

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 950471-WS  
Amendment of Certificates Nos. ) ORDER NO. PSC-95-0752-FOF-WS  
15-W and 76-S in Orange County ) ISSUED: June 22, 1995  
by Park Manor Waterworks, Inc. )  
\_\_\_\_\_)

ORDER AMENDING CERTIFICATES NOS. 15-W AND 76-S TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On April 20, 1995, Park Manor Waterworks, Inc. (Park Manor or utility) applied for an amendment to Water Certificate No. 15-W and Wastewater Certificate No. 76-S in Orange County, Florida. 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 a check in the amount of \$200, which represents the correct filing fees pursuant to Rule 25-30.020, Florida Administrative Code. The applicant has provided evidence, in the form of warranty deeds, that the utility owns the land upon which its facilities are located, as required by Rule 25-30.036(1)(d), Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(1)(e), (f) and (i), Florida Administrative Code. The additional territory the utility requested to serve is described in Attachment A to this Order. 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.

The utility provided proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objection to the notice of application was received.

The utility stated that it believes that providing water and wastewater service to this area will not be consistent with Orange County's adopted comprehensive plan. However, the County's comprehensive plan requires the County to maximize the beneficial use of existing facilities and available capacity, whether municipal or private. The utility stated that it can provide service to the proposed service area that meets or exceeds all applicable standards at over \$90,000 less than similar service provided by Orange County. Thus, there does not appear to us to be a facial inconsistency.

DOCUMENT NUMBER-DATE  
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The utility has provided water and wastewater service to the community of Park Manor for over thirty years. Although the utility had an operating loss in 1993, with the customers it will acquire by authority of this amendment, the utility's fiscal condition can be expected to improve, the more so because it is not required to invest in additional facilities and the developer will contribute the water and wastewater service lines. Both the water system and the wastewater system have ample unused capacities to serve the additional connections. The utility's operation manager holds a Class A operators license for water and wastewater operation. It is not subject to any Department of Environmental Protection enforcement actions. We believe that the utility has demonstrated the financial and technical expertise to provide quality service to the customers in the additional territory. The utility has filed revised tariff sheets incorporating the additional territory and returned its certificates for entry reflecting the additional territory. Therefore, we find it to be in the public interest to amend Certificates Nos. 15-W and 76-S to include the territory described in Attachment A to this Order, which by reference is incorporated herein.

The utility's service availability charges were established in Order No. 15831, issued March 12, 1986. Its water and wastewater rates were last changed on January 23, 1995, with a pass through rate increase. The rates and charges currently approved in the utility's tariffs shall be effective for the customers in the additional service territory. No further action is required in this docket; therefore, it shall be closed.

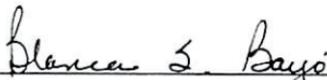
It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 15-W and 76-S, held by Park Manor Waterworks, Inc., 1527 Park Manor Drive, Orlando, Florida 32825, are hereby amended to include the territory described in Attachment A of this Order, which, by reference, is incorporated herein. It is further

ORDERED that Park Manor Waterworks, Inc., shall charge the customers in the territory added herein the rates and charges approved in its tariffs. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 22nd day of June, 1995.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CJP

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 and/or wastewater 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.

ORDER NO. PSC-95-0752-FOF-WS  
DOCKET NO. 950471-WS  
PAGE 4

ATTACHMENT A

PARK MANOR WATERWORKS, INC.

TERRITORY DESCRIPTION - ORANGE COUNTY

Township 22 South, Range 31 East

Section 29

The South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4, less the West 41.5 feet for road right-of-way.