

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Century Realty) DOCKET NO. 880936-WS
Funds, Inc. and Haselton Associates, Ltd.)
d/b/a Route 19A North Joint Venture for) ORDER NO. 21342
water and sewer certificates in Lake)
County, Florida.) ISSUED: 6-6-89
_____)

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
THOMAS M. BEARD
BETTY EASLEY
GERALD L. GUNTER
JOHN T. HERNDON

ORDER GRANTING CERTIFICATES, APPROVING RATES AND CHARGES,
REQUIRING THE UTILITY TO FILE ITS 1988 ANNUAL REPORT,
REQUIRING PAYMENT OF 1988 REGULATORY
ASSESSMENT FEES AND CLOSING DOCKET

BY THE COMMISSION:

Background

On July 11, 1988, Century Realty Funds, Inc. and Haselton Associates, Ltd. d/b/a Route 19A North Joint Venture (Route 19A) filed an application for water and sewer certificates in Lake County. The utility has been in operation since 1973, providing service to the Haselton Village Mobile Home Park. Prior to 1985 the utility was non-jurisdictional since provision of water and sewer service was included in the monthly lease payments of the initial 150 lots. In 1985 the utility and mobile home park were sold to the present owner. At that time the park was expanded by 147 spaces and a revised lease agreement established a separate rate for water and sewer service for new customers.

Pursuant to Order No. 18727, issued in Docket No. 870865-WS, the utility was required to apply for certificates for this utility as well as five other utilities owned by Century Realty or its affiliates. This docket, initiated by a customer complaint, found that all six utilities were jurisdictional based upon the provision of service for specific compensation.

Application

The application is in compliance with Section 367.041, Florida Statutes, and Rule 25-30.035, Florida Administrative Code. The applicant has paid the proper filing fee and provided proof of ownership of the land upon which the treatment facilities are located. Adequate territory and system maps have been filed. A territory description is attached as Attachment A. Noticing requirements have been met in accordance with Rule 25-30.030, Florida Administrative Code. No objections to the application have been filed with the Commission. Further, the Department of Environmental Regulation advises that there are no outstanding citations or violations for this utility system.

DOCUMENT NUMBER-DATE

05620 JUN -6 1988

FPSC-RECORDS/REPORTING

We have reviewed the financial statements of Century and find it to have adequate resources for the continued operation of the utility. Further, since the present owners have satisfactorily operated the utility since 1985, they have shown the technical expertise to operate the utility. Therefore, we find that it is in the public interest to grant Route 19A Certificate Nos. 518-W and 451-S to provide water and sewer service to the territory described in Attachment A.

Rates and Charges

The utility presently charges a combined flat rate of \$14.00 per month for water and sewer service. This charge is reduced to \$6.00 per month during periods when homes are unoccupied. Additionally, a combined \$650 tap-in fee is charged. Neither customer deposits nor miscellaneous service charges are collected.

In order to establish both water and sewer tariffs it is necessary to split the above rates and charges into separate water and sewer rates. We find the following rates to be appropriate and they are, therefore, approved:

Monthly Flat Rates

| | <u>Water</u> | <u>Sewer</u> |
|-------------------------|--------------|--------------|
| Occupied | \$7.00 | \$7.00 |
| Unoccupied | \$3.00 | \$3.00 |
| Tap in Fee (Per lot) | \$ 325 | \$ 325 |

Previously, these rates have been applied to second phase customers added since the mobile home park was expanded in 1985. First phase customers have not been billed where lifetime leases include utility service within the monthly lease payments. As these leases expire, subsequent customers shall be subject to separate water and sewer rates.

Regulatory Assessment Fees

As mentioned previously, Order No. 18727, issued in Docket No. 870865-WS, found this utility subject to the jurisdiction of this Commission and directed the utility to file an application for sewer certificate. Since this decision was made in January 1988, the utility is directed to file a 1988 Annual Report and pay 1988 regulatory assessment fees within 45 days of the date of this order.

It is, therefore,

ORDERED by the Florida Public Service Commission that Century Realty Funds, Inc. and Haselton Associates, d/b/a Route 19A North Joint Venture, Post Office Box 5252, Lakeland, Florida 33807-5252, is hereby granted Certificates Nos. 518-W and 451-S to provide water and sewer service to the territory described in Attachment A of this Order. It is further

ORDERED that Route 19A North Joint Venture shall charge the rates and charges set forth in the body of this Order. It is further

ORDER NO. 21342
DOCKET NO. 880936-WS
PAGE 3

ORDERED that Route 19A North Joint Venture shall file a 1988 Annual Report and pay 1988 regulatory assessment fees within 45 days of the date of this Order. It is further

ORDERED that Docket No. 880936-WS is hereby closed.

By ORDER of the Florida Public Service Commission,
this 6th day of JUNE, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

by: Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

ATTACHMENT "A"

DESCRIPTION FOR CENTURY REALTY FUNDS, INC.
LAKE COUNTY
SERVICE TERRITORY DESCRIPTION (HASLTON MOBILE HOME PARK)

Township 18 South, Range 26 East

Section 34

Parcel A

Beginning at the East 1/4 corner of Section 34, Township 18 South, Range 26 East, Lake County, Florida, run thence South 01°48'30" West a distance of 600.06 feet, thence South 60°02'15" East a distance of 258.75 feet to the Westerly right of way of County Road No. 19A, thence South 27°20'27" West along said right of way, a distance of 529.11 feet to the beginning of a curve having a radius of 510.46 feet and being concave Easterly, thence along the arc of said curve and through a central angle of 23°49'40" an arc length of 212.28 feet, thence South 01°43'53" West along said Westerly right of way of County Road No. 19A, a distance of 369.71 feet to the Northerly right of way of County Road No. 452-A, thence South 89°58'57" West along said Northerly right of way a distance of 806.22 feet, thence North 01°52'26" East, a distance of 514.53 feet, thence North 89°19'12" West a distance of 9.49 feet, thence North 01°50'47" East a distance of 39.32 feet, thence South 89°37'31" West a distance of 339.62 feet, thence North 01°51'37" East a distance of 641.18 feet to the Southwest bank of a dug canal, thence North 25°58'09" West along said Southwest bank of dug canal, a distance of 304.55 feet, thence North 01°51'37" East a distance of 340.00 feet to the East-West Mid-Section line, thence South 88°35'32" East along said East-West Mid-Section line, a distance of 1315.80 feet to the Point of Beginning.

AND

Parcel B (Wastewater Treatment Plant Site)

That part of the Northeast 1/4 of Section 34, Township 18 South, Range 26 East, Lake County, Florida, described as follows: Begin at the Southeast corner of said Northeast 1/4 of Section 34, run thence North 01°54'49" East along the East line of said Northeast 1/4 a distance of 202.01 feet, thence North 42°18'58" West 524.11 feet, thence South 22°28'22" West 621.10 feet to a point on the South line of said Northeast 1/4 of Section 34, thence South 88°28'40" East along the said South line of the Northeast 1/4 of Section 34, a distance of 583.71 feet to the Point of Beginning and Point of Terminus.