

ORIGINAL

MEMORANDUM

April 1, 1998

TO : DIVISION OF LEGAL SERVICES (GERVASI)  
 DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF WATER AND WASTEWATER (REDEMANN)

RE : DOCKET NO. 971589-WS; APPLICATION FOR AMENDMENT OF  
 CERTIFICATES NOS. 66-W AND 289-S IN OSCEOLA COUNTY BY  
 FLORIDA WATER SERVICES CORPORATION.

*Handwritten initials:* JRM, PBM, JMD

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Florida Water Services Corporation (Florida Water or utility) provides water and wastewater service to approximately 79,993 water customers and 42,390 wastewater customers in 28 counties in Florida. The utility's 1996 annual report shows an annual operating revenue of \$44,805,000 and a net operating income of \$9,201,000. The utility is a Class A utility company under FPSC jurisdiction.

On December 5, 1997 the utility applied for an amendment to Water Certificate No. 66-W and Wastewater Certificate No. 289-S in Osceola County, Florida pursuant to Rule 25-30.036(3), Florida Administrative Code. 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 amendment of certificate. The application contains a check in the amount of \$2,000 which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence in the form of a warranty deed that the utility owns the land upon which the utility's facilities are located as required by Rule 25-30.036(3)(d), Florida Administrative Code.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
 EAG \_\_\_\_\_  
 LSG \_\_\_\_\_  
 L \_\_\_\_\_  
 PSC \_\_\_\_\_  
 SEC \_\_\_\_\_  
 WIS \_\_\_\_\_  
 WTH \_\_\_\_\_

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), (f) and (1), Florida Administrative Code. A description of the territory requested by the utility is appended to this memorandum as Attachment A. Attachment B includes a complete rewrite of the existing territory description, which was transferred to the utility by Order No. PSC-95-1325-FOF-WS on October 31, 1995 in Docket No. 941151-WS and the new territory description.

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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. No objections to the application have been received and the time for such has expired. The local planning agency was provided notice of the application and did not file a protest to the amendment.

The utility currently has a pending developer's agreement for 112 single family homes and other builders have inquired about utility service in the area. Florida Water met with the City of Kissimmee officials and they agreed that water and wastewater service was needed to keep development from halting in the area.

The application states the existing water lines have ample capacity to deliver the water to the area under peak conditions. The water system can deliver a maximum day demand of 5.3 million gallons per day (mgd). The highest maximum day was 2.9 mgd within the last 12 months. In the future, an additional well and high service pump may be needed when the area is built out. The application indicates that the existing wastewater lines have sufficient capacity to convey the wastewater to the wastewater plant. The permitted capacity of the wastewater plant is 1.8 mgd. The permitted capacity of the effluent disposal system is 1.930 mgd. Effluent is disposed through rapid infiltration basins (1.330 mgd), a golf course (.5 mgd) and a wetland system (.1 mgd). The current average daily flow is 1.4 mgd. The utility believes that once the existing service area and this development is built out an expansion of the facility may be required. However, the growth rate is about 200 connections per year or 40,000 gallons per day. At this rate it will take about 10 years to reach the design capacity of the wastewater plant. Therefore, the utility has adequate water and wastewater capacity to serve this area. The Department of Environmental Regulation has no outstanding notices of violation issued for this system.

The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory. Florida Water's approved rates were effective pursuant to Order No. PSC-96-1320-FOF-WS, issued October 30, 1996 in Docket No. 950495-WU, a rate case. This order is currently on appeal before the First District Court of Appeal. The rates and charges contained in the utility's tariff on file with the Commission should be applied to service in the additional territory.

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Based on the above information, staff believes it is in the public interest to grant the application of Florida Water Services Corporation for amendment of Water Certificate No. 66-W and Wastewater Certificate No. 289-S. An administrative order should be issued granting the application, within 30 days.

If you have any questions, please contact me immediately.

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cc: Division of Records and Reporting (Security File)

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ATTACHMENT A

FLORIDA WATER SERVICES CORPORATION

WATER AND WASTEWATER TERRITORY

OSCEOLA COUNTY

BUENAVENTURA LAKES - ADDITIONAL WATER AND WASTEWATER SERVICE TERRITORY:

Township 25 South, Range 30 East, Osceola County, Florida.

Section 4

All of the Northwest 1/4 lying West of the centerline of Boggy Creek Road (county road 530).

Section 5

All of the Northeast 1/4 of the Northeast 1/4.

All of the Southeast 1/4 of the Northeast 1/4 lying West of the centerline of Boggy Creek Road (county road 530).

All of the West 1/2 of the Northeast 1/4 less that portion described as follows:

Begin at the Northeast corner of the West 1/2 of the Northeast 1/4, thence South 00° 02' 00" West 1453.31 feet to a point, thence North 72° 06' 54" West 398.57 feet to a point, thence South 17° 53' 06" West 358.00 feet to a point, thence North 00° 13' 06" East 1321.95 feet to a point, thence North 89° 58' 00" East 1326.93 feet to the point of beginning.

All of be Southeast 1/4 of the Northwest 1/4.

South 726 feet ± of the Southwest 1/4 of the Northwest 1/4.

All of the South 1/2 lying West of the centerline of Boggy Creek Road (county road 530).

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ATTACHMENT B

FLORIDA WATER SERVICES CORPORATION  
WATER AND WASTEWATER TERRITORY  
OSCEOLA COUNTY

**BUENAVENTURA LAKES - Composite Territory Description**

**Township 25 South, Range 29 East, Osceola County, Florida.**

**Section 1**

All of Section 1.

**Section 2**

All of that portion of Section 2 lying East of the Florida State Turnpike.

**Section 12**

All of that portion of Section 12 lying East of the Florida State Turnpike.

**Township 25 South, Range 30 East, Osceola County, Florida.**

**Section 4**

All of the Northwest 1/4 lying West of the centerline of Boggy Creek Road (County Road 530).

**Section 5**

All of that portion of Section 5 lying West of the centerline of said Boggy Creek Road (County Road 530).

**Section 6**

All of Section 6.

**Section 7**

All of Section 7.

**Section 8**

All of the Southwest 1/4 of Section 8 lying West of the centerline of said Boggy Creek Road (County Road 530).

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Section 17

That portion of the Northwest 1/4 of the Northwest 1/4 of Section 17 West of the centerline of said Boggy Creek Road (County Road 530) described as follows:

Begin at the Northwest corner of said Section 17, thence North  $89^{\circ} 40' 27''$  East 940.72 feet along the North line of said Section 17 to a point, said point being the intersection of the North line of said Section 17 and the centerline of said Boggy Creek Road (County Road 530), thence South  $33^{\circ} 50' 14''$  West 596.68 feet along the centerline of said Boggy Creek Road (County Road 530) to a point, thence leaving the centerline of said Boggy Creek Road (County Road 530) North  $69^{\circ} 29' 40''$  West 649.13 feet to a point on the West line of said Section 17, thence North  $00^{\circ} 05' 58''$  West 262.87 feet to the point of beginning.

Section 18

That portion of the Northeast 1/4 of the Northeast 1/4 of Section 18 described as follows:

Begin at the Northeast corner of said Section 18, thence South  $00^{\circ} 05' 58''$  East along the East line of said Section 18 a distance of 262.87 feet to a point, thence leaving the East line of said Section 18 North  $69^{\circ} 29' 40''$  West 740.83 feet to a point on the North line of said Section 18, thence North  $89^{\circ} 43' 20''$  East 693.44 feet along the North line of said Section 18 to the point of beginning.