

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificates Nos. 236-W and
179-S to extend service area in
St. Johns County by United Water
Florida Inc.

DOCKET NO. 981637-WS
ORDER NO. PSC-99-1384-FOF-WS
ISSUED: July 19, 1999

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING NOTICE OF WITHDRAWAL OF APPLICATION FOR
AMENDMENT OF CERTIFICATES NOS. 236-W AND 179-S
AND CLOSING DOCKET

BY THE COMMISSION:

On November 18, 1998, United Water Florida Inc. (UWF or utility) filed an application for amendment of Certificates Nos. 236-W and 179-S to extend its service area in St. Johns County. On December 15, 1998, Intercoastal Utilities, Inc. (Intercoastal) timely filed an objection to the utility's amendment application and demanded a formal hearing. On December 17, 1998, St. Johns County (County) submitted a letter that included Resolution No. 98-226, in which the County timely objected to UWF's application. On December 28, 1998, JEA (formerly Jacksonville Electric Authority) timely filed an objection to the amendment application and requested a formal hearing. Accordingly, a hearing was scheduled for June 30 through July 2, 1999. No other protests were filed, and the time for filing such has expired.

On June 7, 1999, UWF filed a notice withdrawing its application to extend its service area. In the past with cases such as this, we have formally acknowledged such notices of withdrawal. By Order No. PSC-94-1352-FOF-SU, issued November 7,

DOCUMENT NUMBER-DATE

08524 JUL 1999

FPSC-RECORDS/REPORTING

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1994, in Docket No. 930851-SU, In Re: Application for amendment of Certificate No. 249-S in Volusia County by North Peninsula Utilities Corporation, we acknowledged the utility's notice to withdraw its application when the utility was not currently serving the additional territory, even though objections to the application were pending. Moreover, by Order No. PSC-97-0095-FOF-WU, issued January 27, 1997, in Docket No. 960866-WU, In Re: Application for amendment of Certificate No. 427-W to add territory in Parcels A, B, C, D, and E in Marion County by Windstream Utilities Company, we acknowledged the utility's notice to withdraw its application, despite pending objections, when we had not yet taken any action on the application. Furthermore, by Order No. PSC-99-0025-FOF-SU, issued January 4, 1999, in Docket No. 980887-SU, 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, we acknowledged the withdrawal of the utility's application, despite a pending objection, when we had not yet taken action on the utility's application and the utility was not currently serving the requested territory.

We have not yet taken action on UWF's application for amendment. Moreover, UWF is not currently serving the requested territory. Also, a letter, dated April 15, 1999, and contract, dated April 13, 1999, submitted by the County indicate that the developer who originally requested service from UWF and whose request for service was the basis for UWF's amendment application has withdrawn its application for service from UWF and has entered into a contract with the County for service. Therefore, withdrawal of UWF's application will not impair water and wastewater service to the developer.

Based on the foregoing, we hereby acknowledge UWF's notice of withdrawal of its application for amendment of its water and wastewater certificates in St. Johns County. We also find it unnecessary to rule upon Intercoastal's, JEA's, and the County's protests to UWF's application and requests for formal hearing, as the withdrawal of UWF's application render them moot.

Because no further action is required, this docket shall be closed.

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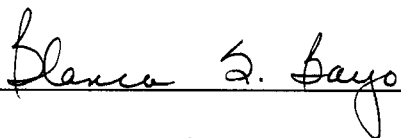
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that United Water Florida Inc.'s notice of withdrawal of its application for amendment of Certificates Nos. 236-W and 179-S to extend its service area in St. Johns County is hereby acknowledged. It is further

ORDERED that no ruling is necessary on Intercoastal Utilities, Inc.'s, JEA's, and St. Johns County's protests and requests for hearing, as they are moot. It is further

Ordered that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 19th Day of July, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

SMC

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

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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 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.

M E M O R A N D U M

July 19, 1999

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99 JUL 19 PM 12:10

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CIBULA) *SMC. ps*

RE: * DOCKET NO. 981637-WS - APPLICATION FOR AMENDMENT OF
CERTIFICATES NOS. 236-W AND 179-S TO EXTEND SERVICE AREA
IN ST. JOHNS COUNTY BY UNITED WATER FLORIDA INC.

-FOF- 1384

Attached is an ORDER ACKNOWLEDGING NOTICE OF WITHDRAWAL OF APPLICATION FOR AMENDMENT OF CERTIFICATES NOS. 236-W AND 179-S AND CLOSING DOCKET, to be issued in the above-referenced docket.

(Number of pages in order - 4)

SMC/lw

Attachment

cc: Division of Water and Wastewater (Clapp, Redemann)

I:981637OR.SMC

2/1

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 4 Date 7, 20, 99 Copies Per Original 19
 Requested By Ruth

Item Presented

Agenda For (Date) _____ Order No. 99-1384 In Docket No. 981637
 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	---	_____
<u>2</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
<u>7</u>	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 204 Verified By Michael
 Date and Time Completed 7/21 Job Checked For Correctness and Quality (Initial) "

Mail Room Verification

Date Mailed / Verified By /