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Public Service Commission
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COMMISSION
CLERK

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

DATE: August 24, 2011

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Williams)
Office of the General Counsel (Barrera)

JW P.O. Cole *MB*

RE: Docket No. 110142-WU – Application for quick-take amendment of Certificate No. 278-W in Seminole County by Utilities, Inc. of Florida.

AGENDA: 09/08/11 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Brisé

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\110142.RCM.DOC

Case Background

On May 10, 2011, Utilities, Inc. of Florida (UIF or utility) applied for a “Quick Take” application with the Commission to amend Water Certificate 278-W, in order to expand its existing territory to include three single family residences that are adjacent to the existing certificated area in Seminole County. The UIF water system that is subject to this amendment, the Jansen water system, provides water service to approximately 253 customers. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.)

DOCUMENT NUMBER-DATE

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Discussion of Issues

Issue 1: Should the Commission acknowledge Utilities, Inc. of Florida's "Quick Take" application to amend Certificate No. 278-W in Seminole County?

Recommendation: Yes, the Commission should acknowledge Utilities, Inc. of Florida's application to expand its territory. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as Utilities, Inc. of Florida's amended certificate and it should be retained by the utility. Utilities, Inc. of Florida should charge the customers in the added territory the rates and charges contained in its tariff until authorized to change by this Commission in a subsequent proceeding. (Williams)

Staff Analysis: On May 10, 2011, UIF applied for a "Quick Take" amendment to Water Certificate No. 278-W in Seminole County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code (F.A.C.). The application was completed on May 12, 2011. The requested territory is contiguous to the utility's existing service territory.

The application is in compliance with the governing statute, Section 367.045, F.S., and other pertinent statutes and administrative rules concerning an application for amendment of certificate. Adequate service territory maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e) and (i), F.A.C. 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), F.S., that it has tariffs and annual reports on file with the Commission.

The "Quick Take" amendment is designed to provide water and/or wastewater service quickly for areas that serve less than 25 Equivalent Residential Connections (ERCs). In this case, a property owner has requested that UIF provide central water service. 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), F.A.C., and if no protest is timely filed to the notice of application. No protest was filed in this case, and the time for doing so has passed. The application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, F.A.C.

The utility states that the new territory will include three existing single family homes that currently receive water service from private wells. One of the homeowners contacted the Utility and requested central water service because they were constructing a new home and no longer wished to use their private well for water service. UIF included that homeowner's lot, as well as two additional lots that are adjacent to the existing service territory. All three homeowners were noticed, and no objection was received. According to UIF, no other utility in the area is willing and/or capable of providing reasonably adequate service to the territory. The application also included a no objection letter from Seminole County, which expressed that the county is not the utility provider in the area and does not object to UIF providing service. The UIF Jansen water system provides service to the customers in the adjacent existing territory, and would be the system that would provide service to the extension area. The most recent sanitary survey for the UIF Jansen system, conducted by DEP on May 11, 2011, lists no deficiencies and states that the water plant is in good operating condition. Staff recommends that the rates and

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charges approved by the Commission for UIF's service area be applied to the customers in the new service territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff.

Based on the above information, the Commission should acknowledge UIF's application to expand its territory. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as UIF's amended certificate and it should be retained by the utility.

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Issue 2: Should this docket be closed?

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

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

EXTENSION AREA

A tract of land lying in Seminole County, Florida, being more particularly described as follows:

In Section 19, Township 21 South and Range 29 East

Commence from the Northwest corner of the Southeast 1/4 of Section 19 and run due East a distance of 1311 feet and due South 442.1 feet to the Point of Beginning, run North 64°4'26" East a distance of 387 feet; thence run North 46°39'39" West a distance of 57.4 feet; thence run North 13°58'28" West a distance of 180.2 feet to a point on the shoreline of Bear Lake; thence meander Southwesterly along said shoreline to a point 1,333.8 feet East and 132.8 feet South of the Northwest corner of the Southeast 1/4 of Section 19; thence run South 4°13'0" West a distance of 310.1 feet to the Point of Beginning.

FLORIDA PUBLIC SERVICE COMMISSION
Authorizes
Utilities, Inc. Of Florida
pursuant to
Certificate Number 278-W

to provide water service in Seminole County in accordance with the provisions of Chapter 367, Florida Statutes, and 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>
7053	12-17-1975	750719-WS	Transfer of Certificate
7209	04-16-1976	760182-WS	Transfer of Certificate
7562	12-27-1976	760421-WS	Original Certificate
9317	04-04-1980	790969-W	Amendment
10643	03-04-1982	810389-WS	Partial Transfer of Territory to Government
17445	04-22-1987	870306-WU	Amendment
17445-A	05-04-1987	870306-WU	Amendatory Order
18508	12-08-1987	870057-WU	Deletion of Territory
PSC-99-2171-FOF-WU	11-08-1999	981589-WU	Partial Transfer of Territory to Government
PSC-99-2373-FOF-WS	12-06-1999	991288-WS	Partial Transfer of Territory to Government
PSC-04-0078-FOF-WU	01-26-2004	030958-WU	Amendment
PSC-07-0905-FOF-WS	11-08-2007	070325-WU	Amendment
PSC-07-0905-FOF-WS	11-08-2007	070360-WS	Amendment
*	*	110142-WU	Amendment

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