

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Sunray)	DOCKET NO. 900807-WS
Utilities, Inc. for amendment of)	ORDER NO. 23843
Certificates Nos. 502-W and 436-S in)	ISSUED: 12-10-90
Nassua County, Florida)	
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**ORDER AMENDING CERTIFICATES TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET**

On October 3, 1990, Sunray Utilities, Inc. (Sunray or Utility) filed an application with this Commission to amend Certificates Nos. 502-W and 436-S to include additional territory in Nassau County, Florida. The application is in compliance with the governing statute, Section 367.045, Florida Statutes (1989), and other statutes and administrative rules concerning an application for amendment of certificate. In particular, the notarized application contains:

1. A check in the amount of \$300 which, upon calculation, is the correct filing fee prescribed by Rule 25-30.020, Florida Administrative Code.
2. Adequate service territory and system depiction maps and a territory description as prescribed by Rule 25-30.035, Florida Administrative Code. The territory description is appended to this Order as Attachment A.
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 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.

No objections to the notice of application have been received and the time for filing such has expired.

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Sunray is not affiliated with any developer; however, its parent company, ITT Rayonier, Inc. (Rayonier) owns the land within the service area and is selling tracts for development. The Utility now desires to include additional Rayonier land in its territory to facilitate master planning of the area. Rayonier provides Sunray with a seven million dollar line of credit to facilitate expansion. Sunray is an established utility within the county and there are no other utilities in the area.

Since Sunray has been in operation under our jurisdiction since 1988, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. Therefore, we find that it is in the public interest to amend Certificates Nos. 502-W and 436-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein.

Sunray has rates and charges in effect for its Nassau County Division. Therefore, we find it appropriate at this time for Sunray to apply the existing rates and charges within the Utility's tariff to customers within the amended territory.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 502-W and 436-S held by Sunray Utilities, Inc. are hereby amended to include the territory described in Attachment A of this Order. The Utility is directed to return Certificates Nos. 502-W and 436-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 and charges approved in the Utility's tariff. It is further

ORDERED that Sunray Utilities, Inc. shall file revised tariff sheets reflecting the additional territory within 30 days of the date of this Order. It is further

ORDERED that Docket No. 900807-WS is hereby closed.

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By ORDER of the Florida Public Service Commission this 10th
day of DECEMBER, 1990.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

NRF

by: Kas. 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 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.

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Legal Description of
Sunray Utilities (Nassau County)

Township 2 North, Range 28 East, Sections 26, 27, 40, Nassau County.

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTION 26 AND A PORTION OF SECTION 27, ALL LYING IN TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, SAID PARCEL BEING A PORTION OF LANDS DESCRIBED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 555, PAGE 869 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID SECTION 27 AND RUN NORTH 88°-49'-03" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 27, A DISTANCE OF 2637.50 FEET TO A "RAYONIER" MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 27, THE SAME BEING THE NORTHWEST CORNER OF GOVERNMENT LOT 1; RUN THENCE SOUTH 00°-59'-55" EAST, ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 1386.43 FEET TO A "RAYONIER" MONUMENT FOUND OF THE NORTHWEST CORNER OF GOVERNMENT LOT 2 (AS FOUND MONUMENTED); THENCE CONTINUE SOUTH 00°-59'-55" EAST, ALONG THE WESTERLY LINE OF GOVERNMENT LOT 2, A DISTANCE OF 375 FEET MORE OR LESS TO A POINT ON A NORTHERLY LINE OF NASSAU LAKES SUBDIVISION-PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 AND 71, PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE APPROXIMATE NORTHERLY EDGE OF WATER OF BAHAMA LAKE (AS SHOWN ON SAID SUBDIVISION PLAT); RUN THENCE IN A WESTERLY DIRECTION ALONG THE NORTHERLY EDGE OF WATER OF SAID BAHAMA LAKE, A DISTANCE OF 380 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, OF AFOREMENTIONED NASSAU LAKES SUBDIVISION-PHASE 1-A; RUN THENCE NORTH 26°-11'-50" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 300 FEET, MORE OR LESS TO A 1/2-INCH IRON PIPE FOUND AT THE NORTHEAST CORNER THEREOF; THENCE CONTINUE NORTH 26°-11'-50" WEST, A DISTANCE OF 60.41 FEET TO A CONCRETE MONUMENT (FOUND); RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN THE NORTHERLY RIGHT-OF-WAY LINE OF NASSAU LAKES CIRCLE (A 60 FOOT RIGHT-OF-WAY AS ESTABLISHED), SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 339.20 FEET, A CHORD DISTANCE OF 110.00 FEET, TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 65°-51'-38" WEST; RUN THENCE SOUTH 75°-11'-31" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE

