

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: November 7, 2007

TO: Commission Clerk (Cole)

FROM: Division of Economic Regulation (Redemann)
Office of the General Counsel (Young)

RE: Docket No. 070243-WS – Application for quick-take amendment of Certificate Nos. 534-S and 621-W in Franklin County to extend water and wastewater service, by St. James Island Utility Company.

AGENDA: 11/20/07 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Carter

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\070243.RCM.DOC

Case Background

St. James Island Utility Company (St. James or utility) is a Class C utility. The utility obtained their original certificates on August 5, 2004, by Order No. PSC-04-0755-PAA-WS.¹ According to its 2006 annual report, St. James does not have any water or wastewater customers. The utility had a net loss of \$83,915. The proposed area is in the Northwest Florida Water Management District. The area is not in a Water Resource Caution Area (WRCA); however, there are concerns with water supply in that area.

¹ Docket No. 040247-WS, In re: Application for certificates to provide water and wastewater service in Franklin County by St. James Island Utility Company.

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On April 5, 2007, the utility applied for a “Quick Take” amendment to Certificate Nos. 621-W and 534-S in Franklin County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on October 15, 2007. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes.

Discussion of Issues

Issue 1: Should the Commission acknowledge St. James Island Utility Company's "Quick Take" application to expand its territory?

Recommendation: Yes, the Commission should acknowledge St. James Island Utility Company's application to amend Certificate Nos. 621-W and 534-S. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as St. James Island Utility Company's amended certificate and it should be retained by the utility. St. James Island Utility Company 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. (REDEMANN)

Staff Analysis: On April 5, 2007, St. James Island Utility Company applied for a "Quick Take" amendment to Certificate Nos. 621-W and 534-S in Franklin County, Florida, pursuant to Rule 25-30.036(2), Florida Administrative Code. The completed application was filed on October 15, 2007. The utility, which is wholly owned by the St. Joe Company, was designed to serve Summer Camp, a planned community located along Highway 98 between Carrabelle and Alligator Point. The additional area requested includes the property for the wastewater treatment plant and an area across Highway 98 from Summer Camp for an administrative building.

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 water system has two 8 inch wells. Water treatment includes nano-filtration and disinfection is provided by sodium hypochlorite. After filtration, the water empties into a 150,000 gallon ground storage tank. High service pumps provide water pressure in the distribution system. Wastewater treatment will be provided by a 120,000 gpd wastewater facility with percolation ponds for disposal. Staff has contacted the Department of Environmental Protection and learned that there are no outstanding notices of violation issued for the St. James water or wastewater system.

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. 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), Florida Statutes, that it has tariffs and annual reports on file with the Commission. 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. The local planning agency was provided notice of the application and did not file a protest to the amendment.

The "Quick Take" amendment is designed to provide water and/or wastewater service quickly for areas that serve less than 25 ERCs. 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), Florida Administrative Code, and if no protest is timely filed to the notice of application.

The utility states that the new territory will not exceed a maximum of 25 ERCs at the time the territory is built out. The utility plans to provide service to the wastewater treatment plant and the administrative office building. According to St. James, no other utility in the area is willing and/or capable of providing reasonably adequate service to the territory. The utility has filed revised tariff sheets incorporating the additional territory into its tariff.

Based on the above information, staff recommends that the Commission should acknowledge St. James Island Utility Company's application to amend Certificate Nos. 621-W and 534-S. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as St. James Island Utility Company's amended certificate and it should be retained by the utility. St. James Island Utility Company 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.

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Issue 2: Should this docket be closed?

