



Public Service Commission

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DATE: FEBRUARY 4, 1999

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

FROM: DIVISION OF LEGAL SERVICES (FLEMING) *SKY*
DIVISION OF WATER AND WASTEWATER (REDEMANN) *RR* *COM* *PAW* *RP*

RE: DOCKET NO. 980536-WU - APPLICATION FOR TRANSFER OF WATER FACILITIES FROM ALTURAS WATER WORKS TO KEEN SALES, RENTALS AND UTILITIES, INC. IN POLK COUNTY, CANCELLATION OF ALTURAS' CERTIFICATE NO. 591-W, AND AMENDMENT OF KEEN'S CERTIFICATE NO. 582-W TO INCLUDE ADDITIONAL TERRITORY.

AGENDA: 02/16/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\980536RE.RCM

CASE BACKGROUND

Alturas Water Works (Alturas or utility) is a Class C utility serving 53 residential customers and 4 general service customers in Polk County. The utility was initially granted a grandfather Water Certificate No. 591-W in Docket No. 961109-WU, Order No. PSC-97-0513-FOF-WU. The utility's 1997 annual report on file with the Commission lists annual revenues of \$11,752 and net operating loss of \$319.

On April 20, 1998, Alturas submitted an application for transfer of water facilities to Keen Sales, Rentals and Utilities, Inc. (Keen), holder of Certificate No. 582-W. There was a short delay in processing the application due to the necessity of processing a name change application for Keen first, because Certificate No. 582-W was issued to Keen Sales & Rentals, Inc. The

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name change was approved by Order No. PSC-98-1294-FOF-WU issued October 5, 1998.

After issuance of Order No. PSC-98-1752-FOF-WU, issued December 22, 1998, in this docket, approving the transfer, canceling Alturas' Certificate No. 591-W, and amending Keen's Certificate No. 582-W to include additional territory, staff noted that there was an error in the first line of the territory description. As a consequence, staff has administratively reopened the docket so this recommendation could be brought to agenda to modify Order No. PSC-98-1752-FOF-WU to reflect the correct territory description.

DISCUSSION OF ISSUES

ISSUE 1: Should Order No. PSC-98-1752-FOF-WU be modified to correct the first line of the territory description of Alturas Water Works?

RECOMMENDATION: Yes. Order No. PSC-98-1752-FOF-WU should be modified to include "South" in the first line of the territory description. Order No. PSC-98-1752-FOF-WU should be affirmed in all other respects. (FLEMING, REDEMANN)

STAFF ANALYSIS: As noted in the Background, Order No. PSC-98-1752-FOF-WU, issued December 22, 1998, in this docket, approved the transfer of water facilities from Alturas Water Works to Keen Sales, Rentals and Utilities, Inc. in Polk County, canceled Alturas' Certificate No. 591-W, and amended Keen's Certificate No. 582-W to include additional territory.

Staff noted after the issuance of Order No. PSC-98-1752-FOF-WU, that the first line of the territory description was incorrect. The first line of the current description (included in both staff's recommendation and subsequently, in the Order) in Docket No. 980536-WU reads as follows:

In Township 30, Range 26 East, Section 16, Polk County,
Florida

The first line of the description should read:

In Township 30 South, Range 26 East, Section 16, Polk County,
Florida

The current description is obviously misstated. Based on the above information, staff recommends that Order No. PSC-98-1752-FOF-WU should be modified to include "South" in the first line of the territory description. Order No. PSC-98-1752-FOF-WU is affirmed in all other respects.

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ATTACHMENT A

KEEN SALES, RENTALS AND UTILITIES, INC.

ALTURAS WATER WORKS SYSTEM

ORDER NO. PSC-98-1752-FOF-WU - CORRECTED

WATER SERVICE AREA

POLK COUNTY

In Township 10 South, Range 26 East, Section 16, Polk County, Florida:

The Northeast 1/4 less the Northwest 1/4 of the Northeast 1/4 and less the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 and less Star Lake.

The Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4.

The North 480 feet of the Southeast 1/4.

The East 672 feet of the Southeast 1/4 less the South 672 feet.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. (FLEMING)

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