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State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

COMMISSION  
CLERK

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

**DATE:** August 5, 2010

**TO:** Office of Commission Clerk (Cole)

**FROM:** Division of Economic Regulation (Simpson, Williams) *PD*  
Office of the General Counsel (Holley) *JC*

*Handwritten initials and signatures: PD, JC, and a signature.*

**RE:** Docket No. 100156-WU – Application of Sunshine Utilities of Central Florida, Inc. to amend its Water Certificate No. 363-W to include additional territory in Marion County, FL (Sandy Acres).

**AGENDA:** 08/17/10 – Regular Agenda – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Edgar

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\ECR\WP\100156.RCM.DOC

### Case Background

Sunshine Utilities of Central Florida, Inc. (Sunshine or Utility) is a class B utility which provides service to approximately 3,500 water customers in more than 20 systems in Marion County. Wastewater service is provided by septic tanks. The Utility's 2009 annual report shows an annual operating revenue of \$966,750 and an operating loss of \$110,091.

Pursuant to Section 376.045, Florida Statutes (F.S.), Sunshine filed an application on April 27, 2010, for amendment of Certificate No. 363-W to add territory in Marion County. The Utility proposes to provide service to seven mobile home residents served by a private well that has been contaminated in an area adjacent to the Sandy Acres water system.

DOCUMENT NUMBER-DATE:

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Pursuant to Rule 25-30.036(2), Florida Administrative Code (F.A.C), the Commission has the authority to approve applications for amendments when no objections have been filed and the application is processed in accordance with Chapter 367, F.S.

**Discussion of Issues**

**Issue 1:** Should Sunshine's application for amendment of Certificate No. 363-W be granted?

**Recommendation:** Yes. The Commission should approve Sunshine's application to include the additional territory shown in Attachment A. Sunshine should charge the customers in the new territory the rates and charges contained in its tariffs until authorized to change by the Commission in a subsequent proceeding. (Simpson, Williams)

**Staff Analysis:** On April 27, 2010, the Utility applied for an amendment to Certificate No. 363-W in Marion County, Florida. The application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning applications for amendment of certificate. The application contains proof of compliance with the noticing provisions in Rule 25-30.030., F.A.C. No objections were received and the time for such had expired.

A map of the territory to be served and a territory description, as required by Rule 25-30.036(3)(e), F.A.C., have been provided. A description of the territory to be amended is shown in Attachment A. According to the Utility, the requested amendment of its service area would allow it to provide service to seven mobile home residents served by a private well that has been contaminated. The Sandy Acres water treatment plant has the capacity to serve the proposed area. The Utility provided evidence of ownership of the water treatment plant sites. Staff contacted the Department of Environmental Protection and learned that there no outstanding notices of violations issued to the Utility.

Based on the above information, staff recommends that it is in the public interest to approve the Utility's amendment application. The rates and charges approved by the Commission should be charged to customers in the new service territory until authorized to change by the Commission.

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

**Recommendation:** Yes, if staff's recommendation in Issue 1 is approved, no further action is required and the docket should be closed. (Holley)

**Staff Analysis:** If Issue 1 is approved, no further action is required and the docket should be closed.

SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.  
DESCRIPTION OF WATER TERRITORY TO BE ADDED  
MARION COUNTY

SANDY ACRES SUBDIVISION

SECTION 29 TOWNSHIP 17S RANGE 26E

THE NORTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 29

THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 29

THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 29

**FLORIDA PUBLIC SERVICE COMMISSION**  
**authorizes**  
**Sunshine Utilities of Central Florida, Inc.**  
**pursuant to**  
**Certificate Number 363-W**

to provide water service in Marion County in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
11138	09/03/82	810386-W (MC)	Grandfather
11680	03/07/83	810423-W, 810363-W, 820409-W, 820408-W, 820367-W	Transfer/Amendment
14206	03/21/85	840087-WU	Amendment
14978	09/20/85	840089-WU	Amendment
15296	10/25/85	850280-WU	Amendment
17161	02/06/87	861526-WU	Amendment
17733	06/22/87	870181-WU	Transfer/Amendment
18081	09/01/87	860724-WU	Amendment
20707	02/06/89	880907-WU	Transfer
22239	11/29/89	891177-WU	Name Change
PSC-98-0385-FOF-WU	03/11/98	971297-WU	Amendment
PSC-99-2390-FOF-WU	12/07/99	980543-WU	Amendment
PSC-00-1062-FOF-WU	06/02/00	991681-WU	Amendment
PSC-02-1832-PAA-WU	12/20/02	011632-WU	Amendment
PSC-02-1292-PAA-WU	09/23/02	020256-WU	Transfer/Amendment
PSC-03-1099-FOF-WU	10/02/03	030128-WU	Amendment
PSC-03-1333-PAA-WU	11/24/03	030340-WU	Transfer/Amendment
PSC-04-1032-FOF-WU	10/25/04	040388-WU	Amendment
PSC-06-0478-FOF-WU	06/05/06	060283-WU	Amendment
*	*	100156-WU	Amendment

**\* Order Number and date to be provided at time of issuance.**