



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

**DATE:** JANUARY 6, 2000

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (RAYÓ)

**FROM:** DIVISION OF LEGAL SERVICES (CIBULA, CROSBY) *SMC*  
DIVISION OF WATER AND WASTEWATER (CLAPP, REDEMANN) *RS*

**RE:** DOCKET NO. 981079-SU - APPLICATION FOR AMENDMENT OF CERTIFICATE NO. 104-S TO EXTEND SERVICE TERRITORY IN PASCO COUNTY BY HUDSON UTILITIES, INC., AND REQUEST FOR LIMITED PROCEEDING.

**AGENDA:** 01/18/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\981079.RCM

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### CASE BACKGROUND

Hudson Utilities, Inc. (Hudson or utility) is a Class B utility serving approximately 1,468 residential and 87 commercial customers. The utility provides wastewater collection service to its customers and contracts with Pasco County (County) for wastewater treatment service pursuant to a Bulk Wastewater Treatment Agreement (Agreement).

On August 26, 1998, Hudson filed an application for amendment of Certificate No. 104-S to extend its service area. The application included a request to serve a portion of territory, known as Signal Cove, that was being served by the County. Pursuant to an Addendum to the Agreement included in the application, the County and Hudson agreed that the Signal Cove territory would be transferred from the County to Hudson.

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By Order No. PSC-99-1916-PAA-SU, issued September 27, 1999, in this docket, which was made final and effective by Order No. PSC-99-2082-CO-SU, issued on October 21, 1999, the Commission approved Hudson's application to amend its certificate of authorization, including the transfer of the Signal Cove territory from the County to Hudson. Pursuant to Order No. PSC-99-1916-PAA-SU, Hudson was ordered to file proof of the transfer of the Signal Cove territory from the County to Hudson within three months from the issuance date of the Order. On December 9, 1999, Hudson filed a Motion for Extension of Time to File Proof of Transfer of Territory.

This recommendation addresses whether the Commission should grant or deny Hudson's motion.

### DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission grant Hudson Utilities, Inc.'s Motion for Extension of Time to File Proof of Transfer of Territory?

**RECOMMENDATION:** Yes. The Commission should grant Hudson Utilities, Inc.'s Motion for Extension of Time to File Proof of Transfer of Territory. As requested in its motion, the utility should be allowed until June 27, 2000, to file proof of the transfer of the Signal Cove territory from Pasco County to Hudson Utilities, Inc. (CIBULA, CROSBY, CLAPP)

**STAFF ANALYSIS:** As stated in the case background, by Order No. PSC-99-1916-PAA-SU, issued September 27, 1999, in this docket, which was made final and effective by Order No. PSC-99-2082-CO-SU, issued October 21, 1999, the Commission approved Hudson's application to amend its certificate of authorization, including the transfer of the Signal Cove territory from the County to Hudson. Pursuant to Order No. PSC-99-1916-PAA-SU, Hudson was ordered to file proof of the transfer of the Signal Cove territory from the County to Hudson within three months of the issuance date of the Order.

On December 9, 1999, Hudson filed a Motion for Extension of Time to File Proof of Transfer of Territory. In support of its motion, Hudson states that, pursuant to the Addendum to the Agreement between Hudson and the County, the transfer of the Signal Cove territory will occur when Hudson connects its force main to the County's wastewater collection system which presently serves

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the Signal Cove customers. Further, Hudson states that the connection of Hudson's force main to the County's facilities will occur upon completion of the construction of Hudson's wastewater collection facilities to serve those Signal Cove customers currently on septic tanks. Hudson states that it estimates that the connection will occur in approximately six months, based on estimates that the finalization for the funding of the construction work will take two months and the completion of the necessary construction work will take four months. Thus, Hudson requests an additional six months, until June 27, 2000, to file proof of the transfer of the Signal Cove territory from the County to Hudson.

Staff believes that Hudson's motion is reasonable and recommends that it should be granted. As requested in its motion, the utility should be allowed until June 27, 2000, to file proof of the transfer of the Signal Cove territory from the County to Hudson.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** No. This docket should remain open to allow staff to verify that Hudson Utilities, Inc., has filed proof of the transfer of the Signal Cove territory from Pasco County to the utility. Once staff has verified this information, this docket should be closed administratively. (CIBULA, CROSBY, CLAPP)

**STAFF ANALYSIS:** This docket should remain open to allow staff to verify that Hudson has filed proof of the transfer of the Signal Cove territory from the County to the utility. Once staff has verified this information, this docket should be closed administratively.