

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Sunshine Utilities of Central Florida, Inc. to amend its Water Certificate No. 363-W to include additional territory in Marion County, FL (Sandy Acres). | DOCKET NO. 100156-WU
ORDER NO. PSC-10-0557-FOF-WU
ISSUED: September 7, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP
ART GRAHAM
RONALD A. BRISÉ

ORDER APPROVING APPLICATION TO AMEND CERTIFICATE NO. 363-W BY
SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.

BY THE COMMISSION:

Sunshine Utilities of Central Florida, Inc. (Sunshine or Utility) is a class B utility which provides service to approximately 3,500 water customers in more than 20 systems in Marion County. Wastewater service is provided by septic tanks. The Utility's 2009 annual report shows an annual operating revenue of \$966,750 and an operating loss of \$110,091.

Pursuant to Section 376.045, Florida Statutes (F.S.), Sunshine filed an application on April 27, 2010, for amendment of Certificate No. 363-W to add territory in Marion County. Pursuant to Rule 25-30.036(2), Florida Administrative Code (F.A.C), we have the authority to approve applications for amendments when no objections have been filed and the application is processed in accordance with Chapter 367, F.S.

Sunshine's application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning applications seeking an amendment of a certificate. The application contains proof of compliance with the noticing provisions in Rule 25-30.030., F.A.C. No objections were received and the time for such has expired.

A map of the territory to be served and a territory description, as required by Rule 25-30.036(3)(e), F.A.C., have been provided. A description of the territory to be amended is contained in Attachment A to this Order. According to the Utility, the requested amendment of its service area would allow it to provide water service to seven mobile home residents served by a private well that has been contaminated. The Sandy Acres water treatment plant has the capacity to serve the proposed area. The Utility provided evidence of ownership of the water treatment plant sites, and the Department of Environmental Protection has confirmed to us that there are no outstanding notices of violations issued to the Utility.

FILED NUMBER-DATE

7510 SEP-7 0

FPSC-COMMISSION CLERK

Based on the above, we hereby find that it is in the public interest to approve the Utility's application to amend Certificate No. 363-W to add territory in Marion County. The approved territory amendment is described in Attachment A to this Order. This Order shall serve as Sunshine's amended certificate and it shall be retained by the Utility. Sunshine shall charge the customers in the added territory the 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 Sunshine Utilities of Central Florida, Inc.'s application to amend Certificate No. 363-W to add territory in Marion County as described in Attachment A, is hereby approved. It is further

ORDERED that this Order shall serve as Sunshine Utilities of Central Florida, Inc.'s amended certificate and shall be retained by the Utility. It is further

ORDERED that the existing charges contained in its tariff shall be applied to the customers in the new territory until Sunshine Utilities of Central Florida, Inc. is authorized to change them in a subsequent proceeding. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 7th day of September, 2010.



ANN COLE
Commission Clerk

(S E A L)

LAH

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.

SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.
DESCRIPTION OF WATER TERRITORY TO BE ADDED
MARION COUNTY

SANDY ACRES SUBDIVISION

SECTION 29 TOWNSHIP 17S RANGE 26E

THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 29

THE NORTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 29

THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 29

FLORIDA PUBLIC SERVICE COMMISSION
authorizes
Sunshine Utilities of Central Florida, Inc.
pursuant to
Certificate Number 363-W

to provide water service in Marion County in accordance with the provision of Chapter 367, Florida Statutes, 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>
11138	09/03/82	810386-W (MC)	Grandfather
11680	03/07/83	810423-W, 810363-W, 820409-W, 820408-W, 820367-W	Transfer/Amendment
14206	03/21/85	840087-WU	Amendment
14978	09/20/85	840089-WU	Amendment
15296	10/25/85	850280-WU	Amendment
17161	02/06/87	861526-WU	Amendment
17733	06/22/87	870181-WU	Transfer/Amendment
18081	09/01/87	860724-WU	Amendment
20707	02/06/89	880907-WU	Transfer
22239	11/29/89	891177-WU	Name Change
PSC-98-0385-FOF-WU	03/11/98	971297-WU	Amendment
PSC-99-2390-FOF-WU	12/07/99	980543-WU	Amendment
PSC-00-1062-FOF-WU	06/02/00	991681-WU	Amendment
PSC-02-1832-PAA-WU	12/20/02	011632-WU	Amendment
PSC-02-1292-PAA-WU	09/23/02	020256-WU	Transfer/Amendment
PSC-03-1099-FOF-WU	10/02/03	030128-WU	Amendment
PSC-03-1333-PAA-WU	11/24/03	030340-WU	Transfer/Amendment
PSC-04-1032-FOF-WU	10/25/04	040388-WU	Amendment
PSC-06-0478-FOF-WU	06/05/06	060283-WU	Amendment
PSC-10-0557-FOF-WU	09/07/10	100156-WU	Amendment