

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of ) DOCKET NO. 900659-SU  
 Certificate No. 249-S in Volusia County ) ORDER NO. 24272  
 by North Peninsula Utilities Corporation. ) ISSUED: 3/21/91

ORDER AMENDING CERTIFICATE TO INCLUDE  
 ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On July 26, 1990, North Peninsula Utilities Corporation (North Peninsula or Utility) filed an application with this Commission to amend Certificate No. 249-S to include additional territory in Volusia County, Florida. The notice included with the application was incorrect in that notice was given in the newspaper for only one week instead of once a week for three consecutive weeks. The Utility renoticed the proposed amendment. Also, the legal description filed with the application was incorrect. The application is now in compliance with Section 367.045, Florida Statutes, and other statutes and administrative rules concerning an application for amendment of certificate. In particular, the notarized application contains:

1. A filing fee in the amount of \$150.00, 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 Volusia County is described in Attachment A of this Order.
3. Proof of notice to interested governmental and regulatory agencies and utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in Volusia County, as prescribed by Rule 25-30.030, Florida Administrative Code.
4. Evidence that the Utility owns the land upon which its facilities are located as required by Rule 25-30.035, Florida Administrative Code.

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

North Peninsula has been operating the system satisfactorily since 1989. The Utility has demonstrated that it has the expertise and the capital necessary to provide quality service to the customers in the additional territory. In addition, the Department of Environmental Regulations has no outstanding notices of

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violations or corrective orders against the Utility. Therefore, we find that it is in the public interest to amend Certificate No. 249-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. The Utility has submitted Certificate No. 249-S for entry reflecting the territory described in Attachment A. North Peninsula has also submitted tariff sheets reflecting the additional territory.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 249-S, held by North Peninsula Utilities Corporation, Post Office Box 2803, Ormond Beach, Florida 32175, is hereby amended to include the territory described in Attachment A of this Order. 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 Docket No. 900659-SU is hereby closed.

By ORDER of the Florida Public Service Commission, this 21st day of MARCH, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ALC

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

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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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ATTACHMENT A  
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DESCRIPTION OF NORTH PENINSULA UTILITIES CORPORATION  
IN VOLUSIA COUNTY

Township 13 South, Range 32 East

In Section 21

Commence at the intersection of the North Line of Section 21 of said Township and range with the westerly line of State Road A-1-A (Ocean Shore Blvd.), an 80 foot Right of Way as now laid out; Thence Southerly along said Westerly line a distance of 1,172.89 feet to the Point of Beginning; Thence continue South 23° 16' 39" East along the Westerly line of State Road A-1-A, a distance of 267.49 feet; Thence South 88° 06' 52" West a distance of 1,847.20 feet; Thence South 88° 06' 52" West a distance of 31.30 feet to a point on the easterly line of John Anderson Drive (formerly John Anderson Highway), a 50 foot Right of Way in this Section; Thence North 18° 36' 26" West along said Easterly line, a distance of 154.48 feet; Thence North 88° 04' 46" East and parallel with the North line of said Section, a distance of 155.00 feet; Thence North 18° 36' 26" West and parallel with the Easterly line of John Anderson Drive, a distance of 104.40 feet; Thence North 88° 04' 46" East a distance of 1,700.42 feet to the Point of Beginning.

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DESCRIPTION OF NORTH PENINSULA UTILITIES CORPORATION

IN VOLUSIA COUNTY

Barrier Isle Subdivision

Township 13 South, Range 32 East

In Section 21

Commence at the intersection of the North line of Section 21, of Said Township and Range, with the westerly line of State Road A-1-A (Ocean Shore Blvd.), an 80 foot Right of Way as now laid out; Thence Southerly along the Westerly line of State Road A-1-A, a distance of 1014.45 feet, to the Northwest corner of Marlin Drive and State Road A-1-A, said point also being the Point of Beginning of this description, Thence South 88° 04' 46" West (along Marlin Drive) a distance of 298.02 feet; Thence North 23° 19' 36" West a distance of 104.71 feet; Thence South 88° 04' 46" West a distance of 1,534.67 feet; Thence North 18° 38' 19" West a distance of 62.64 feet (also parallel to and adjacent to John Anderson Drive, formerly John Anderson Highway); Thence North 88° 04' 46" East a distance of 181.33 feet; Thence North 18° 38' 33" West a distance of 114.87 feet; Thence North 88° 04' 46" East a distance of 1635.79 feet; Thence South 23° 19' 36" East a distance of 287.31 Feet to the Point of Beginning.

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DESCRIPTION OF NORTH PENINSULA UTILITIES CORPORATION  
IN VOLUSIA COUNTY

Township 13 South, Range 32 East

In Section 16

Commence at the intersection of the North line of Section 16, of Said Township and Range, with the Westerly Right of Way line of State Road A-1-A (Ocean Shore Blvd.), an 80 foot Right of Way as now laid out; Thence Southerly along the Westerly line of State Road A-1-A, a distance of 2,912 feet, more or less, to the Point of Beginning; thence continue along the Westerly line of State Road A-1-A South 22° 05' 50" East, 212.59 feet; thence South 87° 59' 20" West along the Northerly line of Ocean Aire Terrace (also parallel to the North line), 1,555.58 feet; thence North 15° 38' 45" West, parallel to and 30.00 feet Easterly of the Easterly right of way line of John Anderson Highway, 206.33 feet; thence North 88° 01' 15" East along the one-half Section line of said Section 16, 1,531.20 feet to the Point of Beginning.