

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Lenvil) DOCKET NO. 920130-WU
H. Dicks for amendment of)
Certificate No. 391-W in) ORDER NO. PSC-92-0447-FOF-WU
Columbia County, Florida.)
) ISSUED: 06/04/92
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On February 12, 1992, Lenvil H. Dicks (LHD or Utility) filed an application with this Commission to amend Certificate No. 391-W to include additional territory in Columbia County, Florida. LHD currently serves approximately 742 residential customers. The Utility has requested to include, within its service area, a new development made up of 94 lots located in Brandon Heights and Brent Heights. A new system (the Brandon/Brent Heights Subdivision System) will be constructed to serve the additional territory.

LHD also owns the Melton Bishop System located about 2 miles northwest of the requested territory. Interconnection of the new territory with the Melton Bishop System was considered. However, it was determined that such a connection would cost more than the construction of a separate water system to serve the proposed territory.

Application

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. In particular, the notarized application contains:

1. A filing fee in the amount of \$150, as prescribed by Rule 25-30.020, Florida Administrative Code.

DOCUMENT NUMBER-DATE

05746 JUN-4 1992

FPC-RECORDS/REPORTING

2. Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory in Columbia County is described in Attachment A of this Order.
3. Proof of compliance with the noticing requirements of Rule 25-30.030, Florida Administrative Code. No objections to the notice of application have been received and the time for filing such has expired.
4. Evidence, in the form of a warranty deed, that the Utility owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

Since LHD has been in operation under our jurisdiction since 1981, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. From information filed with the application, it appears that LHD has the financial ability to serve the additional territory. Therefore, we find that it is in the public interest to amend Certificate No. 391-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. LHD has returned Certificate No. 391-W to the Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 391-W, held by Lenvil H. Dicks, 2250 U.S. 90 West, Post Office Box 1, Lake City, Florida 32056, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that the customers in the territory added herein shall be charged the rates and charges approved in the Utility's tariff. It is further

ORDERED that Docket No. 920130-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 4th day of June, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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

LENVIL H. DICKS

Territory Description

The following described lands located in portions of Sections 26 and 35, Township 4 South, Range 17 East, Columbia County, Florida:

Section 26:

Southeast 1/4 of the Southwest 1/4.

Section 35:

Northeast 1/4 of the Northwest 1/4; Northwest 1/4 of the Northeast 1/4; South 1/2 of the Northeast 1/4, less Hopeful Baptist Church property and cemetery.