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

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

ST. JAMES ISLAND UTILITY COMPANY

Description Of Territory Served

Water Service Territory

Franklin County

Township 6, Range 3 West, Section 19

The Wastewater Treatment Plant

COMMENCE at a 4" diameter terra cotta monument marking the northeast corner of fractional Section 36, Township 6 South, Range 3 West, Franklin County, Florida and run thence North 00 degrees 26 minutes 46 seconds West 197.27 feet to the southerly right of way of State Road 30 (U.S. Highway 98 - 200 feet right of way); thence leaving said southerly right of way, continue North 00 degrees 26 minutes 46 seconds East, a distance of 206.40 feet to the northerly right of way of said State Road 30; thence leaving said northerly right of way, run North 16 degrees 10 minutes 52 seconds West 528.78 feet to a 5/8" iron rod with cap marked LB#3293; thence run northerly along a base line of survey marked with 5/8" iron rods with caps marked LB#3293, as follows: North 23 degrees 15 minutes 01 seconds East 457.74 feet; thence North 27 degrees 4 minutes 57 seconds East 266.71 feet; thence North 31 degrees 11 minutes 35 seconds East 302.76 feet; thence North 00 degrees 53 minutes 09 seconds East 37.64 feet; thence North 08 degrees 09 minutes 52 seconds East 379.72 feet; thence North 22 degrees 34 minutes 12 seconds West 319.60 feet; thence North 16 degrees 14 minutes 25 seconds West 310.53 feet; thence North 13 degrees 45 minutes 16 seconds West 377.50 feet; thence North 04 degrees 55 minutes 10 seconds West 313.77 feet; thence North 00 degrees 34 minutes 57 seconds West 544.11 feet; thence North 01 degrees 09 minutes 36 seconds East 588.79 feet; thence North 01 degrees 13 minutes 29 seconds West 566.78 feet; thence North 02 degrees 40 minutes 06 seconds East 486.66 feet; thence North 00 degrees 47 minutes 32 seconds West 252.22 feet; thence leaving said base line of survey run North 66 degrees 31 minutes 18 seconds East 392.95 feet to a point of curve to the left having a radius of 205.00 feet; thence run northeasterly along said curve, through a central angle of 60 degrees 37 minutes 06 seconds for an arc distance of 216.89 feet to the point of the beginning. From said point of beginning run North 86 degrees 32 minutes 26 seconds West 17.02 feet; thence North 03 degrees 27 minutes 34 seconds East 500.00 feet; thence South 86 degrees 32 minutes 26 seconds East 100.00 feet; thence North 48 degrees 27 minutes 34 seconds East 353.55 feet; thence North 03 degrees 27 minutes 34 seconds East 200.00 feet; thence South 86 degrees 32 minutes 26 seconds East 450.004 feet; thence South 03 degrees 27 minutes 34 seconds West 300.00 feet; thence North 86 degrees 32 minutes 26 seconds West 275.00 feet; thence South 03 degrees 27 minutes 34 seconds West 300.00 feet; thence North 86 degrees 32 minutes 26 seconds West 125.00 feet; thence South 03 degrees 27 minutes 34 seconds West 350.00 feet; thence North 86 degrees 32 minutes 26 seconds West 382.98 feet to the point of beginning, containing 9.441 acres, more or less lying in Section 19, Township 6.

Township 6 South, Range 3 West, Section 25

A portion of Section 25, Township 6 South, Range 3 West, a private subdivision of the Forbes Purchase Land Grant lying in Franklin County, Florida, described as follows:

COMMENCE at a 4" diameter terra cotta monument marking the northeast corner of Fractional Section 38, Township 6 South, Range 3 West, Franklin County, Florida and run thence North 00 degrees 26 minutes 46 seconds West 403.87 feet to the southerly right of way at State Road 30 (U.S. Highway 98 - 200 feet right of way); thence leaving said southerly right of way, continue North 00 degrees 26 minutes 46 seconds West 324.90 feet; thence run South 89 degrees 27 minutes 58 seconds West 66.23 feet to the westerly right of way of a 40' easement for ingress, egress, drainage and utilities known as Facilities Drive and the POINT OF BEGINNING. From said POINT OF BEGINNING, and leaving said westerly right of way, continue South 89 degrees 27 minutes 58 seconds West, a distance of 418.42 feet to a 5/8" iron rod and cap marked LB#3293 thence North 00 degrees 32 minutes 02 seconds West, a distance of 450.00 feet to a 5/8" iron rod and cap marked LB#3293; thence North 21 degrees 39 minutes 40 seconds East, a distance of 511.46 feet to a 5/8" iron rod and cap marked LB#3293; thence South 68 degrees 20 minutes 20 seconds East, a distance of 418.44 feet to the aforesaid westerly right of way said Facilities Drive: thence run South 30 degrees 17 minutes 43 seconds West along said right of way a distance of 118.82 feet to a point of curve to the left; thence run Southwesterly along said right of way and curve, having a radius of 665.02 feet, through a central angle of 09 degrees 34 minutes 29 seconds a distance of 144.55 feet (the chord of said arc bears South 25 degrees 30 minutes 25 seconds West 144.39 feet) to a 5/8" iron rod and cap marked LB#3293 and a point of tangency; thence South 20 degrees 43 minutes 10 seconds West, a distance of 150.00 feet to a 5/8" iron rod and cap marked LB# 3293 and a point of curve to the left having a radius of 247.35 feet; thence Southerly along said arc, through a central angle of 36 degrees 10 minutes 44 seconds for an arc distance of 156.19 feet to a 5/8" iron rod and cap marked LB#3293; thence South 15 degrees 27 minutes 34 seconds East, a distance of 50.00 feet to a 5/8" iron rod and cap marked LB#3293 and a point of curve to the right having a radius of 316.33 feet; thence Southerly along said arc, through a central angle of 14 degrees 19 minutes 25 seconds, for an arc distance of 79.06 feet to a 5/8" iron rod and cap marked LB#3293; thence South 01 degrees 08 minutes 09 seconds East, a distance of 100.00 feet to a 5/8" iron rod and cap marked LB#3293 and a point of curve to the left having a radius of 1389.25 feet; thence Southerly along said arc, through a central angle of 00 degrees 35 minutes 19 seconds, for an arc distance of 14.27 feet to the POINT OF BEGINNING, containing 8.119 acres more or less.

