

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of
Certificates 465-S and 496-W to extend water
and wastewater service areas to include certain
land in Lake County by Lake Utility Services,
Inc.

DOCKET NO. 040371-WS
ORDER NO. PSC-04-0966-FOF-WS
ISSUED: October 5, 2004

The following Commissioners participated in the disposition of this matter:

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

ORDER AMENDING CERTIFICATE NOS. 465-S AND 496-W
TO INCLUDE ADDITIONAL TERRITORY IN LAKE COUNTY

BY THE COMMISSION:

Lake Utility Services, Inc. (LUSI) is a Class A water and wastewater utility company serving 6255 metered water customers and 2083 wastewater customers in Lake County. The 2003 annual report on file with this Commission lists operating revenues of \$2,341,429 with net operating revenues of \$713,549. The utility's service area lies in the St. Johns River Water Management District and is in a critical water supply problem area.

The utility filed an application on April 28, 2004, to amend its water and wastewater certificates, pursuant to Section 367.045, Florida Statutes, and Rule 25-30.036, Florida Administrative Code. The application proposes to serve 216 water connections and 203 wastewater connections. There have been no protests 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.

At the request of the Department of Environmental Protection (DEP), the utility is extending water service to an area known as Thompson Place, an area now served with private wells. Some of these wells have become contaminated, and a central water supply is needed. There are developer agreements for the Mission Place parcel, where both water and wastewater service will be provided. LUSI has sufficient capacity with its existing facilities to provide service. There are no outstanding notices of violation or consent orders with the DEP. A description of the territory is appended to this Order as Attachment A.

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The application contained proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. All property owners in the area requested received a copy of the notice.

The Department of Community Affairs (DCA) stated that the application is consistent with the City of Clermont and Lake County comprehensive plans. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and a current annual report on file with the Commission. LUSI provided copies of financial pages from its annual report to demonstrate financial viability.

Based upon the above information, we find that it is in the public interest that the utility's application be granted and the land area described in Attachment A be added to the water and wastewater certificated territory of LUSI. LUSI shall charge the customers in the territory added herein the rates and charges contained in its tariffs until authorized to change by this Commission in a subsequent proceeding.

Based on the foregoing, it is

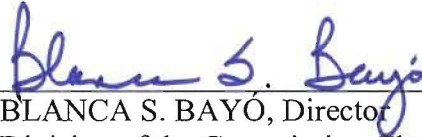
ORDERED by the Florida Public Service Commission that Lake Utility Services, Inc.'s Application for Amendment of Certificate Nos. 465-S and 496-W to Extend its Water and Wastewater Service Area in Lake County is hereby granted. It is further

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

ORDERED that Lake Utility Services, Inc. shall charge the customers in the territory added herein the rates and charges contained in its tariffs 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 5th day of October, 2004.



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.

ATTACHMENT A

AMENDMENT TO WATER SERVICE TERRITORY

LAKE UTILITY SERVICES, INC., LAKE COUNTY

Addition No. 1 (Thompson Place Subdivision)

A tract of land lying in Section 26, Township 22 South, Range 25 East, Lake County, Florida, being described as follows:

Commence at the Southwest corner of said Section 26; thence East along the South line of said Section 26 for a distance of 1320 feet to the Point of Beginning; thence North 680 feet to the South shore of Lake Minnehaha; thence South 60° East along said shoreline for a distance of 1250 feet; thence West along the South line of Section 26 for a distance of 1200 feet to the Point of Beginning.

AMENDMENT TO WATER AND WASTEWATER SERVICE TERRITORY

LAKE UTILITY SERVICES, INC., LAKE COUNTY

Addition No. 2 (Mission Park Subdivision)

A tract of land lying in Section 15, Township 24 South, Range 26 East, Lake County, Florida, being described as follows:

Commence at the Southwest corner of said Section 15; thence East along the South line of said Section 15 for a distance of 2640 feet to the Point of Beginning; thence North 08° East for a distance of 2000 feet; thence North 27° West for 600 feet; thence East 1100 feet to the centerline of U. S. Highway No. 27; thence South 22° East along said highway for 2800 feet; thence West along the South line of said Section 15 for 2000 feet to the Point of Beginning.