Environmental Protection was contacted and we learned that there are no outstanding notices of violation issued for Florida Water's Meredith Manor wastewater system.

In accordance with Rule 25-30.036(2), Florida Administrative Code, a request for service expansion shall be deemed approved if no protest is timely filed to the application. As stated above, no protests have been filed and the time for filing such has expired.

Based on the above information, we find it in the public interest to acknowledge the "Quick Take" amendment application filed by Florida Water and to add the additional territory described in Attachment A to its certificated area. In addition, the rates and charges currently approved for Florida Water's Meredith Manor service area shall be applied to the customer in the new service territory until authorized to change in a subsequent proceeding.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Water Services Corporation's Application for Quick Take Amendment of Certificate No. 226-S in Seminole County is hereby acknowledged. It is further

ORDERED that the rates and charges currently approved for the utility's Meredith Manor service area shall be applied to the new service territory until authorized to change in a subsequent proceeding. It is further

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

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of June, 2004.



BLANCA S. BAYO, 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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SEMINOLE COUNTY  
MEREDITH MANOR  
EXTENTION OF WASTEWATER SERVICE TERRITORY

Commence at the Southeast corner of the Northeast quarter of the Southwest quarter of Section 4, Township 21 South, Range 29 East, Seminole County, Florida;

Thence proceed N 00°13'51" E a distance of 509.29 feet, more or less; thence proceed N 89°35'10" W a distance of 223.65 feet, more or less, to the Point of Beginning; thence proceed N 84°15'00" E a distance of 110.00 feet; thence proceed N 05°52'16" W a distance of 228.00 feet; thence proceed S 24°07'21" W a distance of 22.00 feet; thence proceed S 74°30'34" W a distance of 100.00 feet; thence proceed S 05°45'00" E a distance of 192.00 feet to the Point of Beginning, containing 0.51 acre, more or less.