

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment	)	DOCKET NO. 900969-WS
of Certificates Nos. 306-W and 255-S	)	
in Lee County by Southern States	)	ORDER NO. 24411
Utilities, Inc. to include territory	)	
in Charlotte County under grandfather	)	ISSUED: 4/22/91
rights.	)	
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
J. TERRY DEASON  
BETTY EASLEY  
GERALD L. GUNTER  
MICHAEL MCK. WILSON

ORDER GRANTING AMENDMENT

BY THE COMMISSION:

Background

On December 17, 1990, Southern States Utilities, Inc. (SSUI or Utility) filed an application with this Commission for amendment of Certificates Nos. 306-W and 255-S in Lee County to include additional territory in Charlotte County, pursuant to Section 367.171(7), Florida Statutes. The territory SSUI seeks to add is a portion of its Burnt Store System located in Charlotte County, which was previously regulated by the County. Approximately 80 percent of the customers in the additional territory are residential and 20 percent are commercial.

Application

The application is in compliance with Section 367.171(7), Florida Statutes and other pertinent statutes and administrative rules. In particular, the application contains:

DOCUMENT NUMBER-DATE

03833 APR 22 1991

FSC-RECORDS/REPORTING

1. A filing fee in the amount of \$300,00, as prescribed by Section 367.145, Florida Statutes, and Rule 25-30.020, Florida Administrative Code.
2. Territory and system maps and a territory description pursuant to Section 367.171, Florida Statutes. The additional territory is described in Attachment A of this Order.
3. Evidence that the Utility owns the land upon which its facilities are located.

The Commission treats a filing pursuant to Section 367.171(7), Florida Statutes, as a grandfather amendment. Thus, no notice of the application is required.

SSUI has been providing water and wastewater service in the State of Florida under our jurisdiction for more than 20 years. SSUI owns or operates approximately 140 water and wastewater systems in 24 counties. SSUI has the financial and technical ability to provide safe and reliable service to the customers in the additional territory. Further, the Department of Environmental Regulation has no outstanding citations or violations against the Burnt Store System.

Therefore, we find that the amendment of Certificates Nos. 306-W and 255-S to include the territory described in Attachment A of this Order is in the public interest and it is approved. SSUI is directed to return the Certificates to this Commission within 30 days of the date of this Order for entry reflecting the additional territory. The Utility is also directed to file revised tariff sheets reflecting the additional territory within 30 days of the date of this Order.

#### Rates and Charges

The rates and charges approved for the portion of SSUI's Burnt Store System located in Lee County are shown below. The monthly rates for water and wastewater service are interim rates established in Docket No. 900329-WS. Final rates are scheduled to be approved by the Commission in May, 1991.

Water

(Monthly Rates)

Residential and General Service

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 10.78
Full 3/4"	10.78
1"	26.96
1-1/2"	53.90
2"	86.23
3"	172.47
4"	269.48
6"	539.00
8"	-

<u>Gallage Charge</u>	
Per 1,000 Gallons	\$ 4.03

Private Fire Protection Service

<u>Meter Size</u>	<u>Rate</u>
2"	\$ 20.03
3"	40.05
4"	62.58
6"	125.17
8"	200.27
10"	287.88

Service Availability Charges

Meter Installation Fee:

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 175.00
1"	190.00
1-1/2"	Reasonable Actual Cost
2"	Reasonable Actual Cost
Over 2"	Reasonable Actual Cost

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Customer Connection (Tap-in Charge)

All Meter Sizes (Per Equivalent Residential Connection) \$ 404.00

Customer Deposit: \$ 30.00

Miscellaneous Service Charges:

Setting Up a New Account \$ 10.00  
Reconnect Charge 10.00  
Reconnect Charge After Hours 15.00

Wastewater

(Monthly Rates)

Residential Service

	<u>Rate</u>
Base Charge	\$ 14.34
Gallonage Charge Per 1,000 Gallons to 10,000 Gallon Maximum	4.31

General Service

<u>Meter Size</u>	<u>Rate</u>
5/8" x 3/4"	\$ 14.34
Full 3/4"	14.34
1"	35.84
1-1/2"	71.69
2"	114.70
3"	229.40
4"	358.43
6"	716.87

  

<u>Gallonage Charge</u> Per 1,000 Gallons	4.31
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Service Availability Charges

Customer Connection (Tap-In) Charge:

