

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificate Nos. 7-W and 3-S to extend service area in Brevard County by Florida Cities Water Company (Barefoot Bay Division).

DOCKET NO. 981363-WS
ORDER NO. PSC-99-0432A-FOF-WS
ISSUED: April 9, 1999

AMENDATORY ORDER
CORRECTING ORDER NO. PSC-99-0432-FOF-WS
TO REFLECT ACCURATE TERRITORY DESCRIPTION

BY THE COMMISSION:

On October 20, 1998, Florida Cities Water Company, Barefoot Bay Division (FCWC), submitted an application for amendment of Water Certificate No. 7-W and Wastewater Certificate No. 3-S to include additional territory in Brevard County. There were no objections filed, and the amendment was approved by Order No. PSC-99-0432-FOF-WS, issued March 3, 1999 in this docket.

Subsequent to issuance of the order, FCWC discovered an error in the last line of page 1 of the composite water and wastewater territory description shown on Attachment B of that Order. The description inadvertently stated a distance of 326.90 feet. The description should have stated a distance of 1326.90 feet.

The correction does not affect any customers or add any additional area to FCWC's certificated territory. The mistake was merely a scrivener's error. Accordingly, we find it appropriate to correct Order No. PSC-99-0432-FOF-WS to reflect the correct composite territory description as shown on Attachment B of this Order, which by reference is incorporated herein along with Attachment A (water and wastewater additional area). The utility has provided tariff sheets reflecting the correct description.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Florida Cities Water Company, Barefoot Bay Division, 931 Barefoot Boulevard, Suite 2, Barefoot Bay, Florida 32976, to correct the scrivener's error in the composite territory description approved by Order No. PSC-99-0432-FOF-WS is hereby

DOCUMENT NUMBER-DATE

04591 APR-99

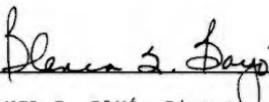
PSC-RECORDS/REPORTING

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granted. The Order is hereby amended to reflect the correct composite territory description as shown on Attachment B of this Order, which by reference is incorporated herein along with Attachment A. It is further

ORDERED that Order No. PSC-99-0432-FOF-WS is reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 9th day of April, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

TV

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida

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Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

ATTACHMENT A

FLORIDA CITIES WATER COMPANY - BREVARD COUNTY DIVISION

BAREFOOT BAY

WATER AND WASTEWATER ADDITIONAL AREA

Extension Area A

The intersection of the North line of the Southeast 1/4 of Section 3 (also the North line of the South 1/2 of Section 3), Township 30 South, Range 38 East and the Westerly right of way line of the Florida East Coast Railroad (100 foot Right of Way width) describes the Point of Beginning.

From the Point of Beginning run S23°54'12" E along said Westerly Right of Way line for a distance of 2881.57 feet to the South line of the Southeast 1/4 of Section 3; thence S89°50'45"W along said South line for a distance of 470.46 feet; thence departing said South line run N01°13'26"W for a distance of 1053.18 feet; thence N89°50'47"W for a distance of 2021.86 feet; thence N00°27'56"W for a distance of 1581.03 feet to the North line of the South 1/2 of Section 3, Township 30 South, Range 38 East; thence S89°50'47"E along the North line of the South 1/2 of Section 3 for a distance of 1360.08 feet to the Point of beginning ±.

Extension Area B

From the point of commencement at the Northeast corner of Section 15, Township 30 South, Range 38 East, proceed southerly a distance of 1334 feet ±, thence proceed westerly a distance of 1331 feet ±, to the point of Beginning.

From the point of beginning proceed N00°32'12"W a distance of 11.20 feet; thence S89°32'20"W a distance of 330.01 feet; thence N00°32'12"W a distance of 330 feet; thence S89°32'20"W a distance of 335.43 feet; thence S00°32'12"E a distance of 330 feet ±; thence S89°32'20"W a distance of 343.26 feet; thence N00°31'40"W a distance of 1320 feet; thence S89°32'20"W a distance of 287.9 feet; thence S00°31'40"E a distance of 1950 feet; thence S89°32'20"E a distance of 1350 feet; thence N0°32'12"W a distance of 654.40 feet to the point of Beginning.

FLORIDA CITIES WATER COMPANY - BREVARD COUNTY DIVISION
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REVISED COMPOSITE WATER AND WASTEWATER DESCRIPTION

The following composite description includes (1) the areas granted by Orders Nos. 5016 and 9526, as corrected by Order No. PSC-97-0141-FOF-WS, with certain angles and distances added to make the description more clear and concise; and (2) additional areas approved by Order No. PSC-97-0141-FOF-WS; and (3) additional areas approved by Order No. PSC-98-0360-FOF-WS; and (4) the new areas.

