

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificate  
Nos. 387-W and 331-S to extend water and  
wastewater territory in Martin County by  
Indiantown Company, Inc.

DOCKET NO. 100408-WS  
ORDER NO. PSC-11-0521-FOF-WS  
ISSUED: November 7, 2011

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

ORDER AMENDING INDIANTOWN COMPANY, INC.'S  
CERTIFICATE NOS. 387-W and 331-S TO INCLUDE ADDITIONAL TERRITORY

BY THE COMMISSION:

On December 9, 2010, Indiantown Company, Inc. (Indiantown) filed its application to amend Certificate Nos. 387-W and 331-S to add territory in Martin County. Indiantown is a Class A utility providing water service to approximately 1,671 customers, and wastewater service to approximately 1,624 customers. The Utility's 2010 Annual report indicates operating revenues of \$2,080,045 and a net loss of \$137,879. The Utility plans to extend its service territory in order to provide water and wastewater service to approximately 313 customers within a planned development known as Tesoro Groves. The requested territory is adjacent to the Utility's existing service territory, and according to Indiantown, no other utility in the area is willing or capable of providing reasonably adequate service to the territory. The Utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes (F.S.), that it has tariffs and annual reports on file with us. We have jurisdiction pursuant to Section 367.045, F.S.

The application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning applications for amendment of certificate. The application contains proof of compliance with the noticing provisions in Rule 25-30.030, Florida Administrative Code (F.A.C.). No objections were received and the time for such has expired. Adequate service territory and system maps were provided. Attachment A includes a legal description of the requested territory.

The new development, known as Tesoro Groves, will include 313 total lots, including multi-family units and single family residences. According to the application, the Martin County Comprehensive Plan has been amended to include the Tesoro Groves Primary Urban Service

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District. The new development will be connected to Indiantown's existing water and wastewater systems. The Utility's existing facilities have the necessary capacity for the expected customer growth, and therefore no plant additions or modifications are planned. The most recent site inspections performed by the Department of Environmental Protection indicate that the water and wastewater facilities are in good operating condition and that the Utility is in compliance with all applicable rules and regulations.

Based on the above information, we find that it is in the public interest to approve the application by Indiantown to amend Certificate Nos. 387-W and 331-S to add the territory reflected in Attachment A. The resultant Order shall serve as Indiantown's amended certificates and shall be retained by the Utility. Pursuant to Rule 25-9.044(1), F.A.C., the Utility shall charge the customers in the territory added herein the rates and charges contained in the current tariff until authorized to be changed by us in a subsequent proceeding.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Indiantown Company, Inc.'s Application for Amendment of Certificate Nos. 387-W and 331-S to extend its service area is approved effective as of October 18, 2011. It is further

ORDERED that this Order shall serve as Indiantown Company, Inc.'s amended certificates and shall be retained by the utility. It is further

ORDERED that Indiantown Company, Inc. shall charge the customers in the added territory the rates and charges contained in its tariff until authorized to change by the Florida Public Service Commission 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 November, 2011.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
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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.

Indiantown Company, Inc.  
Description of Water and Wastewater Territory to be Added  
Tesoro Groves  
Martin County, Florida

A tract or parcel of land located in Sections 1 and 12, Township 40 South, Range 38 East, Martin County, Florida which tract or parcel is described as follows:

Beginning at the northeast corner of said Section 12 thence run S 00° 01' 35" W along the east line of said section for 2,176.92 feet to an intersection with the north line of Tract 791 (5-8 Spillway); thence run N 82° 26' 58" W along said north line for 162.68 feet to the northwest corner of said Tract 791; thence run S 07° 33' 02" W along the west line of said Tract 791 for 397.22 feet to an intersection with the northerly right-of-way line of St. Lucie Canal (C-44); thence run N 82° 23' 16" W along said right-of-way line for 2,803.24 feet; thence departing said right-of-way line run N 00° 01' 35" E for 858.50 feet; thence run S 89° 59' 17" E for 792.00 feet; thence run N 00° 01' 35" E for 1,320.10 feet to an intersection with the north line of said Section 12; thence run S 89° 59' 17" E along said north line for 880.00 feet; thence departing said north line run N 00° 00' 43" E for 1,864.08 feet to an intersection with the southerly maintained right-of-way line of West Farm Road (right-of-way varies); thence run the following courses along said right-of-way line: S 68° 07' 47" E for 263.66 feet; S 79° 41' 39" E for 71.09 feet; S 88° 14' 11" E for 350.25 feet to the northwest corner of Lot 7, Clyde Martin Minor Plat as recorded in Plat Book 5 at Page 43, Public Records of Martin County, Florida; thence run S 00° 00' 58" E along the west line of said Lot 7 for 128.41 feet to the southwest corner of said Lot 7; thence run N 89° 14' 44" E along the south line of said Lot 7 and the south lines of Lots 6, 5, 4, 3, 2 and 1 of said Clyde Martin Minor Plat and the south line of lands as described in deed recorded in Official Record Book 477 at Page 1731, said public records for 561.25 feet to an intersection with the southwesterly line of said lands; thence run S 00° 00' 43" W along said southwesterly line for 330.03 feet to the southerly most southwest corner of said lands; thence run N 89° 14' 44" E along the southerly most line of said lands for 94.01 feet to an intersection with the east line of said Section 1; thence run S 00° 00' 43" W along said east line for 1,292.82 feet to the northeast corner of said Section 12 and the Point of Beginning. Containing 8,203,647 square feet (188.33 acres), more or less.

**FLORIDA PUBLIC SERVICE COMMISSION**  
**authorizes**  
**Indiantown Company, Inc.**  
**pursuant to**  
**Certificate Number 387-W**

to provide water service in Martin 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>
11891	04/27/83	810037-WS (CR)	Grandfather
PSC-92-0116-FOF-WS	03/30/92	910726-WS	Amendment
PSC-97-1171-FOF-WS	10/01/97	970556-WS	Transfer of Majority Control
PSC-04-0967-FOF-WS	10/05/04	040497-WS	Amendment
PSC-10-0471-FOF-WS	07/26/10	100182-WS	Transfer of Majority Control
PSC-11-0521-FOF-WS	11/07/11	100408-WS	Amendment

**FLORIDA PUBLIC SERVICE COMMISSION**  
**authorizes**  
**Indiantown Company, Inc.**  
**pursuant to**  
**Certificate Number 331-S**

to provide wastewater service in Martin 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>
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