

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: January 13, 2009

TO: Office of Commission Clerk (Cole)

FROM: Division of Economic Regulation (Redemann, Simpson)
Office of the General Counsel (Hartman)

RE: Docket No. 080644-WU – Application for quick-take amendment of Certificate No. 247-W in Seminole County by Sanlando Utilities Corp.
County: Seminole

AGENDA: 1/26/09 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Skop

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\080644.RCM.DOC

Case Background

On October 17, 2008, Sanlando Utilities Corporation (Sanlando or utility) applied for a “Quick Take” application with the Commission to amend Water Certificate No. 247-W, in order to include two houses whose wells have gone dry. Sanlando provides water service to approximately 10,102 water and 8,198 wastewater customers in Seminole County. The utility is located in the St. Johns River Water Management District, and Seminole County is in a priority water resource caution area. There is a year-round, two-day a week irrigation rule. The Commission has jurisdiction pursuant to Section 367.045, Florida Statutes (F.S.).

Discussion of Issues

Issue 1: Should the Commission acknowledge Sanlando Utilities Corporation's "Quick Take" application to amend Certificate No. 247-W in Seminole County?

Recommendation: Yes, the Commission should acknowledge Sanlando Utilities Corporation's amendment application to expand its territory. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as Sanlando Utilities Corporation's amended certificate and it should be retained by the utility. Sanlando Utilities Corporation 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, Simpson)

Staff Analysis: On October 17, 2008, Sanlando applied for a "Quick Take" amendment to Water Certificate No. 247-W in Seminole County, Florida, pursuant to Rule 25-30.036(2), F.A.C. The application was completed on November 5, 2008. Septic tanks provide wastewater service. 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). Typically, a well or septic tank fails or service is otherwise not available and is needed as soon as possible. In this case, both customers' wells were going dry. 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 not exceed a maximum of 25 ERCs at the time the territories are built out. According to Sanlando, no other utility in the area is willing and/or capable of providing reasonably adequate service to the territory. Staff has contacted the Department of Environmental Protection (DEP) and learned that there are no outstanding notices of violation issued for Sanlando. Staff recommends that the rates and charges approved by the Commission for Sanlando'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 Sanlando's amendment application to expand its territory. The proposed territory amendment is described in Attachment A to this recommendation. The resultant order should serve as Sanlando's amended certificate and it should be retained by the utility.

Docket No. 080644-WU

Date: January 13, 2009

Issue 2: Should this docket be closed?

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

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

Sanlando Utilities Corporation
Seminole County

Water Service Area

Township 20 South, Range 29 East, Section 25

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

Commence from the Northeast corner of Section 25, Township 20 South, Range 29 East and run 1,868.2 feet North $89^{\circ}28'20''$ West, thence run South $0^{\circ}31'40''$ West a distance of 1,790.9 feet to the Point of Beginning, thence run East 188 feet, thence run South 210 feet, thence run West 1888 feet, thence run North 208 feet to the Point of Beginning.

FLORIDA PUBLIC SERVICE COMMISSION
Authorizes
Sanlando Utilities Corporation
pursuant to
Certificate Number 247-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>
7128	02/26/76	750737-WS	Original Certificate
8354	06/12/78	780097-W	Amendment
9846	03/03/81	800643-WS	Amendment
9843	03/03/81	780727-W	Amendment
		780813-WS	
		780952-W	
10084	06/19/81	810179-WS	Amendment
10326	10/07/81	810362-WS	Amendment
12567	09/30/83	830237-WS	Amendment
14180	03/14/85	840436-WS	Amendment
15331	11/04/85	850551-WS	Amendment
15750	02/26/86	860066-WS	Amendment
16748	10/20/86	861178-WU	Amendment
PSC-99-0152-FOF-WS	01/25/99	980957-WS	Majority Organizational Control
PSC-04-0532-AS-WS	05/25/04	030637-WS	Amendment
		030667-WS	
PSC-06-0752-FOF-WS	09/05/06	040384-WS	Amendment
*	*	080644-WU	Amendment

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