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OF 173.12 FEET TO THE MOST EASTERLY CORNER OF LOT 15. BLOCK 2. SAID NASSAU LAKES SUBDIVISION-PHASE 1-A; RUN THENCE NORTH 58°-40'-43" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 15, BLOCK 2, A DISTANCE OF 540 FEET MORE OR LESS TO THE MOST NORTHERLY CORNER THEREOF, SAID POINT LYING ON THE EASTERLY EDGE OF WATER OF LAKE PARADISE (AS SHOWN ON AFOREMENTIONED SUBDIVISION PLAT); RUN THENCE IN A SOUTHERLY AND SOUTHWESTERLY DIRECTION ALONG THE EDGE OF WATER OF LAKE PARADISE, THE SAME BEING A WESTERLY AND NORTHERLY LINE OF SAID NASSAU LAKES SUBDIVISION-PHASE 1-A, A DISTANCE OF 1200 FEET, MORE OR LESS TO THE MOST NORTHERLY CORNER OF LOT 1, BLOCK 2, SAID NASSAU LAKES SUBDIVISION-PHASE 1-A; RUN THENCE SOUTH 48°-52'-57" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, BLOCK 2, AND THE SOUTHWESTERLY PROLONGATION THEREOF, THE SAME BEING A NORTHWESTERLY LINE OF BLOCK 4 OF SAID NASSAU LAKES SUBDIVISION-PHASE 1-A, A DISTANCE OF 1560 FEET MORE OR LESS TO A 1/2-INCH IRON PIPE FOUND AT THE MOST WESTERLY CORNER OF LOT 6, BLOCK 4, SAID NASSAU LAKES SUBDIVISION-PHASE 1-A; RUN THENCE NORTH 18°-07'-39" WEST, A DISTANCE OF 3283.10 FEET TO A CONCRETE MONUMENT FOUND ON THE NORTHERLY LINE OF AFOREMENTIONED SECTION 26; RUN THENCE NORTH 89°-52'-00" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 1166.70 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 170.00 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD LYING WITHIN.

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ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, SECTION 27 AND A PORTION OF SECTION 40, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, SAID PARCEL BEING A PORTION OF LANDS DESCRIBED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 555, PAGE 869 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE MONUMENT SET AT THE POINT WHERE THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 107 (A 66-FOOT RIGHT-OF-WAY AS ESTABLISHED) INTERSECTS THE NORTHERLY RIGHT-OF-WAY LINE OF PARLIAMENT DRIVE (RIGHT-OF-WAY VARIES) AND RUN SOUTH 74°-50'-00" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 193.37 FEET TO A CONCRETE MONUMENT FOUND AT AN ANGLE POINT; RUN THENCE SOUTH 68°-02'-40" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.59 FEET TO A SECOND ANGLE POINT; RUN THENCE SOUTH 74°-50'-00" WEST, CONTINUING ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 59.11 FEET TO A 5/8-INCH REBAR (FOUND) AT THE SOUTHEAST CORNER OF TRACT "A", NASSAU LAKES SUBDIVISION - PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 AND 71, PUBLIC RECORDS OF SAID COUNTY; RUN THENCE NORTH 00°-40'-39" WEST, ALONG THE EASTERLY LINE OF SAID TRACT "A", A DISTANCE OF 426.89 FEET TO A CONCRETE MONUMENT FOUND AT AN ANGLE POINT; RUN THENCE NORTH 14°-38'-53" EAST, CONTINUING ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 526.20 FEET TO A CONCRETE MONUMENT FOUND ON THE SOUTHERLY LINE OF GOVERNMENT LOT 1 (AS FOUND MONUMENTED); RUN THENCE NORTH 89°-12'-41" EAST, ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 350.00 FEET TO A CONCRETE MONUMENT FOUND ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 107; RUN THENCE SOUTH 40°-16'-30" WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 65.10 FEET TO A CONCRETE MONUMENT FOUND AT A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 107, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 606.69 FEET, :A CHORD DISTANCE OF 462.71 FEET TO A CONCRETE MONUMENT FOUND AT THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 17°-51'-30" WEST; RUN THENCE SOUTH 04°-33'-30" EAST, CONTINUING ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 354.11 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 6.00 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS OF RECORD LYING WITHIN.

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ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, SECTION 27, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, SAID PARCEL BEING A PORTION OF LANDS RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 555, PAGE 869 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE MONUMENT FOUND AT THE POINT WHERE THE SOUTHERLY RIGHT-OF-WAY LINE OF PARLIAMENT DRIVE (RIGHT-OF-WAY VARIES) INTERSECTS THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 107 (A 66 FOOT RIGHT-OF-WAY AS ESTABLISHED) AND RUN SOUTH 04°-33'-30" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1126.13 FEET TO A CONCRETE MONUMENT (FOUND); RUN THENCE SOUTH 89°-29'-53" WEST, ALONG THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF I.T.T. RAYONIER, INC., A DISTANCE OF 400.00 FEET TO A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF TRACT "D", NASSAU LAKES SUBDIVISION - PHASE 1-B, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 72 AND 73, PUBLIC RECORDS OF SAID COUNTY; RUN THENCE NORTH 00°-59'-55" WEST, ALONG THE EASTERLY LINE OF SAID TRACT "D" AND THE EASTERLY LINE OF TRACT "C", NASSAU LAKES SUBDIVISION - PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 AND 71, PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1047.45 FEET TO A CONCRETE MONUMENT FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED PARLIAMENT DRIVE; RUN THENCE NORTH 74°-50'-00" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 79.30 FEET TO A CONCRETE MONUMENT FOUND AT AN ANGLE POINT; RUN THENCE NORTH 81°-37'-20" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.59 FEET TO A CONCRETE MONUMENT FOUND AT A SECOND ANGLE POINT; RUN THENCE NORTH 74°-50'-00" EAST, CONTINUING ALONG SAID LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 174.62 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 9.11 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD LYING WITHIN.