

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of General)	DOCKET NO. 900159-WS
Development Utilities, Inc. for)	
amendment of Certificates Nos. 25-W)	ORDER NO. 23008
and 22-S in Brevard County.)	
<hr/>		ISSUED: 5-31-90

ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 28, 1990, General Development Utilities, Inc. (GDU or Utility) filed an application with this Commission to amend Certificates Nos. 25-W and 22-S to include additional territory in Brevard County, Florida. The application is in compliance with Section 367.061, Florida Statutes, and other statutes and rules concerning an application for amendment of certificate. In particular, the notarized application contains:

- 1) A filing fee in the amount of \$1,650.00, as prescribed by Rule 25-30.020, Florida Administrative Code.
- 2) Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.035, Florida Administrative Code. The additional territory in Brevard County is described in Attachment A of this Order.
- 3) Proof of notice of application to all interested governmental and regulatory agencies and all utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in the county, as prescribed by Rule 25-30.030, Florida Administrative Code.
- 4) Evidence that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.035, Florida Administrative Code.

An objection to the proposed extension was filed by City of Palm Bay. GDU modified the territory description, deleting a portion, and the objection was withdrawn.

Since GDU has been in operation under Commission jurisdiction since 1971, and has been providing satisfactory service to its customers, we believe it has demonstrated its ability to provide service in the additional territory. Therefore, we find that it is in the public interest to amend

DOCUMENT NUMBER-DATE
04762 MAY 31 1990
FPSC-RECORDS/REPORTING

ORDER NO. 23008
DOCKET NO. 900159-WS
Page 2

Certificates Nos. 25-W and 22-S to include the territory described in Attachment A to this Order, which by reference is incorporated herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 25-W and 22-S, held by General Development Utilities, Inc., 2601 South Bayshore Drive, Miami, Florida 33133-5461, are hereby amended to include the territory described in Attachment A of this Order. The Utility is directed to return Certificates Nos. 25-W and 22-S to this Commission within 30 days of the date of this Order for appropriate entry. It is further

ORDERED that the customers in the territory added herein shall be charged the rates approved in the Utility's tariff. It is further

ORDERED that General Development Utilities, Inc. shall submit revised tariff sheets reflecting the additional territory as set forth herein within 30 days of the date of this Order. It is further

ORDERED that Docket No. 900159-WS is hereby closed.

By ORDER of the Florida Public Service Commission,
this 31st day of MAY, 1990.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders

ORDER NO. 23008
DOCKET NO. 900159-WS
Page 3

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 Records and Reporting 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 or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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.

ORDER NO. 23008
DOCKET NO. 900159-WU
Page 4

ATTACHMENT A

GENERAL DEVELOPMENT UTILITIES, INC.

PORT MALABAR DIVISION

WATER

TOWNSHIP 28 SOUTH, RANGE 37 EAST

Section 27

The North 200 feet of the South 385 feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 27 less the West 50.00 feet thereof.

SEWER

TOWNSHIP 28 SOUTH, RANGE 37 EAST

Section 27

The North 200 feet of the South 385 feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 27 less the West 50.00 feet thereof.

Section 31

That portion of Section 31 bounded westerly by the Florida Gas Transmission Company easement; and that portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ bounded on the West by Del Alto Avenue and on the north by Americana Boulevard; and all those lots lying Easterly of Bernardo Avenue; and lots 19 through 24 of Block 240 Fronting on Evergreen Street; and the Southeast $\frac{1}{4}$ of said Section 31.

Section 32

All of Section 32 less that portion lying on the East $\frac{1}{2}$ of said Section 32 previously certified.