All Meter Sizes  
(Per Equivalent Residential Connection) \$ 263.00

Customer Deposit: \$ 30.00

Miscellaneous Service Charges:

Setting Up a New Account \$ 10.00  
Reconnect Charge 10.00  
Reconnect Charge After Hours 15.00

SSUI shall charge the customers in the additional territory in Charlotte County the rates and charges set forth above until authorized to change by the Commission.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 306-W and 255-S, held by Southern States Utilities, Inc., 1000 Color Place, Apopka, Florida 32703, are hereby amended to include the territory in Charlotte County described in Attachment A of this Order. Southern States Utilities, Inc. shall return Certificates Nos. 306-W and 255-S to this Commission within 30 days of the date of this Order for entry reflecting the additional territory in Charlotte County. It is further

ORDERED that Southern States Utilities, Inc. shall charge the customers in the additional territory the rates and charges set forth in the body of this Order until authorized to change by the Commission. It is further

ORDERED that Southern States Utilities, Inc. shall file revised tariff sheets within 30 days of the date of this Order reflecting the additional territory. It is further

ORDERED that Docket No. 900969-WS is hereby closed.

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By ORDER of the Florida Public Service Commission, this 22nd  
day of APRIL, 1991.

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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

SOUTHERN STATES UTILITIES, INC.  
BURNT STORE SYSTEM  
LEGAL DESCRIPTION  
Territory for Water Service

CHARLOTTE COUNTY

Township 42 South, Range 22 East.

SECTION 25:

All of that fractional portion of said Section 25 lying East of the shoreline of Charlotte Harbor.

SECTION 36:

All of that fractional portion of said Section 36 lying East of the shoreline of Charlotte Harbor.

Township 42 South, Range 23 East.

SECTION 19 and 20:

A portion of said Section 19 and 20 which is more particularly described as follows:

For a point of beginning start as the SW corner of said section 20; thence run N 88 02 '44" E along the south section line of said section 20; A distance of 9.72 feet to the northwesterly boundary at the right-of-way of Burnt Store Road; thence run N 44 34' 25" W along the Northwesterly boundary of Burnt Store Road for a distance of 1496.80 feet; thence run N 49 27' 23" W, 85.16 feet to a point on the southerly right-of-way of an existing 100-foot drainage canal easement; thence run N 70 17' 08" W, 2593.43 feet; thence run N 02 58' 13" W, 598.96 feet; thence run S 80 01' 11" W, 3245.12 feet more or less to the meandering shoreline of Charlotte Harbor; thence run southerly along the meandering shoreline of Charlotte Harbor to the south boundary of said section 19; thence run along the south boundary of said section 19 a distance of 4312.44 feet more or less to the SE corner of said section 19, also being the point of beginning.

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SECTION 24:

All of that portion of said Section 24 lying westerly of the western right of way of U.S. Highway 41, less the north 967 feet of said Section 24.

SECTION 29:

All of said Section 29.

SECTION 30:

All of that fractional portion of said Section 30 lying East of the shoreline of Charlotte Harbor.

SECTION 31:

All of said Section 31.

SECTION 32:

The North 1/2 of the Northeast 1/4 and the South 1/2 of the Southwest 1/4 and the East 1/2 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of said Section 32.

SECTION 33:

The Northwest 1/4 of said Section 33.

Township 42 South, Range 24 East.

SECTION 19:

All that portion of said Section 19 lying westerly of the westerly right of way of U.S. Highway 41.



SOUTHERN STATES UTILITIES, INC.  
BURNT STORE SYSTEM  
LEGAL DESCRIPTION  
Territory for Wastewater Service

Charlotte County

Township 42 South, Range 22 East.

SECTION 25:

All of that fractional portion of said Section 25 lying East of the shoreline of Charlotte Harbor.

SECTION 36:

All of that fractional portion of said Section 36 lying East of the shoreline of Charlotte Harbor.

Township 42 South, Range 23 East.

SECTION 29:

All of said Section 29.

SECTION 30:

All of that fractional portion of said Section 30 lying East of the shoreline of Charlotte Harbor.

SECTION 31:

All of said Section 31.

SECTION 32:

The North 1/2 of the Northeast 1/4 and the South 1/2 of the Southwest 1/4 and the East 1/2 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of said Section 32.

SECTION 33:

The Northwest 1/4 of said Section 33.