

State of Florida



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-

COMMISSION
CLERK

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DATE: May 20, 2004

TO: Director, Division of the Commission Clerk & Administrative Services (Bayó)

FROM: Division of Economic Regulation (Redemann) *RRR PR CA*
Office of General Counsel (Vining) *AEV MATT JDJ TJD*

RE: Docket No. 040296-SU; Application for "Quick Take" Amendment of Certificate No. 226-S in Seminole County by Florida Water Services Corporation.

AGENDA: 06/01/04 – Regular Agenda – Interested Persons May Participate

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\040296.RCM.DOC

Case Background

Florida Water Services Corporation (Florida Water or utility) is a Class A utility. According to its 2003 annual report, Florida Water's Meredith Manor system serves approximately 638 water and 28 wastewater customers with combined annual operating revenues of \$257,475 and a combined net income of \$52,348. Florida Water has a number of non contiguous water and wastewater systems in Seminole County.

On April 5, 2004 the utility applied for a "Quick Take" amendment to Wastewater Certificate No. 226-S in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on April 16, 2004. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes.

DOCUMENT NUMBER-DATE

05773 MAY 20 04

FPSC-COMMISSION CLERK

Discussion of Issues

Issue 1: Should the Commission acknowledge Florida Water's "Quick Take" application to amend Certificate No. 226-S?

Recommendation: Yes, the Commission should acknowledge Florida Water's amendment application to expand its Meredith Manor territory. The proposed territory amendment is described in Attachment A. Florida Water should charge the customer in the added territory the rates and charges contained in its tariff until authorized to change by this Commission in a subsequent proceeding. (REDEMANN)

Staff Analysis: On April 5, 2004, Florida Water applied for a "Quick Take" amendment to Wastewater Certificate No. 226-S in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on April 16, 2004. The customer requesting wastewater service receives water service from the Meredith Manor water system. The customer's septic tank failed and they requested Florida Water to provide wastewater service.

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for amendment of certificate. The application contained a check in the amount of \$100, which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. Florida Water's Meredith Manor system obtains bulk wastewater service from the City of Altamonte Springs and does not own any land for the Meredith Manor wastewater system.

Adequate service territory maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e) and (i), Florida Administrative Code. A description of the territory requested by the utility is appended to this recommendation as Attachment A. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the application have been received and the time for filing such has expired. The local planning agency was provided notice of the application and did not file a protest to the amendment.

The "Quick Take" amendment is designed to provide water and/or wastewater service quickly for areas that serve less than 25 ERCs. Typically, a well or septic tank fails or service is otherwise not available and service is needed as soon as possible. The request for service territory expansion and amendment of an existing certificate is considered approved when the utility complies with Rule 25-30.036(2), Florida Administrative Code and if no protest is timely filed to the notice of application.

The utility states that the new territory will not exceed a maximum of 25 ERCs at the time the territory is built out. The utility will provide service to one customer whose septic tank failed. No other utility in the area is willing and/or capable of providing reasonably adequate service to the territory, according to Florida Water.

Staff has contacted the Department of Environmental Protection and learned that there are no outstanding notices of violation issued for Florida Water's Meredith Manor wastewater system. Staff recommends that the rates and charges approved by the Commission for Florida Water's Meredith Manor service area be applied to the customer in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff and returned its certificate for entry reflecting the additional territory.

In accordance with Rule 25-30.036(2), Florida Administrative Code, a request for service expansion shall be considered approved if no protest is timely filed to the application. As stated earlier, no protests have been filed and the time for filing such has expired.

Based on the above information, staff believes it is in the public interest to acknowledge the "Quick Take" amendment application filed by Florida Water and to add the additional territory described in Attachment A.

Docket No. 040296-SU

Date: May 20, 2004

Issue 2: Should this docket be closed?

Recommendation: Yes, no further action is required and the docket should be closed.
(VINING)

Staff Analysis: No further action is required and the docket should be closed.

SEMINOLE COUNTY

MEREDITH MANOR
EXTENTION OF WASTEWATER SERVICE TERRITORY

Commence at the Southeast corner of the Northeast quarter of the Southwest quarter of Section 4, Township 21 South, Range 29 East, Seminole County, Florida;

Thence proceed N 00°13'51" E a distance of 509.29 feet, more or less; thence proceed N 89°35'10" W a distance of 223.65 feet, more or less, to the Point of Beginning; thence proceed N 84°15'00" E a distance of 110.00 feet; thence proceed N 05°52'16" W a distance of 228.00 feet; thence proceed S 24°07'21" W a distance of 22.00 feet; thence proceed S 74°30'34" W a distance of 100.00 feet; thence proceed S 05°45'00" E a distance of 192.00 feet to the Point of Beginning, containing 0.51 acre, more or less.