

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Marion Utilities,) DOCKET NO. 910793-WU
Inc. for amendment of Certificate No.) ORDER NO. 25563
347-W in Marion County, Florida) ISSUED: 1/3/92
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On July 23, 1991, Marion Utilities, Inc. (Marion or Utility) filed an application with this Commission to amend Certificate No. 347-W to include additional territory in Marion County, Florida. Marion will serve 223 equivalent residential connections (ERC) in three subdivisions (Oakcrest Estates, Emerald Point and Ohlerking) in the additional territory.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules. 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 25-30.036, Florida Administrative Code. The additional territory in Marion 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 Marion 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.

Since Marion has been in operation under our jurisdiction since 1980, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the territory requested. From the information filed with the application, it appears that Marion has the financial ability to serve the additional territory.

DOCUMENT NUMBER-DATE

00059 JAN-3 1992

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Therefore, we find that it is in the public interest to amend Certificate No. 347-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 347-W, held by Marion Utilities, Inc., 710 Northeast 30th Avenue, Ocala, Florida 32670, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. The Utility is directed to return Certificate No. 347-W 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 Marion 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. 910793-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 3rd
day of JANUARY, 1992.



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

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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.

ATTACHMENT A

LEGAL DESCRIPTION

OAKCREST ESTATES

COMMENCING AT THE N.E. CORNER OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 21 EAST, THENCE ALONG THE EAST LINE OF SAID SECTION 28, S. 00 36'37" W. A DISTANCE OF 1337.00 FEET; THENCE N. 89 23' 23" W. A DISTANCE OF 2388.41 FEET; THENCE S. 00 36' 37" W. A DISTANCE OF 196.91 FEET; THENCE S. 83 50'00" W. A DISTANCE OF 139.30 FEET FOR THE POINT OF BEGINNING. THENCE S. 00 36'37" W. A DISTANCE OF 438.66 FEET; THENCE N. 83 50'00" E. A DISTANCE OF 202.41 FEET; THENCE S. 47 47'16" E. A DISTANCE OF 80.24 FEET; THENCE N. 89 50'05" E. A DISTANCE OF 254.59 FEET; THENCE S. 00 09'65" E. A DISTANCE OF 1031.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HIALEAH BOULEVARD AS RECORDED IN PLAT BOOK "N", PAGE 87-89, PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE ALONG SAID RIGHT-OF-WAY LINE S. 74 30'44" W. A DISTANCE OF 118.34 FEET TO A CURVE TO THE NORTH HAVING A RADIUS OF 1869.86 FEET, A CENTRAL ANGLE OF 5 58'43" AND AN ARC DISTANCE OF 195.11 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE OF HIALEAH BOULEVARD S. 80 29' 27" W. A DISTANCE OF 623.00 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY FOR HIALEAH BOULEVARD N. 04 44'44" W. A DISTANCE OF 800.42 FEET; THENCE N. 00 36'37" E. A DISTANCE OF 831.12 FEET; THENCE N. 83 50'00" E. A DISTANCE OF 465.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 1304078.38 SQUARE FEET OR 29.94 ACRES, MORE OR LESS.

EMERALD POINT

COMMENCING AT THE N.E. CORNER OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 21 EAST, THENCE ALONG THE EAST LINE OF SAID SECTION 28, S. 00 36'37" W. A DISTANCE OF 1337.00 FEET; THENCE N. 89 23' 23" W. A DISTANCE OF 1176.91 FEET FOR THE POINT OF BEGINNING. THENCE S. 00 36'37" W. A DISTANCE OF 794.17 FEET; THENCE S. 02 11'11" W. A DISTANCE OF 24.11 FEET; THENCE S. 74 30'44" W. A DISTANCE OF 330.00 FEET; THENCE 02 11'11" W. A DISTANCE OF 660.48 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY

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LINE OF HIALEAH BOULEVARD AS RECORDED IN PLAT BOOK "N", PAGE 87-89, PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N. 74 30'44" W. A DISTANCE OF 504.15 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE OF HIALEAH BOULEVARD, N. 00 09'55" W. A DISTANCE OF 1031.94 FEET; THENCE S. 89 50'05" W. A DISTANCE OF 254.59 FEET; THENCE N. 47 47'16" W. A DISTANCE OF 80.24 FEET; THENCE S. 83 50'00" W. A DISTANCE OF 202.41 FEET; THENCE N. 00 36'37" E. A DISTANCE OF 438.66 FEET; THENCE N. 83 50' 00" E. A DISTANCE OF 139.30 FEET; THENCE N. 00 36'37" E. A DISTANCE OF 196.91 FEET; THENCE S. 89 23'23" E. A DISTANCE OF 1211.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1420622.31 SQUARE FEET OR 32.61 ACRES, MORE OR LESS.

MICHAEL OEHLERKING

COMMENCING AT THE S.E. CORNER OF SECTION 21 TOWNSHIP 16 SOUTH, RANGE 21 EAST, A P.R.M. BEING IN THE CENTERLINE OF CHURCHILL DOWNS BLVD., AN EXISTING 80 FOOT RIGHT-OF-WAY (PREVIOUSLY DEEDED IN P.B. K, PAGE 52 THRU 52R), SAID POINT ALSO BEING THE POINT OF INTERSECTION WITH THE CENTERLINE OF BELMONT BLVD. AND 80 FOOT RIGHT-OF-WAY, THENCE PROCEED ALONG THE CENTERLINE OF BELMONT BLVD. N. 89 47'13" W. A DISTANCE OF 2102.61 FEET; THENCE LEAVING SAID CENTERLINE S. 00 12'47" W. A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BELMONT BLVD., SAID POINT ALSO BEING THE POINT OF CURVE; THENCE GO WESTERLY ALONG THE SAID SOUTH RIGHT-OF-WAY LINE BY A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2440.00 FEET, A CENTRAL ANGEL OF 3 24'13" AND AN ARC DISTANCE OF 144.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF BELMONT BLVD. BY A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 2440.00 FEET, A CENTRAL ANGLE OF 18 11'38" AND THROUGH AN ARC DISTANCE OF 774.81 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, GO S. 02 13'58" W. A DISTANCE OF 1722.72 FEET TO A POINT; THENCE N. 83 50'00" E. A DISTANCE OF 660.37 FEET TO A POINT; THENCE N. 00 36'37" E. A DISTANCE OF 771.75 FEET TO A POINT; THENCE N. 12 19'53" E. A DISTANCE OF 725.71 FEET TO THE POINT OF BEGINNING.