

Public Service Commission

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DATE: OCTOBER 22, 1998

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF WATER AND WASTEWATER (MUNROE) *AK*
DIVISION OF LEGAL SERVICES (FLEMING) *SRS*

RE: DOCKET NO. 980750-WS - REQUEST BY FLORIDA WATER SERVICES CORPORATION IN VOLUSIA COUNTY FOR CORRECTION OF TERRITORIAL DESCRIPTION IN CERTIFICATE NOS. 238-W AND 182-S.
COUNTY: VOLUSIA

AGENDA: NOVEMBER 3, 1998 - REGULAR AGENDA - CERTIFICATE CORRECTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\WAW\WP\980750.RCM

CASE BACKGROUND

The Sugar Mill system was transferred to Southern States Utilities, Inc. in 1987 in Docket No. 870936-WS. By Order No. PSC-97-0427-FOF-WS, issued April 16, 1997, the Commission approved the name change from Southern States Utilities, Inc. to Florida Water Services Corporation (Florida Water). In a recent review, the company discovered an error in the territory description, and is seeking to correct that error in this docket.

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DISCUSSION OF ISSUES

ISSUE 1: Should Florida Water Services Corporation's request to correct its territory description in Volusia County in Certificate Nos. 238-W and 182-S be granted?

RECOMMENDATION: Yes, Florida Water's request should be granted.
(MUNROE)

STAFF ANALYSIS: While conducting a review of the Sugar Mill Country Club water and wastewater service territories, a technical error in the current legal description was noted by Florida Water's staff. The problem stems from a transcription error in the first paragraph of the current description. The beginning paragraph of the current description as submitted in Docket No. 921014-WS reads as follows:

All of Section 42 of the Joseph Banal Grant, located in said Section 10 and also a portion of U.S. Government Lots 3 and 4 in said section 10

The beginning paragraph of the description should read:

Section 42 of the Joseph Banal Grant, and also a portion of U.S. Government Lots 3 and 4 in Section 10

The current description is obviously misstated since Section 42 cannot be located in Section 10. The description should be changed to reflect the wording shown.

Based on the above information, staff believes it is in the public interest for the Commission to approve the correction of territory to Volusia County Certificate Nos. 238-W and 182-S to include the territory as described in Attachment A.

The utility has returned its certificates to include the corrected territory and filed revised tariff sheets that reflect the corrected territory description.

ATTACHMENT A

SUGAR MILL - Water and Wastewater Description in Metes and Bounds

Township 17 South, Range 33 East, Volusia County, Florida.

Portions of Sections 2, 10, 11, 15, and 41 and all of Section 42 described more or less as follows:

Beginning at the Northwest corner of Section 42, run North 61°31'38" East a distance of 5,204.73 feet; thence run North 62°29'38" East a distance of 1,973.61 feet; thence run North 00°41'15" East a distance of 342.35 feet to a point, the point of curvature of a circular curve concave to the Northeast having a radius of 840.06 feet ; thence run Southeasterly along the arc of the said curve through a central angle of 10°17'10" an arc distance of 150.81 feet; thence run North 86°05'07" East a distance of 351.15 feet; thence run South 27°47'40" East a distance of 87.81 feet; thence run South 27°43'11" East a distance of 2,506.28 feet; thence run South 62°04'50" West a distance of 342.02 feet; thence run North 27°43'22" West a distance of 611.41 feet; thence run South 61°50'23" West a distance of 684.13 feet; thence run South 27°43'47" East a distance of 608.53 feet; thence run South 62°04'50" West a distance of 1,520.76 feet; thence run South 28°41'18" East a distance of 25.00 feet; thence run South 27°11'42" East a distance of 590.82 feet; thence run South 27°11'42" East a distance of 1,590.41 feet; thence run North 62°02'10" East a distance of 1,091.46 feet; thence run South 11°02'28" East a distance of 202.12 feet; thence run North 62°32'45" East a distance of 210.03 feet; thence run North 11°03'42" West a distance of 202.19 feet; thence run North 11°03'42" West a distance 29.33 feet; thence run North 62°02'10" East a distance of 969.80 feet; thence run South 01°06'25" East a distance of 1,311.13 feet; thence run South 88°47'16" West a distance of 1284.44 feet; thence run South 01°06'25" East a distance of 1312.63 feet; thence run South 89°40'30" West a distance of 1,283.74 feet; thence run South 89°40'30" West a distance of 916.95 feet; thence run North 28°23'41" West a distance of 297.16 feet; thence run South 61°36'19" West a distance of 306.81 feet; thence run South 61°36'19" West a distance of 218.70 feet; thence run South 28°23'41" East a distance of 250.00 feet; thence run South

