

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of )  
Florida Water Services )  
Corporation for Amendment of )  
Certificates Nos. 279-W and )  
226-S to add territory in )  
Seminole County. )  
\_\_\_\_\_ )

DOCKET NO. 980657-WS

OBJECTION OF ALAFAYA UTILITIES, INC. TO  
THE APPLICATION OF FLORIDA WATER SERVICES  
CORPORATION FOR AMENDMENT OF CERTIFICATE NOS. 279-W  
AND 226-S TO ADD TERRITORY IN SEMINOLE COUNTY,  
AND DEMAND FOR FORMAL HEARING

ALAFAYA UTILITIES, INC. (hereinafter referred to as "Alafaya"), by and through its undersigned attorneys and pursuant to Sections 120.569, 120.57 and 367.045, Florida Statutes, and Rule 25-22.036, Florida Administrative Code, hereby files this Objection to the Application of Florida Water Services Corporation (hereinafter referred to as "Florida Water") for Amendment of Certificates Nos. 279-W and 226-S to add territory in Seminole County, and demands a Formal Hearing, and states that:

1. The name and address of the Objecting Party is:

ALAFAYA UTILITIES, INC.  
200 Weathersfield Avenue  
Altamonte Springs, Florida 32714

2. The name and address of the person authorized to receive notices and communications in respect to this application is:

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley, LLP  
2548 Blainstone Pines Drive  
Tallahassee, Florida 32301

3. Alafaya received a copy of Florida Water's Notice, a copy of which is attached, by U.S. Mail on May 14, 1998.

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 1 \_\_\_\_\_  
LIN \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH rights/Brad

RECEIVED & FILED  
*[Signature]*  
FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

06237 JUN 11 88

FPSC-RECORDS/REPORTING

4. The substantial interests of Alafaya are affected by this application since Alafaya has lines in close proximity and adjacent to the disputed territory which are capable of serving the disputed territory. Alafaya customers will not benefit from economics of scale if Alafaya is not allowed to utilize those lines to serve the disputed territory.

5. The following issues of material fact are in dispute:

- a. Whether Florida Water has the technical ability to serve the disputed territory.
- b. Whether Florida Water has the financial ability to serve the disputed territory.
- c. Whether Florida Water sufficient wastewater capacity to serve the disputed territory.
- d. Whether Alafaya can provide service to the disputed territory at a lower cost.
- e. Whether it is in the public interest for Florida Water to serve the disputed territory.
- f. Whether there is a need for service in the disputed territory.

6. The following ultimate facts are alleged:

- a. Alafaya has wastewater lines that can be easily extended to serve the disputed territory.
- b. Alafaya can provide wastewater to the disputed territory as a lower rate and more efficiently.

- c. Alafaya has sufficient wastewater capacity to serve the disputed territory, whereas Florida Water does not have sufficient capacity
- d. Alafaya will have reuse lines which can be easily extended to provide reuse service to the disputed territory, thus reducing the need for potable water in this critical water shortage area.
- e. It is in the public interest for Alafaya to serve the disputed territory.

7. Alafaya is entitled to relief by virtue of Section 367.045, Florida Statutes.

WHEREFORE, Alafaya requests that the Commission:

- a. Hold a formal administrative hearing; and
- b. Deny Florida Water's application.

Respectfully submitted this 11th day of June, 1998, by:

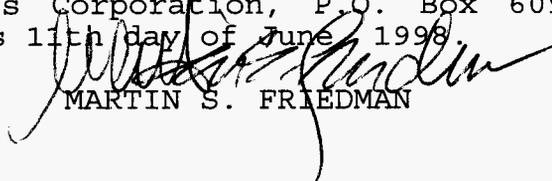
ROSE, SUNDSTROM & BENTLEY, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301  
(850) 877-6555  
(850) 656-4029 FAX



MARTIN S. FRIEDMAN  
FL Bar ID No. 0199060  
For the Firm

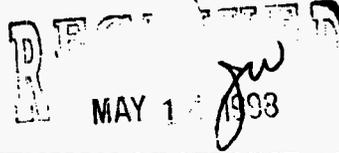
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing has been furnished by U.S. Mail to Matthew J. Feil, Esquire, Florida Water Services Corporation, P.O. Box 609520, Orlando, Florida 32860-9520 this 11th day of June 1998.



MARTIN S. FRIEDMAN

alafaya\fwsc\objection



NOTICE OF APPLICATION FOR AN EXTENSION OF SERVICE AREA

You are hereby given notice on May 13, 1998, pursuant to Section 367.045, Florida Statutes, of the Application of Florida Water Services Corporation to amend its Water and Wastewater Certificate Nos. 279-W and 226-S to add territory in Seminole County, Florida, as follows:

SEMINOLE COUNTY

Service territory additions for water and wastewater are as follows:

**Township 21 South, Range 32 East, Seminole County, Florida.**

Section 16

The South  $\frac{1}{2}$  of said Section 16.

Section 17

The East 410 feet of the Southeast  $\frac{1}{4}$  of said Section 17.

Section 20

The South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  lying North of the centerline of State Road 419 of said Section 20 and the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  lying North of the centerline of State Road 419 of said Section 20.

Section 21

The Northwest  $\frac{1}{4}$  of said Section 21 less and except the North 990 feet of the West 660 feet of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 21 and all of the Northeast  $\frac{1}{4}$  of said Section 21 and the East  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  said Section 21.

Section 22

The South  $\frac{3}{4}$  of the South  $\frac{1}{2}$  of said Section 22.

Section 27

All of said Section 27.

**Section 28**

The East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of said Section 28 and the Southeast  $\frac{1}{4}$  of said Section 28 and the Southwest  $\frac{1}{4}$  of said Section 28.

**Section 29**

The Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 29 and the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 29 and the Southeast  $\frac{1}{4}$  of said Section 29 and the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 29.

Any objection to the said application must be made in writing within thirty days from this date to: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0870. A copy of said objection should be mailed to the application, whose address is: Florida Water Services Corporation, Attn: Matthew J. Feil, Esquire, P.O. Box 609520, Orlando, Florida 32860-9520.