



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** August 15, 1996  
**TO:** Division of Records and Reporting  
 Division of Legal Services, Charles Pellgrini  
**FROM:** Division of Water & Wastewater, J. Travis Coker *JTC YKW*  
**RE:** Docket No. 960601-WS; Application for amendment of Certificate Nos. 15-W and 76-S in Orange County by Park Manor Waterworks, Inc.

Park Manor Waterworks, Inc. (Park Manor or Utility) is a Class B utility located in Orange County. In the most recent data available, the 1995 annual report states that the utility water and wastewater operations had annual operating revenues of \$806,654 and net income of (\$44,503). The utility services 1,314 water customers and 1,294 wastewater customers.

On May 14, 1996, Park Manor applied for an amendment to Water Certificate No. 15-W and Wastewater Certificate No. 76-S in Orange County, Florida. The territory in question consists of area around existing Park Manor service territory. The description of the territory is generally described as:

Section 16, Township 22 South, Range 31 East, Orange County, Florida,  
 all of the property lying South of the South Right-of-Way of East Colonial Drive  
 (S.R. 50) in the SW 1/4 of the SW 1/4.

Section 19, Township 22 South, Range 31 East, Orange County, Florida,  
 the S 1/2 of the SE 1/4 of the SE 1/4, less the North 196 feet, less the West 774  
 feet, less the South 158 feet of the West 1,089.52 feet.

Section 20, Township 22 South, Range 31 East, Orange County, Florida,  
 the SW 1/4 of the SW 1/4  
 the SE 1/4 of the SW 1/4  
 the SW 1/4 of the SE 1/4  
 the SE 1/4 of the SE 1/4  
 the South 825 feet, +/- of the NW 1/4 of the SW 1/4  
 the East 40 feet, +/- of the North 495 feet, +/- of the NW 1/4 of the SW 1/4  
 the NE 1/4 of the SW 1/4  
 the NW 1/4 of the SE 1/4 less the North 150 feet, +/-  
 the NE 1/4 of the SE 1/4  
 the SE 1/4 of the NW 1/4  
 the SE 1/4 of the NE 1/4  
 the NE 1/4 of the NE 1/4

DO NOT WRITE IN THESE SPACES

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Section 21, Township 22 South, Range 31 East, Orange County, Florida,  
the West 1/2 of the NW 1/4 of the NW 1/4, lying South of the South Right-of-Way  
of East Colonial Drive (S.R. 50)  
the NE 1/4 of the NW 1/4 of the NW 1/4, lying South of the South Right-of-Way  
of East Colonial Drive (S.R. 50), less the West 230 feet, less the Northerly 150 feet  
of the Westerly 405 feet, +/-.  
the SE 1/4 of the NW 1/4 of the NW 1/4  
the SW 1/4 of the NW 1/4  
the NW 1/4 of the SW 1/4

Section 29, Township 22 South, Range 31 East, Orange County, Florida,  
the NW 1/4 of the NW 1/4.  
the NE 1/4 of the NW 1/4  
the NW 1/4 of the NE 1/4  
the NE 1/4 of the NE 1/4

Section 29, Township 22 South, Range 31 East, Orange County, Florida,  
the North 297 feet, +/- of the NE 1/4 of the NE 1/4.

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for a amendment of certificate. The application contains a check in the amount of \$1,000 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence that the utility has an agreement which provides for the continued use of the land as required by Rule 25-30.036(1)(d), Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(1)(e),(f) and (i), Florida Administrative Code. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission.

In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code, including notice to the customers in the proposed territory. An objection was originally filed by the City of Ocoee, however it has since been withdrawn. No other objections to the notice of application have been received and the time for filing such has expired.

Park Manor has the technical ability to serve the area. The utility has two water treatment plants and is authorized by the local water management district to withdraw 720,000 gallons per day. Park Manor currently withdraws 365,000 gallons per day for its water transmission and distribution system. The utility wastewater treatment plant is rated at 350,000 gallons per day for its collection and transmission system. Park Manor currently operates with an average daily flow of 280,000 gallons per day.

Park Manor has provided proof of financial ability to meet the needs of serving an additional area. The utility has charges for installation of water meters and wastewater connections. The utility is financially stable and is earning close to its authorized rate of return. Developers will construct and convey the extension of the water and wastewater

systems to the applicants facilities. Additional construction will not effect Park Manor's capital structure, nor contributions in aid of construction (CIAC).

The utility has stated that the provision of service will be consistent with the local comprehensive plans, which have been approved by the Department of Community Affairs. The local planning agency was provided notice of the application and did not file a protest to the amendment. The utility has complied with all Commission requirements and regulations. Staff has contacted the Department of Environmental Protection and learned that there are no outstanding notices of violation.

The utility has indicated that the proposed amendment will have no significant impact on its existing rates and charges. Staff recommends that these rates and charges be applied to customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariffs and returned its certificates for entry reflecting the additional territory.

Based on the above information, staff believes it is in the public interest to grant the application of Park Manor Waterworks, Inc. for amendment of Water Certificate No. 15-W and Wastewater Certificate No. 76-S for the territory described. Staff recommends that an administrative order be issued granting Park Manor's amendment of Water Certificate No. 15-W and Wastewater Certificate No. 76-S in Orange County. Furthermore, staff recommends that this docket be closed.

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