61°36'19" West a distance of 66.92 feet; thence run South
30°27'09" West a distance of 945.42 feet; thence run South
00°42'02" East a distance of 225.96 feet to a point, the point
of a curvature of a circular curve concave to the Southwest
having a radius of 2,207.61 feet; thence run Southwesterly
along the arc of said curve through a central angle of
07°38'51" an arc distance of 294.66 feet; thence run South
06°56'49" West a distance of 375.06 feet to a point, the point
of a curvature of a circular curve concave to the Southeast
having a radius of 2,308.36 feet; thence run Southeasterly
along the arc of said curve through a central angle of
07°36'00" an arc distance of 306.19 feet; thence run South
00°39'11" East a distance of 127.27 feet; thence run North
61°16'29" West a distance of 352.91 feet; thence run North
01°02'12" West a distance of 543.71 feet; thence run North
89°50'55" West a distance of 260.00 feet; thence run South
89°16'45" West a distance of 301.15 feet; thence run South
25°29'04" West a distance of 199.51 feet; thence run North
61°16'29" West a distance of 144.50 feet; thence run North
28°43'31" East a distance of 150.00 feet; thence run North
61°16'29" West a distance of 175.00 feet; thence run North
28°43'31" East a distance of 311.59 feet; thence run South
89°10'05" West a distance of 297.85 feet; thence run South
35°58'12" West a distance of 316.47 feet; thence run North
61°41'37" West a distance of 728.35 feet; thence run North
01°49'05" West a distance of 558.11 feet; thence run North
28°16'29" West a distance of 4,443.01 feet to the Point of
Beginning.

Less the following described parcel:

Starting at the Southwest corner of Section 42 run North 61°43'48" East a distance of 834.13 feet to a point, the point of curvature of a circular curve concave to the Southeast having a radius of 898.67 feet; thence run Southwesterly along the arc of said curve through a central angle of 08°06'53" an arc distance of 127.28 feet; thence run South 00°56'20" East a distance of 100.00 feet to a point, the point of curvature of a circular curve concave to the Northwest having a radius of 235.00 feet; thence run Southwesterly along the arc of said curve through a central angle of 90°00'00" an arc distance of 369.14 feet; thence run South 89°03'40" West a distance of 318.04 feet to a point, the point of curvature of a circular curve concave to the Northeast having a radius of 235.00 feet; thence run Northwesterly along the arc of said curve through a central angle of 40°34'46" an arc distance of 166.44 feet to the Point of Beginning.

Containing 883 acres, more or less.

Also, the following described land in Section 15:

Beginning at the Northeast corner of the Northwest ¼ of the Northeast ¼ of Section 15, run South 01°18'37" East a distance of 1,323.75 feet; thence run South 89°31'26" West a distance of 358.77 feet; thence run North 61°16'29" West a distance of 175.88 feet; thence run North 28°43'31" East a distance of 217.17 feet; thence run North 61°16'29" West a distance of 294.96 feet to a point, the point of curvature of a circular curve concave to the Southeast having a radius of 2,208.36 feet; thence run Northeasterly along the arc of said curve through a central angle of 05°54'37" an arc distance of 227.80 feet; thence run North 06°56'49" East an arc distance of 375.00 feet to a point, the point of curvature of a circular curve concave to the Northwest having a radius of 2,307.61 feet; thence run Northwesterly along the arc of said curve through a central angle of 07°38'24" an arc distance of 307.70 feet; thence run North 89°11'08" East a distance of 559.23 feet to the Point of Beginning.

Containing 17 acres, more or less.

DOCKET NO. 980750-WS
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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. (FLEMING)

STAFF ANALYSIS: No further action is required in this docket,
and it should be closed.

From: Kay Flynn
To: Lee Munro
Subject: 980750

-----NOTE-----
CC: Linda Williams
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Lee, I changed the docket title slightly
for this matter:

Request by Florida Water Services
Corporation in Volusia County for
correction of territorial description in
Certificates Nos. 238-W and 182-S.

It no longer agrees with 951062's title,
but I believe this is a better title.
Also, do you have a request from FWS
concerning this? If so, you need to send
it on for the docket file, or be sure to
include it as an attachment to the
recommendation. Thanks. Kay
