



ORIGINAL

August 6, 1998

Via Federal Express

Blanca Bayo  
Director of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 980887-SU – Application by Rampart Utilities, Inc. for amendment of Certificate No. 497-S in Charlotte County to extend territory to service San Antonio Catholic Church

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket please find an original and fifteen copies of Florida Water's Objection.

Kindly acknowledge receipt of the objection by date stamping the enclosed copy of this letter and returning it in the self addressed, postage paid enveloped provided herewith.

If you have any questions or comments, please contact me at (407) 880-0058, ext. 260.

Sincerely yours,

*Matthew J. Feil*

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP Matthew J. Feil  
CAF Staff Counsel

CMU dlh/980887/Bayo-1

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG 1

LIN \_\_\_\_\_

OPC \_\_\_\_\_

RCH \_\_\_\_\_

SEC 1

WAS Redemann

OTH OK Brach

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

Florida Water Services Corporation / P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/880-0058

Water For Florida's Future

DOCUMENT NUMBER - DATE

08395 AUG-7 98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Rampart Utilities, Inc. )  
for amendment of Certificate No. 497-S )  
in Charlotte County to extend territory to )  
service San Antonio Catholic Church )

Docket No. 980887-SU

RECEIVED  
AUG 10 1993  
Florida Public Service Commission  
Division of Water and Wastewater

**OBJECTION OF FLORIDA WATER SERVICE CORPORATION TO  
THE APPLICATION OF RAMPART UTILITIES, INC. FOR  
AMENDMENT OF CERTIFICATE NO. 497-S IN  
CHARLOTTE COUNTY TO EXTEND SERVICE TERRITORY  
AND DEMAND FOR FORMAL HEARING**

FLORIDA WATER SERVICES CORPORATION (hereinafter referred to as "Florida Water"), 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 Rampart Utilities, Inc. (hereinafter referred to as "Rampart") for Amendment of Certificate No. 497-S to extend service territory in Charlotte County, and demands a formal hearing thereon, and states that:

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

FLORIDA WATER SERVICES CORPORATION  
P. O. Box 609520  
Orlando, FL 32860-9520

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

Brian P. Armstrong, Esquire  
Matthew J. Feil, Esquire  
Florida Water Services Corporation  
P. O. Box 609520  
Orlando, FL 32860-9520

DOCUMENT NUMBER-DATE

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FPSC RECORDS/REPORTING

3. Florida Water received a copy of Rampart's Notice, a copy of which is attached hereto and marked as "Exhibit A" by U.S. Mail on July 8, 1998. The legal description in the notice is confusing, and it is unclear from the notice what territory is to be added. Therefore, Florida Water has filed this Objection to preserve its rights.

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

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

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

6. The following ultimate facts are alleged:

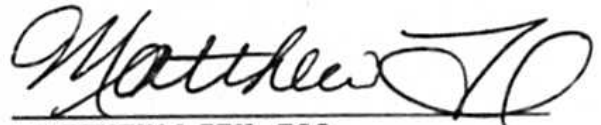
- a. Florida Water has wastewater lines that can be extended to serve the disputed territory.
- b.

- c. Florida Water can provide wastewater to the disputed territory more efficiently.
  - d. It is in the public interest for Florida Water to serve the disputed territory.
7. Florida Water is entitled to relief by virtue of Section 367.045, Florida Statutes.

WHEREFORE, Florida Water requests that the Commission:

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

Respectfully submitted,



MATTHEW J. FEIL, ESQ.  
Florida Water Services Corporation  
P. O. Box 609520  
Orlando, FL 32860-0520  
(407) 880-0058

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Objection has been served by U.S. Mail to the following parties on this 6<sup>th</sup> day of August, 1998:

Rampart Utilities, Inc.  
St. Armands Circle  
400 Madison Drive, Suite 200  
Sarasota, FL 34236-1409

Regulatory Consultants, Inc.  
Nance Guth  
401 Interstate Blvd.  
Sarasota, FL 34240

  
MATTHEW J. FEIL, ESQ.

JUL 08 1998

LEGAL DEPT

LEGAL NOTICE

Notice is hereby given that on July 9, 1998, pursuant to Section 367.045(2)(a), Florida Statutes, Rampart Utilities, Inc. Filed an Application for "Quick Take" Amendment to Certificate No. 497-S with the Florida Public Service Commission to provide wastewater service to the following described territory in Charlotte County, Florida.

