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FPSC - Records/Reporting

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

MAY 7, 1998

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

FROM: DIVISION OF WATER & WASTEWATER (REDEMANN, MESSER) *PPR RBR JMW*
DIVISION OF LEGAL SERVICES (FLEMING) *SRJ*

RE: DOCKET NO. 980433-WU - APPLICATION FOR AMENDMENT OF
CERTIFICATE NO. 420-W BY HEARTLAND UTILITIES, INC.
COUNTY: HIGHLANDS

AGENDA: MAY 19, 1998 - REGULAR AGENDA - THE PORTION OF ISSUE 1
APPROVING THE SERVICE AVAILABILITY AGREEMENT IS PAA -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\WAW\WP\980433WU.RCM

DOCUMENT NUMBER-DATE

05151 MAY-7 8

FPSC-RECORDS/REPORTING

DOCKET NO. 980433-WU
DATE: May 7, 1998

CASE BACKGROUND

Heartland Utilities, Inc. (Heartland or utility) provides water service to approximately 657 water customers. Wastewater service is provided by septic tanks. The utility's 1996 annual report shows an annual operating revenue of \$142,240 and a net operating income of \$741. The utility is a Class C utility company under FPSC jurisdiction.

Pursuant to Section 367.045, Florida Statutes, on March 26, 1998, Heartland filed an application for amendment of Certificate No. 420-W to add territory in Highlands County. The utility proposes to provide service to a new area in Highlands County. Eighteen residents have contaminated wells in this area. The Department of Environmental Protection (DEP) has funded this project for their fiscal year ending June 30, 1998, and to appropriate its funds, the amendment must be approved by that time. Both the utility and DEP have requested expedited treatment of this application. Heartland requests that it be allowed to begin the extension immediately in order to provide safe drinking water to these people.

Staff has authority to administratively approve applications for amendment when no objections have been filed and the application is without controversy. This case is being brought to the attention of the Commission to approve a Special Service Availability Agreement (Agreement) with the utility and the DEP for this area. Staff will address the aforementioned agreement in Issue 1.

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ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, this docket should be closed if no timely protests are filed to the proposed agency action issue. (FLEMING)

STAFF ANALYSIS: If there are no timely protests to the portion of Issue 1 recommending approval of the special service availability agreement issued as proposed agency action, no further action will be required and the docket should be closed.

DOCKET NO. 980433-WU
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ATTACHMENT A

HEARTLAND UTILITIES, INC

HIGHLANDS COUNTY

WATER SERVICE AREA FOR SEBRING LAKES

A PORTION OF SEBRING LAKES UNIT 1-A, 1-B, 2-A, 2-B, AND 2-C LOCATED IN HIGHLANDS COUNTY, FLORIDA, SECTIONS 3 AND 4, TOWNSHIP 36 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 29 EAST, THENCE NORTH $00^{\circ} 29' 23''$ EAST ALONG THE EAST LINE OF SECTION 3 A DISTANCE OF 1298.93 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27, THENCE NORTH $31^{\circ} 32' 59''$ WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27 A DISTANCE OF 400 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF JOSEPHINE CREEK AND FOR A POINT OF BEGINNING:

THENCE CONTINUE NORTH $31^{\circ} 32' 59''$ WEST ALONG SAID WEST RIGHT-OF-WAY LINE U.S. HIGHWAY 27 A DISTANCE OF 1264.43 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SECTION 3; THENCE SOUTH, $89^{\circ} 41' 36''$ WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SECTION 3 A DISTANCE OF 3155.71 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 THENCE NORTH $0^{\circ} 53' 45''$ EAST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 A DISTANCE OF 669.33 FEET, TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH $89^{\circ} 46' 12''$ WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 1331.90 FEET TO A POINT ON THE WEST LINE OF SECTION 3; THENCE NORTH $1^{\circ} 01' 32''$ EAST ALONG THE WEST LINE OF SECTION 3 A DISTANCE OF 2013.48 FEET TO THE NORTHWEST CORNER OF SECTION 3; ALSO BEING THE NORTHEAST CORNER OF SECTION 4; THENCE SOUTH $89^{\circ} 55' 46''$ WEST ALONG THE NORTH LINE OF SECTION 4 FOR A DISTANCE OF 570 FEET TO A POINT ON THE EASTERLY LINE OF JOSEPHINE CREEK; THENCE RUN SOUTHWESTERLY ALONG THE EASTERLY LINE OF JOSEPHINE CREEK A DISTANCE OF 2,400 FEET, MORE OR LESS, THENCE SOUTHERLY ALONG THE EASTERLY LINE OF JOSEPHINE CREEK A DISTANCE OF 900 FEET; THENCE EASTERLY ALONG THE NORTHERLY LINE OF JOSEPHINE CREEK A DISTANCE 8,100 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 250 ACRES MORE OR LESS.