

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

June 12, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF WATER & WASTEWATER (MESSER) ^{DCM}
DIVISION OF LEGAL SERVICES (JABER) ^{JF BL}

RE: DOCKET NO. 970696-WS - FLORIDA CITIES WATER COMPANY
APPLICATION TO EXTEND TEMPORARY WATER SERVICE IN LEE
COUNTY.
COUNTY: LEE

AGENDA: JUNE 24, 1997 - REGULAR AGENDA - PROPOSED AGENCY ACTION
ON ISSUE 1 - INTERESTED PERSONS MAY PARTICIPATE.

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\WAW\WP\970696WS.RCM

CASE BACKGROUND

On June 9, 1997, Florida Cities Water Company (FCWC) requested that the Commission open a docket to consider approval of an expedited request for an extension of water service. Two adjacent property owners have each requested water service from Florida Cities, since it has existing lines closest to the properties. Both small parcels are located in the certificated water service area of Gulf Utility Company.

In order to accommodate the property owners, Florida Cities, Gulf Utility and Lee County have met informally, and both Gulf and Lee County have indicated they would not object to FCWC extending service to the two parcels, and other adjacent undeveloped land located nearby. Both developments are commercial in nature and the FCWC believes they will exceed the 25 ERC limit allowed under the "quick take" procedure authorized in 25-30.036(2)(a), Florida Administrative Code. Therefore, Florida Cities has filed this request for an expedited extension.

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DISCUSSION OF ISSUES

ISSUE 1: Should the request by Florida Cities Water Company for the territory extension specified in Attachment A be approved?

RECOMMENDATION: Yes. The territory extension requested by Florida Cities Water Company (FCWC) specified in Attachment A should be approved on a temporary basis subject to final determination on FCWC's application for amendment. (MESSER, JABER)

STAFF ANALYSIS: On June 9, 1997, Florida Cities Water Company (FCWC) filed a request for expedited approval of a territory amendment. Two property owners, Messrs. Linn and Brownlee, are developing land that is currently included in Gulf Utility Company's (Gulf) territory. The property owners contacted Gulf for service and were informed that there were no existing lines near their property. Both owners have an emergency need for service. To obtain a Certificate of Occupancy for Mr. Linn's commercial establishment, he needs the immediate availability of fire protection afforded by a central water supply. Mr. Brownlee has similarly expressed a need for water service availability to proceed with development of his parcel.

FCWC has an existing water main 600 feet from the property line of Mr. Linn's parcel and another 600 feet from the property line of Mr. Brownlee's parcel. In order to accommodate all parties, the customers, FCWC, Gulf and Lee County have met and reached an informal agreement. The property owners have indicated their willingness to enter into service agreements with FCWC, to construct the twelve inch main extension necessary to serve them, and to transfer the main extension to FCWC as contributed property along with payment of applicable capacity charges pursuant to FCWC's service availability policy. Gulf has agreed to file for a deletion of territory.

Consistent with Section 367.045, Florida Statutes, FCWC is currently preparing an application for extension of its South Ft. Myers Division's water and wastewater service areas to include this area, which should be filed within the next several weeks. However, FCWC would install meters at the respective parcels prior to initiation of service. Therefore, the point of delivery would be outside of FCWC's certificated area unless this request for extension is approved.

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The utilities have informed staff informally of the situation as it developed. The staff believes that this emergency extension by FCWC is reasonable to accommodate the situation, and also commends the parties in developing a viable solution in a timely manner. Therefore, the staff recommends that the territory extension of Florida Cities Water Company as specified in Attachment A be approved on a temporary basis subject to final determination on FCWC's amendment application.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open to process the application for a territory amendment extension concerning the territory specified in Attachment A. (JABER)

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ATTACHMENT A

Mr. Linn's parcel:

The southeast quarter of the northwest quarter of the southwest quarter of the northeast quarter of Section 8, Township 45 South, Range 25 East, Lee County, Florida.

Mr. Brownlee's parcel:

The north half of the east half of the southwest quarter of the southwest quarter of the northeast quarter, Section 8, Township 45 South, Range 25 East, Lee County, Florida.