Being a part of Sections 7, 8 and 18 of Township 40, South, Range 23 East, Charlotte County, Florida, more particularly described as follows:

Commencing at the southwest corner of said Section 7, thence S 89°23'00" E., along the south line of said Section 7, 702.04 feet to a point on the easterly right-of-way line of Kings Highway and the POINT OF BEGINNING;

Thence N. 18°09'17" E., along said easterly right-of-way line lying 50 feet southeasterly of the centerline of said Kings Highway, 1,065.76 feet to the Point of Curvature of a circular curve concave northwesterly having a radius of 2,918.28 feet and a chord that bears N. 13°22'32" E., 486.26 feet; Thence northeasterly along the arc of said curve to the left thru a central angle of 09°33'29" a distance of 486.83 feet to the Point of Tangency; Thence N. 08°35'48" E., along said easterly right-of-way line, 1,831.21 feet;

Thence in an easterly direction along the southerly boundary of the Port Charlotte Village Mobile Home Park, the following 12 courses:

1. S. 81°24'04" E., 870.02 feet;
2. S. 08°08'33" E., 82.84 feet;
3. S. 75°42'15" E., 502.57 feet;
4. N. 08°32'48" E., 214.91 feet;
5. S. 81°24'36" E., 381.67 feet;
6. N. 18°04'06" E., 77.69 feet;
7. S. 42°27'14" E., 285.03 feet;
8. N. 78°44'13" E., 211.14 feet;
9. S. 58°24'19" E., 468.66 feet;
10. N. 67°20'59" E., 501.16 feet;
11. S. 28°43'47" E., 206.51 feet;
12. N. 62°17'50" E., 196.03 feet to a point of the southwesterly limited access right-of-way line of I-75;

Thence southeasterly along said limited access right-of-way line the following 3 courses:

1. S. 28°43'48" E., 1,691.15 feet to the Point of Curvature of a circular curve concave southwesterly having a radius of 22,277.61 feet and a chord that bears S. 27°04'03" E., 1,292.64 feet;
2. Southeasterly along the arc of said curve to the right thru a central angle of 03°19'30" a distance of 1,292.82 feet to the Point of Tangency;
3. S. 25°24'18" E., 218.20 feet to a point on the northerly right-of-way line of Rampart Boulevard;

Thence westerly, along said northerly right-of-way line the following 4 courses:

1. N. 89°51'25" W., 403.66 feet;
2. S. 84°14'53" W., 50.32 feet;
3. S. 84°15'40" W., 437.19 feet;
4. N. 89°23'00" W., 1,355.35 feet to a point at the intersection of said northerly right-of-way line with the northerly extension of the east line of Maple Leaf Estates;

Thence S. 00°18'30" W., along said east line, 2,721.54 feet; Thence S. 00°18'20" W. along said east line, 668.15 feet to a point on the southerly right-of-way line of Suncoast Boulevard; Thence N. 89°10'26" W., along said R.O.W. line, 700.89 feet to a point at the northeast corner of Lot 4 of Country Charm Estates as recorded in Plat Book 16 on page 24 of the Public Records of Charlotte County, Florida; Thence S. 00°49'34" W., along the east line of Lots 3 and 4, 597.55 feet; Thence S. 89°10'26" E., 70.00 feet; Thence S. 00°15'31" W., 70.00 feet to a point on the south line of said Country Charm Estates; Thence N. 89°10'26" W., along said south line, 692.71 feet; Thence S. 00°15'31" W., 1,333.71 feet to a point on the south line of said Section 18; Thence N. 89°03'00" W., along said south line, 2,655.52 feet to the southwest corner of said Section 18; Thence N. 00°09'17" E., along the west line of said Section 18, 1,037.55 feet; Thence S. 89°06'56" E., departing said section line, 410.47 feet; Thence N. 00°09'18" E., 958.46 feet; Thence N. 89°10'26" W., 410.47 feet returning to a point on said west section line; Thence N. 00°09'17" E., along said west line, 1,240.59 feet to a point on the southeasterly right-of-way line of Kings Highway; Thence N. 18°09'17" E., along said right-of-way line lying 25 feet southeast of the centerline of said Kings Highway, 2,186.94 feet to a point on the north line of said Section 18; Thence S. 89°23'00" E., along said north line 26.22 feet to the Point of Beginning, containing 718.3 acres, more or less.

The Application will extension the Utility's territory to provide wastewater service to the San Antonio Catholic Church. The following is the Legal Description of the proposed extension to the franchise:

Section 18, Township 40 S., Range 23E, Totaling 19,266 Acres, M.O.I.

Any objection to this application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

Rampart Utilities, Inc.  
400 Madison Drive, Suite #200  
Sarasota, Florida 34236