

DEPOSIT DATE

07 SEP 21 2010

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10 SEP 22 AM 9:44

CK# 74970

\$ 200.00

9-16-10

RECEIVED-FPSC  
10 SEP 14 AM 9:45  
COMMISSION CLERK  
R5

APPLICATION FOR AMENDMENT OF CERTIFICATE  
(EXTENSION OR DELETION)  
(Pursuant to Section 367.045, Florida Statutes)

To: Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

100398-SU

The undersigned hereby makes application for amendment of Water Certificate No. N/A and/or Wastewater Certificate No. 164S to add (add or delete) territory located in Duval County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

Commercial Utilities, Division of Grace and Company, Inc.

Name of utility

(904) 781-0970

Phone No.

(904) 571-7216

Fax No.

865 South Lane Avenue

Office street address

Jacksonville

City

FL

State

32205-4420

Zip Code

Mailing address if different from street address

incgrace@AOL.com

Internet address if applicable

B) The name, address and telephone number of the person to contact concerning this application:

Howard E. (Gene) Adams

Name

(850) 222-3533

Phone No.

Pennington Law Firm

215 S. Monroe Street, 2nd Floor; P.O. Box 10095

Street address

Tallahassee

City

FL

State

32302-2095

Zip Code

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- RAD \_\_\_\_\_
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK \_\_\_\_\_

PSC/ECR 008-W (Rev. 2/91)

DOCUMENT NUMBER DATE

07931 SEP 22 09

FPSC-COMMISSION CLERK

~~DOCUMENT NUMBER DATE~~

~~07673 SEP 14 09~~

~~FPSC-COMMISSION CLERK~~

**PART II     NEED FOR SERVICE**

- A) Exhibit 1 - If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area. See attached
- B) Exhibit N/A - If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit 2 - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest. See Attached

**PART III     SYSTEM INFORMATION**

A) **WATER**

- (1) Exhibit N/A- A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, nonpotable or both).
- (2) Exhibit N/A- A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.
- (3) Exhibit N/A- The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (4) Exhibit N/A- A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A

- (6) Exhibit N/A - Evidence the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

B) **WASTEWATER**

- (1) Exhibit 3 - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension. **SEE ATTACHED**
- (2) Exhibit N/A - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (3) Exhibit N/A - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) Exhibit N/A - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.
- (5) Exhibit 4 - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc. **SEE ATTACHED**
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A
- (7) Exhibit 5 - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative. **SEE ATTACHED**

**PART IV FINANCIAL AND TECHNICAL INFORMATION**

- A) Exhibit 6 - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service. **SEE ATTACHED**
- B) Exhibit N/A - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. PSC93-0233-EOF-WS
- D) Exhibit 7 - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges. **SEE ATTACHED**

**PART V TERRITORY DESCRIPTION AND MAPS**

A) **TERRITORY DESCRIPTION**

Exhibit 8 - An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

B) **TERRITORY MAPS**

Exhibit 9 - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

**SEE ATTACHED MAP**

C) **SYSTEM MAPS**

Exhibit 10 - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

**SEE ATTACHED AERIAL MAP WITH SYSTEM LINE SHOWN**

**PART VI     NOTICE OF ACTUAL APPLICATION**

- A) Exhibit \_\_\_\_ - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
  - (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
  - (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
  - (4) the regional planning council;
  - (5) the Office of Public Counsel;
  - (6) the Public Service Commission's Office of Commission Clerk;
  - (7) the appropriate regional office of the Department of Environmental Protection; and
  - (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit.  
THIS MAY BE A LATE-FILED EXHIBIT

- B) Exhibit \_\_\_\_\_ - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit \_\_\_\_ - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

**PART VII FILING FEE**

Indicate the filing fee enclosed with the application:

\$ \_\_\_\_\_ (for water) and/or \$200 \_\_\_\_\_ (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, the filing fee shall be **\$100**.
- (2) For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, the filing fee shall be **\$200**.
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, the filing fee shall be **\$500**.
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, the filing fee shall be **\$1,000**.
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, the filing fee shall be **\$1,750**.
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be **\$2,250**.

**PART VIII TARIFF AND ANNUAL REPORTS**

- A) Exhibit 11 - An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) Exhibit 12 - The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (The rules and sample tariff sheets are attached.)

**PART IX AFFIDAVIT**

I Anne G. Lee (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: Anne G. Lee  
Applicant's Signature

Anne G. Lee  
Applicant's Name (Typed)

President, Commercial Utilities,  
Applicant's Title \*a Division of Grace & Co.

Subscribed and sworn to before me this 10<sup>th</sup> day in the month of September  
in the year of 2010 by Anne G. Lee who is personally known to me  
or produced identification Drivers License  
Type of Identification Produced



Tracy Shelton  
Notary Public's Signature  
Tracy Shelton  
Print, Type or Stamp Commissioned  
Name of Notary Public

\* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

**PART II      NEED FOR SERVICE**

**EXHIBIT 1**

This application for extension of service is to amend the certificate consistent with areas currently being served with wastewater utilities. Commercial Utilities extended service to additional buildings not realizing that such properties were not included in the territory of the certificate previously granted by the Florida Public Service Commission. This request for amendment of the certificate will conform the certificate to customers already being provided service. Additionally, it will serve any new commercial customers who may lease or purchase properties in the service territory to be added.

**EXHIBIT 2**

To the best of applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time this application is filed. Grace and Company currently serves those customers and will continue to serve these customers with a treated wastewater system. Treatment of wastewater is consistent with the comprehensive plan for the City of Jacksonville/Duval County. City of Jacksonville engineers have recently approved plans for additional construction of commercial buildings and have told applicants the wastewater service will be delivered by Commercial Utilities within the service area.



**PART III    SYSTEM INFORMATION**

**B)        WASTEWATER**

**EXHIBIT 3**

Commercial Utilities presently treats approximately 50,000 CCF per year and currently serves these customers. No new disposal facilities are contemplated to serve the additional territory.

**EXHIBIT 4**

Customers to be served by this extension of the certificated area includes commercial office buildings, hotels, restaurants, retail shops, churches, filling stations /convenience stores, and office buildings. No residential service is to be offered.

**EXHIBIT 5**

Please find attached a copy of the deed to the land owned by Commercial Utilities, Inc. Easements for any lines extended to serve the customers are in the rights of way of the City of Jacksonville/Jacksonville Electric Authority and are maintained by an informal agreement. Please refer to Exhibit 10 for a map showing the location of these wastewater facilities. The only lines not in City/Utility rights of way are those crossing undeveloped land owned by Grace and Co./Commercial Utilities, Inc. Commercial Utilities does have documentation of the location of the wastewater lines and participates in the One Call System for underground utilities.