A portion of Sections 3, 9, 10, 11, 15 and 16, Township 30 South, Range 38 East, Brevard County, Florida, being more particularly described as follows:

Begin at the Northeast corner of Section 15, Township 30 South, Range 38 East, proceed Southerly along the Eastern boundary line of said Section 15, a distance of 1334 feet, more or less, to the Southeast corner of the Northeast 1/4 of the Northeast 1/4; thence westerly along the South boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 15, a distance of 1331 feet, more less to the Southwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 15; thence South 00°32'12" East, a distance of 654.40 feet; thence South 0°05'00" East, a distance of 950 feet, more or less; thence South 89°46'20" West, a distance of 1331.43 feet, to the West line of the Southeast 1/4 of said Section 15; thence northerly along the North-South centerline of said Section 15, a distance of 261.75 feet to the center of said Section 15; thence South 89°46'20" West, along South boundary of the Northwest 1/4 of said Section 15, for a distance of 2333.53 feet; thence North 44°37'18" West a distance of 475.72 feet, to the West line of said Section 15; thence North 0°32'45" West, along said West line, a distance of 993.85 feet, to the South boundary of the North 1/2 of the Northwest 1/4, of said Section 15; thence North 89°53'10" East, a distance of 2331.8 feet, to Southwest corner of the East 1/2, East 1/2, Northeast 1/4, Northwest 1/4 of said Section 15; thence North 00°31'49" West, along the West line of the East 1/2, East 1/2, Northeast 1/4, Northwest 1/4 of said Section 15, a distance of 1319.16 feet to a line lying 50.00 feet South of and parallel with the North line of said Section 15 (the South boundary of Micco Road right-of-way); thence Westerly parallel with and 50.00 feet South of the North lines of said Sections 15 and 16, a distance 4992.7 feet, to the West boundary of the Northeast 1/4 of Section 16, Township 30 South, Range 38 East, thence North 00°33'44" West along said boundary and the West boundary of the Southeast 1/4 of Section 9, Township 30 South, Range 38 East, a distance of 2732.1 feet, to the center said Section 9; thence North 89°49'31" West, along the South line of the Northwest 1/4 of said Section 9 for a distance of 1326.90 feet, to the Southwest corner of the Southeast 1/4, Northwest 1/4, said Section

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REVISED COMPOSITE WATER AND WASTEWATER DESCRIPTION

9; thence North $00^{\circ}29'39''$ West, along the West line of the Southeast 1/4, Northwest 1/4, said Section 9, for a distance of 1343.21 feet to the Northwest corner of the Southeast 1/4, Northwest 1/4, Section 9 of said Township and Range; thence South $89^{\circ}44'36''$ East, along the North boundary of the Southeast 1/4 of the Northwest 1/4 of said Section 9 a distance of 1325.33 feet, more or less to the Northeast corner of the Southeast 1/4 of Northwest 1/4 of said Section 9; thence North $00^{\circ}33'44''$ West, along the West boundary of the Northeast 1/4 of said Section 9 a distance 1341 feet, more or less to the North 1/4 corner of said Section 9; thence Easterly along the North boundary of said Section 9, Township 30 South, Range 38 East, a distance of 2647.27 feet to the Southwest corner of Section 3, Township 30 South, Range 38 East; thence N $00^{\circ}32'48''$ W, along the west line of the Southwest 1/4 of said Section 3, a distance of 2,656.30 feet to a concrete monument at the northwest corner of said Southwest 1/4; thence S $89^{\circ}50'47''$ E, along the north line of said Southwest 1/4 a distance of 1320.29 feet; thence S $00^{\circ}52'46''$ E a distance of 331.12 feet, thence S $89^{\circ}53'14''$ E a distance of 660.91 feet, thence N $00^{\circ}27'56''$ W a distance of 330.62 feet; thence S $89^{\circ}50'47''$ E a distance of 1360.08 feet to a point on the westerly right of way line of the Florida East Coast Railway; thence S $23^{\circ}54'12''$ E along said westerly right of way line for 2881.57 feet; thence S $89^{\circ}50'45''$ W a distance of 845.46 feet; thence S $01^{\circ}13'26''$ E a distance of 1053.18 feet to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 30 South, Range 38 East; thence S $89^{\circ}50'45''$ W a distance of 375.00 feet; thence S $00^{\circ}35'41''$ E a distance of 1329.38 feet to the south line of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 30 South, Range 38 East; thence S $89^{\circ}42'50''$ W a distance of 968.12 feet to the eastern boundary of the Northeast 1/4 of said Section 10, Township 30 South, Range 38 East; thence S $00^{\circ}38'31''$ East a distance of 1331.98 feet to the center point of said Section 10; thence Easterly a distance of 3764.6 feet to the Westerly boundary of US Highway 1 (State Road No. 5) right-of-way; thence Southeasterly along said westerly boundary a distance of 2619.3 feet (plus or -); thence South $77^{\circ}07'44''$ West a distance of 681.4 (plus or -) feet; thence South $23^{\circ}53'16''$ East parallel to Florida East Coast Railroad right-of-way a distance of 190.7 (plus or -) feet to the South line of Section 11; thence West along the South line of said Section 11, for a distance of 1,617.4 feet (plus or -) to the Southwest corner of said Section 11, said point also being the Northeast corner of said Section 15 and the POINT OF BEGINNING.