

BEFORE THE PUBLIC SERVICE COMMISSION

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| In re: Application for amendment of Certificate 363-W in Marion County by Sunshine Utilities of Central Florida, Inc. | DOCKET NO. 040388-WU ORDER NO. PSC-04-1032-FOF-WU ISSUED: October 25, 2004 |
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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 AMENDING CERTIFICATE TO INCLUDE ADDITIONAL TERRITORY AND
CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

On April 30, 2004, Sunshine Utilities of Central Florida, Inc. (Sunshine or utility) filed an application with this Commission to amend 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 has been providing service in Marion County for more than 25 years, owning and operating more than 20 water systems. With annual operating revenues of \$906,648, and a net income of \$52,806, the utility currently serves approximately 3,500 water customers.

The area requested by Sunshine consists of approximately 52 acres. It will contain a planned 72-lot mobile home community known as Lexington Estates (Lexington). The proposed area is located in the St. Johns River Water Management District (SJRWMD). Water use restrictions have been imposed district wide to encourage conservation. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

AMENDMENT OF CERTIFICATE

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 proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections were received and the time for filing objections has expired.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Pursuant to Rule 25-30.036, Florida Administrative Code, the utility provided verification of need with a letter from the developer of Lexington Estates Subdivision requesting water service from the utility and a signed developer agreement. The developer will pay for all professional services and fees to acquire permits necessary to serve the property and all costs for the complete construction of the expansion of the distribution system. This will be done in lieu of the utility collecting its approved service availability charge. Upon completion of the project, the developer will donate the water distribution system.

We also find that the utility has demonstrated that it has the necessary financial and technical expertise. Water service to Lexington will be supplied through an interconnection with the utility's nearby Ocala Heights water system which currently has 318 connections. Sunshine's water treatment facility at Ocala Heights is made up of two wells with chlorination used for disinfection purposes. The Department of Environmental Protection has no outstanding violations, citations, or notices of violation issued to the utility for the water system that will serve the proposed area. Also, the utility indicated that the granting of the proposed amendment would be in the best interest of the public as it will provide the residents with a safe water source. According to the Department of Community Affairs, the proposed service expansion area appears to be consistent with the Marion County comprehensive plan.

Based on the above information, we find that it is in the public interest to approve the amendment application filed by Sunshine to add the additional territory described in Attachment A. The utility shall charge the customers in the territory added herein the monthly service rates contained in its current tariff until authorized to change by this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Water Certificate No. 363-W, held by Sunshine Utilities of Central Florida, 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 Sunshine Utilities of Central Florida, Inc., shall charge the customers in the territory added herein the monthly service rates contained in its current tariff until authorized to change by this Commission. It is further

ORDERED that there are no further actions required and this docket shall be closed.

By ORDER of the Florida Public Service Commission this 25th day of October, 2004.



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

(S E A L)

RRJ

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

Sunshine Utilities of Central Florida, Inc.
Amended Water Territory Description
Marion County

Lexington Estates
Sections 17 & 18 Township 15 South, Range 23 East

Parcel 1:

The NW 1/4 of the SW 1/4 of Section 17, Township 15 South, Range 23 East, Marion County, Florida; Less and except the South 786 Feet of the West 40 feet thereof.

Parcel 2:

The Easterly 634 feet of the Southerly 350 feet of the NE 1/4 of Section 18, Township 15 South, Range 23 East and the Easterly 634 feet of the Northerly 534 feet of the SE 1/4 of Section 18, Township 15 South, Range 23 East, Marion County, Florida.