

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-**

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**DATE:** July 7, 2005

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

**FROM:** Division of Economic Regulation (Walden)  
Office of the General Counsel (Gervasi)

**RE:** Docket No. 050211-WS – Application for amendment of Certificates 618-W and 532-S to extend water and wastewater service areas to include certain land in Sumter County by North Sumter Utility Company, L.L.C.

**AGENDA:** 07/19/05 – Regular Agenda – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Bradley

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\ECR\WP\050211.RCM.DOC

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### Case Background

North Sumter Utility Company, LLC, (North Sumter) is a Class C water and wastewater utility company serving 3,062 metered water customers and 3,033 wastewater customers in Sumter County, according to the company's 2004 annual report on file with this Commission. The annual report shows operating revenues of \$698,893, with a net operating loss of \$1,036,858. Utility plant exceeds \$41 million. The utility's service area lies in the Southwest Florida Water Management District and is not in a water supply problem area.

North Sumter was granted original certificates in Docket No. 010859-WS, with a service territory of 4,677 acres to serve the Villages, a planned unit development. Amendments have been approved in Docket No. 021036-WS adding 2,190 acres and Docket No. 040704-WS

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adding 600 acres. The area requested in the current docket will serve 900 water and 900 wastewater ERCs.

The utility filed this application on March 30, 2005 to amend its water and wastewater certificates in accordance with Rule 25-30.036, Florida Administrative Code. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes.

### **Discussion of Issues**

**Issue 1:** Should the utility's request to amend its water and wastewater certificates be granted?

**Recommendation:** Yes. Certificates 618-W and 532-S, granted to North Sumter Utility Company, LLC, should be amended to include the territory listed on Attachment A.

**Staff Analysis:** On March 30, 2005, North Sumter filed an application for amendment of its certificates. 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 proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the notice of application were received, and the time for filing them has expired. 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.

The Department of Community Affairs (DCA) has stated that the proposed expansion of the utility appears to be consistent with the Sumter County Comprehensive Plan. There are no outstanding notices of violation or consent orders with the Department of Environmental Protection. A description of the territory is appended to this recommendation as Attachment A.

North Sumter has been providing service since mid-2003. The utility has the financial backing of an affiliate, The Villages of Lake-Sumter, Inc., which has agreed to provide financial support. Evidence of the utility's ownership of the properties upon which its treatment plants are constructed has been provided. No plant expansion is needed to serve the additional area requested in this filing. Effluent disposal will continue via a reuse system that irrigates the golf courses within The Villages of Sumter.

The new service area, comprised of four parcels, is contiguous to the existing Villages development, and will contain both residential and general service customers. The expected number of customers to be served is 900 water ERCs and 900 wastewater ERCs. Inclusion of this additional service area will not adversely impact the service now being provided to existing customers.

Based upon the above information, staff recommends that it is in the public interest that the utility's application be granted and the land area described in Attachment A be added to the water and wastewater certificated territory of North Sumter.

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

**Recommendation:** Yes. Because no further action is required, the docket should be closed.  
(Gervasi)

**Staff Analysis:** Because no further action is required, the docket should be closed.

AMENDMENT TO WATER AND WASTEWATER SERVICE TERRITORY FOR  
NORTH SUMTER UTILITY COMPANY, LLC, IN SUMTER COUNTY

DESCRIPTION: (AREA "I")

A PORTION OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF SAID SECTION 21 LYING NORTH OF LAKE MIONA, LESS THE EAST 751.44 FEET AND LESS THE NORTH 33.00 FEET FOR C.R. 472, TOGETHER WITH THE EAST 330.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 21, LYING NORTH OF LAKE MIONA, LESS THE NORTH 33.00 FEET FOR C.R. 472.

DESCRIPTION: (AREA "J")

A PORTION OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE NORTH 00°00'52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 28 A DISTANCE OF 661.98 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°55'20" WEST, 375.24 FEET; THENCE NORTH 38°08'20" WEST, 522.75 FEET; THENCE NORTH 64°39'00" WEST, 653.77 FEET; THENCE SOUTH 89°55'40" WEST, 137.86 FEET; THENCE SOUTH 00°04'20" EAST, 100.00 FEET; THENCE SOUTH 89°55'40" WEST, 160.00 FEET; THENCE NORTH 14°15'00" WEST, 207.74 FEET; THENCE NORTH 52°34'00" WEST, 16.40 FEET; THENCE NORTH 79°10'00" EAST, 61.27 FEET; THENCE NORTH 05°32'35" WEST, 146.48 FEET; THENCE SOUTH 79°10'00" WEST, 19.88 FEET; THENCE NORTH 06°31'14" WEST, 50.14 FEET; THENCE NORTH 12°30'00" WEST, 181.34 FEET; THENCE NORTH 87°57'20" WEST, 140.62 FEET; THENCE NORTH 32°03'34" WEST, 163.04 FEET; THENCE NORTH 36°53'24" WEST, 60.28 FEET; THENCE NORTH 29°33'25" WEST, 140.06 FEET; THENCE NORTH 45°27'38" WEST, 110.80 FEET; THENCE NORTH 40°19'43" EAST, 200.96 FEET; THENCE NORTH 59°29'17" EAST, 123.77 FEET; THENCE NORTH 56°34'45" EAST, 158.95 FEET; THENCE NORTH 64°07'45" EAST, 230.23 FEET; THENCE SOUTH 71°57'03" EAST, 87.70 FEET; THENCE SOUTH 24°37'52" EAST, 216.66 FEET; THENCE SOUTH 20°00'03" EAST, 229.00 FEET; THENCE SOUTH 21°37'47" EAST, 141.70 FEET; THENCE SOUTH 48°11'31" EAST, 103.51 FEET; THENCE SOUTH 82°47'11" EAST, 137.66 FEET; THENCE NORTH 78°51'59" EAST, 66.43 FEET; THENCE NORTH 89°03'36" EAST, 79.81 FEET; THENCE NORTH 83°45'14" EAST, 212.06 FEET; THENCE SOUTH 86°15'00" EAST, 192.21 FEET; THENCE NORTH 79°29'35" EAST, 445.60 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE SOUTH 00°00'52" EAST ALONG SAID EAST LINE 1,425.50 FEET TO THE POINT OF BEGINNING.

AMENDMENT TO WATER AND WASTEWATER SERVICE TERRITORY FOR  
NORTH SUMTER UTILITY COMPANY, LLC, IN SUMTER COUNTY

DESCRIPTION: (AREA "K")

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 23 EAST, LESS RIGHT-OF-WAY FOR COUNTY ROAD 466A, SUMTER COUNTY, FLORIDA.

DESCRIPTION: (AREA "L")

THE SOUTH 928.13 FEET OF THE WEST 248.05 FEET OF THE EAST 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY FOR COUNTY ROAD 466A.