

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment of Certificate 363-W to add and delete territory in Marion County by Sunshine Utilities of Central Florida, Inc.	DOCKET NO. 060283-WU ORDER NO. PSC-06-0478-FOF-WU ISSUED: June 5, 2006
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The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

ORDER AMENDING CERTIFICATE NO. 363-W AND CLOSING DOCKET

BY THE COMMISSION:

Background

Sunshine Utilities of Central Florida, Inc. (Sunshine or utility) is a Class B utility that has been providing service in Marion County for more than 25 years, owning and operating more than 20 water systems serving approximately 3,500 customers. The 2005 annual report shows operating revenues of \$938,725, and a net loss of \$6,106.

The utility has filed an application requesting an amendment to add territory to the utility's certificated area that will include mobile homes and a few general service customers. Water service will be supplied from the utility's Little Lake Weir water plant which currently has 150 connections. The application also includes an area for deletion. The proposed areas are located in the St. Johns River Water Management District.

The area requested to be deleted contains 20 acres and was added to the utility's certificate by Commission Order No. PSC-99-2390-FOF-WU, issued December 7, 1999, in Docket No. 980543-WU, In re: Application for amendment of Certificate No. 363-W to add territory in Marion County by Sunshine Utilities of Central Florida. The utility explains that central water service will not be needed in this undeveloped area. We have jurisdiction pursuant to Section 367.045, Florida Statutes.

Amendment Of Certificate

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and administrative rules concerning an application for amendment to add and delete territory. The application contains proof of compliance with the noticing provisions set forth in

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Rule 25-30.030, Florida Administrative Code. No objections were received and the time for filing objections expired on April 28, 2006.

Pursuant to Rule 25-30.036, Florida Administrative Code, the utility explains that the area applied for has no central water supply. Existing residents are on wells and septic tanks, and there are many vacant lots in the area. As service is requested, the utility will be in a position to provide safe drinking water and will extend lines as needed. The utility has been contacted by a builder who plans to construct a building for a business in the requested area.

We find that the utility has demonstrated that it has the necessary financial and technical expertise as shown by its years of operation. Water service to the area requested will be provided by the Little Lake Weir water system. Sunshine's water treatment facility at Little Lake Weir has two wells with chlorination for disinfection according to its application, and there is sufficient water supply to provide service in the territory requested. The Department of Environmental Protection has no outstanding violations, citations, or notices of violation issued to the utility for the water system that will serve the proposed area. Also, the utility indicated that the granting of the proposed amendment would be in the best interest of the public as it will provide the residents with a safe water source. According to the Department of Community Affairs, the proposed expansion area is consistent with the Marion County comprehensive plan.

As stated earlier, the area to be deleted was added to Sunshine's certificate pursuant to Order No. PSC-99-2390-FOF-WU, and the utility explains in the current application that the undeveloped area will not need central water service. Sunshine does not have any water lines in this certificated area, and we find that the request for deletion shall be approved. Marion County serves the parcels directly north of this area, and would be able to provide fire flow to this area if fire flow is needed. There is one property owner who owns this 20 acre parcel. The owner was notified of Sunshine's intent to delete the territory from the utility's certificate, and no response was received from the property owner.

Based on the above information, we find it is in the public interest to approve the amendment application and add and delete the territory requested by Sunshine. Therefore, we approve Sunshine's request to add and delete the territory as described in Attachment A. The utility shall charge the customers in the territory added herein the monthly service rates contained in its current tariff until authorized to change by the Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Sunshine Utilities of Central Florida, Inc., to amend its water certificate is granted, and its Certificate No. 363-W is amended to add and delete the territory as shown in Attachment A of this Order. It is further

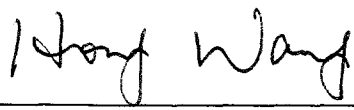
ORDERED that Attachment A is incorporated herein by reference. It is further

ORDERED that Sunshine Utilities of Central Florida, Inc., shall charge the customers in the added territory, as reflected in Attachment A, the rates and charges contained in its tariff until authorized to change by this Commission in a subsequent proceeding. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 5th day of June, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: 

Hong Wang, Supervisor
Case Management Review Section

(S E A L)

RRJ

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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

AMENDMENT TO ADD WATER SERVICE TERRITORY FOR SUNSHINE UTILITIES OF
CENTRAL FLORIDA, INC. IN MARION COUNTY

Little Lake Weir

In Section 15, Township 17 South, Range 23 East:

The North half of the Northwest quarter of Section 15

In Section 16, Township 17 South, Range 23 East:

The East half of the Southwest quarter of the Northeast quarter of Section 16

DELETION TO WATER SERVICE TERRITORY FOR SUNSHINE UTILITIES OF
CENTRAL FLORIDA, INC. IN MARION COUNTY

Little Lake Weir

In Section 16, Township 17 South, Range 23 East:

The East half of the Southwest quarter of the Northwest quarter of Section 16