

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of Ocala) DOCKET NO. 921071-WU
Oaks Utilities, Inc. For) ORDER NO. PSC-93-0343-FOF-WU
Amendment of Certificate No.) ISSUED: 03/08/93
346-W in Marion County, Florida.)
)
)
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On October 15, 1992, Ocala Oaks Utilities, Inc. (Ocala Oaks or Utility) filed an application with this Commission to amend Certificate No. 346-W to include additional territory in Marion County, Florida. Ocala Oaks currently provides water service to approximately 1,041 customers.

To serve the additional territory, which is known as Sky Ranch, the Utility installed a third well at its existing plant. The new well is designed to serve 265 equivalent residential connections. At buildout it is anticipated that the system will serve an additional 234 customers. As stated in its application, the Utility will install a fourth well when needed.

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the application contains a filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, Ocala Oaks provided evidence, in the form of a warranty deed, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which Ocala Oaks is requesting to serve in Marion County is described in Attachment A of this Order.

The Utility has provided proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. No

02551 MAR-88

FPSC-RECORDS/REPORTING

ORDER NO. PSC-93-0343-FOF-WU
DOCKET NO. 921071-WU
PAGE 2

objections to the notice of application have been received and the time for filing such has expired.

Since Ocala Oaks has been in operation for fifteen years, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated that it has the ability to provide service to the additional territory. Also, from the information filed with the application, it appears that the Utility has the financial ability to serve the requested area. According to the Department of Environmental Regulation, there are no outstanding notices of violation against Ocala Oaks.

Therefore, we find that it is in the public interest to amend Certificate No. 346-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Ocala Oaks has returned Certificate No. 346-W to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

Ocala Oaks' approved rates became effective on July 18, 1992, pursuant to WS-92-0130. The Utility's service availability charges became effective on September 15, 1989, pursuant to Order No. 21349, issued in Docket No. 881098-WU. Ocala Oaks shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 346-W, held by Ocala Oaks Utilities, Inc., 1343 Northeast 17th Road, Ocala, Florida 34470, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that Ocala Oaks Utilities, Inc. shall charge the customers in the territory added herein the rates and charges approved in the its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 921071-WU is hereby closed.

ORDER NO. PSC-93-0343-FOF-WU
DOCKET NO. 921071-WU
PAGE 3

By ORDER of the Florida Public Service Commission this 8th day
of March, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Dizon
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.

OCALA OAKS UTILITIES, INC.

SERVICE TERRITORY DESCRIPTION - MARION COUNTY

AREA A

TOWNSHIP 14 SOUTH, RANGE 22 EAST
IN SECTION 32 AND 33

For a Point of Reference Commence at the Southeast Corner of the Northeast 1/4 of Section 32, Township 14 South, Range 22 East; Thence Along East Boundary of said Section 32 North 00° 00' 39" WEST, 661.29 feet to the Point of Beginning (P.O.B.); Thence Continue North 00° 00' 39" WEST, 661.29 feet to the Northeast Corner of the Southeast 1/4 of the Northeast 1/4 of said Section 32; Thence along the North Boundary of said Southeast 1/4 of the Northeast 1/4 South 89° 53' 53" West, 162.97 feet to a Point on the Easterly Right-of-Way of Alternative U.S. Highway 301 (100' R/W); Thence along said Right-of-Way South 13° 49' 41" West, 680.83 Feet; Thence North 89° 58' 58" East, 325.82 Feet to the P.O.B. Containing 3.71 Acres more or less. And the West 1/2 of the Northwest 1/4 of the southwest 1/4 of the Northwest 1/4 of Section 33. Containing 5.04 Acres more or less.

AREA B

TOWNSHIP 14 SOUTH, RANGE 22 EAST
IN SECTION 33

The West 626 Feet of the East 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4.

AREA C

TOWNSHIP 14 SOUTH, RANGE 22 EAST
IN SECTION 32 AND 33

Commence at the Southeast Corner of the Northeast 1/4 of Section 32, Township 14 South, Range 22 East; Thence due North 661.29 feet; Thence due West 325.82 Feet to the Easterly Right-of-Way of Alternative U.S. Highway 301 (100' R/W); Thence South 13° 35' 39" West 680.49 feet; Thence due East 485.89 feet to the Point of Commencement. And the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 14 South, Range 22 East.

OCALA OAKS UTILITIES, INC.

SERVICE TERRITORY DESCRIPTION - MARION COUNTY

AREA D

TOWNSHIP 14 SOUTH, RANGE 22 EAST
IN SECTION 33

For a Point of Reference Commence at the Southeast Corner of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 14 South, Range 22 East; Thence North 00° 03' 19" East, Along the East Boundary of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 33, 30.00 feet to a Point on the North Right-of-Way of N.E. 42nd Street (60' R/W) and the Point of Beginning (P.O.B.); Thence Continue Along said East Boundary North 00° 03' 19" East, 298.93 feet; Thence Depart from Said Boundary South 89° 56' 36" West, 129.33 feet; Thence North 00° 01' 58" East, 270.00 feet; Thence North 89° 56' 36" East, 129.43 feet to a Point on the Aforementioned East Boundary; Thence North 00° 03' 19" East, 61.73 feet to the Northeast Corner of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 33; Thence South 89° 58' 58" West, 1,328.74 feet to the Northwest Corner of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 33; Thence South 00° 00' 40" West Along the West Boundary of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 33, 631.08 feet to a Point on the North Right-of-Way of N.E. 42nd Street (60' R/W); Thence North 89° 57' 53" East, Along said North Right-of-Way, 1,328.26 feet to the P.O.B.

AREA E

TOWNSHIP 14 SOUTH, RANGE 22 EAST
IN SECTION 33

For the Point of Beginning (P.O.B.) Commence at the Northwest Corner of the Southwest 1/4 of Section 33, Township 14 South, Range 22 East, Marion County, Florida; Thence Along the West Boundary of Section 33, Township 14 South, Range 22 East South 00° 01' 47" West, 992.10 feet to the North Right-of-Way of Northeast 39th Street (50' R/W); Thence Along said North Right-of-Way North 89° 56' 49" East, 996.15 feet to the West Boundary of McCoys Subdivision Unrecorded; Thence Along Said West Boundary North 00° 01' 51" East, 991.79 feet to the North Boundary line of the Southwest 1/4, Section 33, Township 14 South, Range 22 East; Thence Along Said North Boundary South 89° 57' 53" West, 996.17 feet to the P.O.B.