

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-

DATE: August 05, 2004

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

FROM: Division of Economic Regulation (Rieger)
Office of General Counsel (Brown)

RE: Docket No. 040484-WU; Application for "Quick Take" Amendment of Certificate No. 587-W in Polk County by Florida Water Services Corporation.

AGENDA: 08/17/04 – Regular Agenda – Interested Persons May Participate

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\040484.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 Gibsonia Estates system in Polk County serves approximately 180 water customers with annual operating revenues of \$22,492, and a net income of (\$13,688).

On May 21, 2004 the utility applied for a "Quick Take" amendment to Water Certificate No. 587-W in Polk County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on June 11, 2004. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes.

Discussion of Issues

Issue 1: Should the Commission acknowledge Florida Water's "Quick Take" application to amend Certificate No. 587-W?

Recommendation: Yes, the Commission should acknowledge Florida Water's amendment application to expand its Gibsonia Estates territory. Florida Water should 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. (RIEGER)

Staff Analysis: On May 21, 2004, Florida Water applied for a "Quick Take" amendment to Water Certificate No. 587-W in Polk County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code (Attachment B). The completed application was filed on June 11, 2004. Florida Water's Gibsonia Estates system obtains water service from an onsite water treatment facility made up of two wells with chlorination used for disinfection purposes. The proposed territory consists of three small general service customers that are currently served by a failed private water system. The area is adjacent to the utility's existing water service territory. The utility indicated in its application that the proposed new territory will not exceed 25 equivalent residential connections pursuant to Rule 25-30.036(2)(a), Florida Administrative Code.

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 the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. A description of the territory requested by the utility is appended to this recommendation as Attachment A. 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.

Staff has contacted the Department of Environmental Protection and learned that there are no outstanding notices of violation issued for Florida Water's Gibsonia Estates system. Staff recommends that the rates and charges approved by the Commission for Florida Water's Gibsonia Estates 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 and returned its certificate for entry reflecting the additional territory.

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. 040484-WU

Date: August 05, 2004

Issue 2: Should this docket be closed?

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

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

POLK COUNTY
GIBSONIA ESTATES
EXTENTION OF WATER SERVICE TERRITORY

Section 23, Township 27 South, Range 23 East, Polk County, Florida;

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of the Southeast quarter of said Section 23, proceed West along the South line of the Northeast quarter of the Southeast quarter of the Southeast quarter of said Section 23 to the West line of the East 318.88 feet of said Section 23; thence proceed North along said West line a distance of 317.62 feet, more or less, to the South line of the North 347.32 feet of the Southeast quarter of the Southeast quarter of said Section 23; thence proceed East along said South line a distance of 318.88 feet, more or less, to the East line of aforesaid Section 23; thence proceed South along said East line a distance of 317.62 feet, more or less, to the Point of Beginning.