

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of General	)	DOCKET NO. 910321-WS
Development Utilities, Inc. for	)	
amendment of Certificates Nos.	)	ORDER NO. 24613
444-W and 462-S in Charlotte County,	)	
Florida.	)	ISSUED: 6/4/91
	)	

ORDER AMENDING CERTIFICATES TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On March 8, 1991, General Development Utilities, Inc. (GDU or Utility) filed an application with this Commission to amend Certificates Nos. 444-W and 462-S to include additional territory in Charlotte County, Florida. GDU seeks the amendment in order to serve one customer, the Charlotte County School Board.

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 \$300, 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 Charlotte 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 Charlotte 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 notice of application have been received and the time for filing such has expired.

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GDU's interconnected Peace River and Northport water plants will provide water service to the School Board. The Eastport wastewater treatment plant will provide wastewater service to the territory. According to GDU, the effect of the additional customer on the water and wastewater systems, which currently serve approximately 28,500 water and 10,170 wastewater customers, will be minimal. The extension will not require any plant expansion other than the extension of the water distribution and wastewater collection lines necessary to serve the school board.

According to the Department of Environmental Regulation (DER), GDU's Peace River water plant and the Eastport wastewater treatment plant are in compliance with DER's rules and regulations. The Northport water plant, however, has had a recurring problem with high sulfates and excess total dissolved solids. DER has indicated that GDU's Northport plant is in compliance with a Consent Agreement and DER is issuing GDU construction permits to add new customers.

Since GDU has been in operation under our jurisdiction since 1971, 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. Based on information filed with the application, it appears that GDU has the financial ability to serve the additional territory. In addition, there appears to be no other utility which could provide the service needed by the Charlotte County School Board. Therefore, we find that it is in the public interest to amend Certificates Nos. 444-W and 462-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. GDU has returned the Certificates for entry reflecting the amendment. The Utility has also filed tariff sheets reflecting the additional territory.

It is, therefore,


ORDERED by the Florida Public Service Commission that Certificates Nos. 444-W and 462-S, held by General Development Utilities, Inc., 2601 South Bayshore Drive, Miami, Florida 33133-3461, are 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 and charges approved in the Utility's tariff. It is further

ORDERED that Docket No. 910321-WS is hereby closed.

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By ORDER of the Florida Public Service Commission, this 4th  
day of JUNE, 1991.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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

## DESCRIPTION OF TERRITORY TO BE ADDED

Township 40 South, Range 21 East, Section 1, Charlotte County.

The territory is described as:

A portion of the Southeast 1/4 of Section 1 being approximately the North 940 feet more or less of the South 1690 feet more or less of the West 810 feet more or less of the East 960 feet more or less.