

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for quick-take amendment of Certificate No. 379-S in Seminole County by Alafaya Utilities, Inc. | DOCKET NO. 090315-SU
ORDER NO. PSC-09-0608-FOF-SU
ISSUED: September 8, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER ACKNOWLEDGING QUICK TAKE AMENDMENT OF CERTIFICATE
NO. 379-S IN SEMINOLE COUNTY

BY THE COMMISSION:

BACKGROUND

Alafaya Utilities, Inc. (Alafaya or utility), a subsidiary of Utilities, Inc., is a Class A wastewater utility located in Seminole County. It provides wastewater service to approximately 7,106 residential customers, 154 general service customers, and 1,663 reuse customers. Alafaya is located in the St. Johns River Water Management District which is considered a priority water resource caution area. Water service is provided by the City of Oviedo. In 2008, the utility had annual operating revenues of \$3,791,018 for wastewater, with a net operating income of \$554,193 for wastewater. Alafaya recently applied for a limited proceeding in Docket No. 090121-SU, to recover the cost of upgrading and expanding the reuse system, to recover the utility's modernization of its accounting system, and to recover digester costs.¹

On May 19, 2009, the utility filed an application for an amendment to Certificate No. 379-S in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code (F.A.C.). We have jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.).

ACKNOWLEDGING QUICK TAKE AMENDMENT

As stated above, on May 19, 2009, Alafaya applied for a "Quick Take" amendment to Certificate No. 379-S in Seminole County, Florida, pursuant to Rule 25-30.036(2), F.A.C. The completed application was filed on June 3, 2009. The requested territory, which is contiguous to the utility's existing service territory, is for seven proposed residential homes. According to Alafaya, no other utility in the area is willing or capable of providing reasonably adequate service to the territory.

¹ Docket No. 090121-SU, In Re: Application for limited proceeding rate increase in Seminole County by Alafaya Utilities, Inc.

DOCUMENT NUMBER-DATE

09277 SEP-8 8

FPSC-COMMISSION CLERK

The "Quick Take" amendment process is designed for service territory additions of less than 25 equivalent residential connections (ERCs). The abbreviated application requires less information than an amendment file pursuant to Rule 25-30.036(3), F.A.C., and requires less staff time to process. The amendment is considered approved when the utility completes the filing requirements and if no protest is timely filed to the notice of application.

The application is in compliance with the governing statute, Section 367.045, F.S., 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, F.A.C. Adequate service territory maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e) and (i), F.A.C.

Alafaya's wastewater plant is regulated by the Department of Environmental Protection's (DEP) Central District office in Orlando. The utility is current in all of the required chemical analyses and the utility has met all required standards for wastewater. The wastewater effluent quality is considered to be satisfactory by the DEP. Based on the above information, we hereby acknowledge Alafaya's amendment application to expand its territory. The proposed territory amendment is described in Attachment A to this Order. The resultant Order shall serve as Alafaya's amended certificate and it should be retained by the utility. The utility shall charge the customers in the territory added herein the monthly service rates and charges 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 Alafaya Utilities, Inc.'s application to amend Certificate No. 379-S to include territory described in Attachment A to this Order is acknowledged. It is further

ORDERED that this Order shall serve as Alafaya's amended certificate and it should be retained by the utility. It is further

ORDERED that Alafaya Utilities, Inc. shall charge the new customer rates and charges contained in Alafaya Utilities, Inc.'s 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 8th day of September, 2009.



ANN COLE
Commission Clerk

(S E A L)

CMK

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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.

Alafaya Utilities, Inc.
Seminole County
Wastewater Service Area

Part of the Oviedo Forest subdivision

That part of Section 12, Township 21 South, Range 31 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 12, Township 21 South, Range 31 East and run South along the east boundary line of Section 12 a distance of 917.6 feet to the Point of Beginning, thence run S54°26'3"E a distance of 211.8 feet, thence run S15°40'38"W a distance of 138.5 feet, thence run S40°37'13"E a distance of 269.3 feet, thence run S20°53'56"E a distance of 64.9 feet, thence run S0°35'38"W a distance of 129.9 feet, thence run S80°15'8"W a distance of 99.9 feet, thence run S61°33'58"W a distance of 153.3 feet, thence run S31°29'44"W a distance of 191.8 feet to a point on the east boundary line of Section 12, Township 21 South, Range 31 East, thence run North along said boundary line a distance of 901.9 feet to the Point of Beginning.

Note: The legal description is based on Seminole County's Property appraisers database. The lots extending beyond Section 12 appear to be within Section 7 based on Section boundaries. However, the property appraisal information for each parcel classifies them in Section 12.

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Alafaya Utilities Inc.
pursuant to
Certificate Number 379-S

to provide wastewater service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
14841	09-03-1985	850209-SU	Original Certificate
15573	01-23-1986	860014-SU	Amendment
18486	12-02-1987	870923-SU	Amendment
19579	06-28-1988	880562-SU	Amendment
PSC-93-0358-FOF-SU	03-08-1993	920885-SU	Amendment
PSC-95-0489-FOF-SU	04-18-1995	941106-SU	Transfer
PSC-96-1281-FOF-SU	10-15-1996	951419-SU	Amendment
PSC-04-0149-FOF-SU	02-11-2004	030957-SU	Amendment
PSC-06-0826-FOF-SU	10-06-2006	060400-SU	Amendment
PSC-06-0826A-FOF-SU	11-20-2006	060400-SU	Amendatory
PSC-06-0826B-FOF-SU	11-22-2006	060400-SU	Second Amendatory
PSC-09-0608-FOF-SU	09-08-2009	090315-SU	Amendment