

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Orange-Osceola) DOCKET NO. 910246-WS
 Utilities, Inc. to amend its Certificate) ORDER NO. 24586
 Nos. 335-W and 289-S in Osceola County.) ISSUED: 5/28/91
 _____)

ORDER AMENDING CERTIFICATES TO INCLUDE
 ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On February 27, 1991, Orange-Osceola Utilities, Inc. (Orange-Osceola or Utility) filed an application with this Commission to amend Certificates Nos. 335-W and 289-S to include additional territory in Osceola County, Florida. Orange-Osceola will serve approximately 580 residential and multi-family customers in the additional territory. The Utility's existing plant capacity is sufficient to serve the additional customers.

The application is 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 \$1800, 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 25-30.036, Florida Administrative Code. The additional territory in Osceola 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 Osceola 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 25-30.036, Florida Administrative Code.

No objections to the application have been received and the time for filing such has expired. The City of Kissimmee has facilities within the 4-mile radius of the territory. However, Orange-Osceola has a contract with the City whereby the City agrees that the Utility should serve the area.

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Since Orange-Osceola has been in operation under our jurisdiction for fourteen years, 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. Also, from information provided with the application, it appears that Orange-Osceola has the financial ability to provide service to the area. In addition, according to the Department of Environmental Regulation, there are no outstanding notices of violation against the Utility.

Therefore, we find that it is in the public interest to amend Certificates Nos. 335-W and 289-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Orange-Osceola has returned Certificates Nos. 335-W and 289-S to the Commission for entry reflecting the amendment. The Utility has also filed revised tariff sheets reflecting the additional territory.

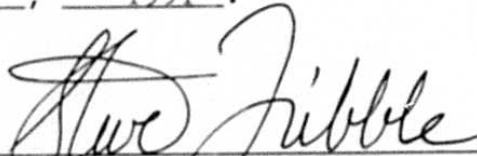
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos 335-W and 289-S, held by Orange-Osceola Utilities, Inc., 2515 Bogey Creek Road, Kissimmee, Florida 32743, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. 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 Docket No. 910246-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 28th
day of MAY, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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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ATTACHMENT A

ORANGE-OSCEOLA UTILITIES, INC.

OSCEOLA COUNTY

TERRITORY DESCRIPTION FOR BEAR BAY VILLAGE

Approximately 200 acres of improved land located in Osceola County, Florida, described as follows:

The N 1/2 of the NE 1/4; the N 1/2 of the S 1/2 of the NE 1/4; the NE 1/4 of the NW 1/4; the N 1/2 of the SE 1/4 of the NW 1/4; and the E 1/2 of the NW 1/4 of the NW 1/4, all lying in Section 6, Township 25 South, Range 30 East, Osceola County, Florida.

Containing 191.44 acres more or less.

A portion of the NW 1/4 of Section 5, Township 25 South, Range 30 East, Osceola County, Florida, described as follows:

BEGIN at the NW corner of the NW 1/4 of said Section 5; thence S 16° 52' 33" E., 532.16 feet; thence S 28° 09' 15" E., 240.00 feet; thence N. 89° 49' 09" W., 270.00 feet to a point on the West line of the NW 1/4 of said Section 5; thence N. 00° 10' 51" E., along said West line of the NW 1/4 of said Section 5, a distance of 720.00 feet to the POINT OF BEGINNING.

Containing 1.55 acres more or less.

A portion of the NW 1/4 of Section 5, Township 25 South, Range 30 East, Osceola County, Florida, described as follows:

Commence at the NW corner of the NW 1/4 of said Section 5; thence S 00° 10' 51" W., along the West line thereof 1321.09 feet from the POINT OF BEGINNING; thence S 50° 35' 41" E., 370.00 feet; thence S 27° 13' 52" E., 419.84 feet to a point on the North line of the South 720 feet of the SW 1/4 of the NW 1/4 of said Section 5; thence S 89° 48' 01" W., along said North line, 479.93 feet to a point on the West line of the NW 1/4 of said Section 5, thence N 00° 10' 51" E., along said West line, 609.86 feet to the POINT OF BEGINNING.

Containing 4.06 acres more or less.