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

St. James Island Utility Company
pursuant to
Certificate Number 621-W

to provide water service in Franklin 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>
PSC-04-0755-PAA-WS	08-05-2004	040247-WS	Original Certificate
*	*	070243-WS	Amendment

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

ST. JAMES ISLAND UTILITY COMPANY
Description Of Territory Served

Wastewater Service Territory

Franklin County

Township 6 South, Range 3 West Section 25

A portion of Section 25, Township 6 South, Range 3 West, a private subdivision of the Forbes Purchase Land Grant lying in Franklin County, Florida, described as follows: COMMENCE at a 4" diameter terra cotta monument marking the northeast corner of Fractional Section 38, Township 6 South, Range 3 West, Franklin County, Florida and run thence North 00 degrees 26 minutes 46 seconds West 403.87 feet to the southerly right of way at State Road 30 (U.S. Highway 98 - 200 feet right of way); thence leaving said southerly right of way, continue North 00 degrees 26 minutes 46 seconds West 324.90 feet; thence run South 89 degrees 27 minutes 58 seconds West 66.23 feet to the westerly right of way of a 40 easement for ingress, egress, drainage and utilities known as Facilities Drive and the POINT OF BEGINNING. From said POINT OF BEGINNING, and leaving said westerly right of way, continue South 89 degrees 27 minutes 58 seconds West, a distance at 418.42 feet to a 5/8" iron rod and cap marked LB#3293 thence North 00 degrees 32 minutes 02 seconds West, a distance of 450.00 feet to a 5/8" iron rod and cap marked LB#3293; thence North 21 degrees 39 minutes 40 seconds East, a distance of 511.46 feet to a 5/8" iron rod and cap marked LB#3293; thence South 68 degrees 20 minutes 20 seconds East, a distance of 418.44 feet to the aforesaid westerly right of way said Facilities Drive: thence run South 30 degrees 17 minutes 43 seconds West along said right of way a distance of 118.82 feet to a point of curve to the left; thence run Southwesterly along said right of way and curve, having a radius of 665.02 feet, through a central angle of 09 degrees 34 minutes 29 seconds a distance of 144.55 feet (the chord of said arc bears South 25 degrees 30 minutes 25 seconds West 144.39 feet) to a 5/8" iron rod and cap marked LB#3293 and a point of tangency; thence South 20 degrees 43 minutes 10 seconds West, a distance of 150.00 feet to a 5/8" iron rod and cap marked LB# 3293 and a point of curve to the left having a radius of 247.35 feet; thence Southerly along said arc, through a central angle of 36 degrees 10 minutes 44 seconds for an arc distance of 156.19 feet to a 5/8" iron rod and cap marked LB#3293; thence South 15 degrees 27 minutes 34 seconds East, a distance of 50.00 feet to a 5/8" iron rod and cap marked LB#3293 and a point of curve to the right having a radius of 316.33 feet; thence Southerly along said arc, through a central angle of 14 degrees 19 minutes 25 seconds, for an arc distance of 79.06 feet to a 5/8" iron rod and cap marked LB#3293; thence South 01 degrees 08 minutes 09 seconds East, a distance of 100.00 feet to a 5/8" iron rod and cap marked LB#3293 and a point of curve to the left having a radius of 1389.25 feet; thence Southerly along said arc, through a central angle of 00 degrees 35 minutes 19 seconds, for an arc distance of 14.27 feet to the POINT OF BEGINNING, containing 8.119 acres more or less.

FLORIDA PUBLIC SERVICE COMMISSION

Authorizes

St. James Island Utility Company
pursuant to
Certificate Number 534-S

to provide wastewater service in Franklin 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>
PSC-04-0755-PAA-WS	08-05-2004	040247-WS	Original Certificate
*	*	070243-WS	Amendment

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