

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of  
Certificates 567-W and 494-S to extend water  
and wastewater service areas to include certain  
land in Lake County by Shangri-La-By-The-  
Lake Utilities, Inc.

DOCKET NO. 050642-WS  
ORDER NO. PSC-06-0106-FOF-WS  
ISSUED: February 13, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

FINAL ORDER AMENDING CERTIFICATE NOS. 567-W AND 494-S  
TO INCLUDE ADDITIONAL TERRITORY IN LAKE COUNTY

BY THE COMMISSION:

Background

On September 22, 2005, Shangri-La-By-The-Lake Utilities, Inc. (Shangri-La or utility) filed an application with this Commission to amend its water and wastewater certificates, pursuant to Section 367.045, Florida Statutes, and Rule 25-30.036, Florida Administrative Code. Shangri-La is a Class C water and wastewater utility company serving 150 water and 142 wastewater customers in Lake County. The utility was issued certificates on January 12, 1996, by Order No. PSC-96-0062-FOF-WS. The utility's 2004 annual report lists \$19,530 in water revenue and \$39,061 in wastewater revenue, with a total overall net loss of \$35,253.

The amendment would allow Shangri-La to provide water and wastewater service for up to 25 single family homes by adding the territory described in Attachment A, below, to its certificates. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

Amendment

The application is in compliance with the governing statute, Section 367.045, Florida 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. The Department of Community Affairs has stated that the project is consistent with Lake County's Comprehensive Plan and identified no growth management concerns with the area requested for amendment.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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. The utility has entered into a developer agreement for provision of water and wastewater service in the new area for up to 25 single family homes. The signed developer agreement states that the developer will pay the cost of modifications and upgrades to the utility's wastewater plant to serve the additional customers. On-site lines will be constructed by, and at the cost of, the developer, then deeded to the utility company. There are no outstanding notices of violation or consent orders with the Department of Environmental Protection.

We are satisfied that the utility is sufficiently experienced and has the financial and technical ability to provide service to the area requested. There are no complaints pending in the Division of Regulatory Compliance and Consumer Assistance.

Based upon the above information, we find that it is in the public interest that the utility's application be granted and the land described in Attachment A, attached hereto and incorporated herein by reference, be added to the water and wastewater certificated territory of Shangri-La-By-The-Lake Utilities, Inc. Shangri-La should charge the customers in the added territory the same 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 Shangri-La-By-The-Lake Utilities, Inc.'s application for amendment of Certificate Nos. 567-W and 494-S is hereby approved as set forth in the body of this Order. It is further

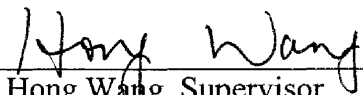
ORDERED that Attachment A is incorporated herein by reference. It is further

ORDERED that Shangri-La-By-The-Lake Utilities, Inc. shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th day of February, 2006.

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

By:   
\_\_\_\_\_  
Hong Wang, Supervisor  
Case Management Review Section

(SEAL)

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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 AND WASTEWATER SERVICE TERRITORY FOR  
SHANGRI-LA-BY-THE-LAKE UTILITIES, INC. IN LAKE COUNTY

THAT PORTION OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 26 EAST AND THAT PORTION OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 26 EAST, ALL IN LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 7 RUN THENCE EAST 1363 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 6; THENCE NORTH, 100.00 FEET; THENCE EAST 450 FEET, MORE OR LESS, TO THE WATERS OF LAKE EUSTIS AND A POINT HEREBY DESIGNATED AS POINT "A".

THENCE RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 00°09'59" EAST, 460.00 FEET ALONG THE WEST LINE OF SAID SECTION 7; THENCE SOUTH 63°00'00" EAST TO THE WATERS OF LAKE EUSTIS, THENCE NORTHERLY AND EASTERLY ALONG AND WITH THE SAID WATERS OF LAKE EUSTIS TO THE AFOREMENTIONED POINT "A" FOR POINT OF TERMINUS.