

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application For ) DOCKET NO. 931022-WS  
Amendment of Certificates Nos. ) ORDER NO. PSC-94-0159-FOF-WS  
236-W and 179-S to Include ) ISSUED: February 9, 1994  
Territory in St. Johns County by )  
Jacksonville Suburban Utilities )  
Corporation. )  
\_\_\_\_\_)

ORDER AMENDING CERTIFICATES TO INCLUDE  
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

Background

On October 21, 1993, Jacksonville Suburban Utilities Corporation (Jacksonville Suburban or Utility) filed an application with this Commission to amend Certificates Nos. 236-W and 179-S to include additional territory in St. Johns County, Florida. Jacksonville Suburban currently serves approximately 23,723 water customers and 18,864 wastewater customers in Duval, Nassau and St. Johns Counties. Jacksonville Suburban will extend its St. Johns water and wastewater lines to serve the additional area.

The Fountain Association, Inc. (The Fountain Association), which is a condominium community with approximately 152 units, is located in the territory that Jacksonville Suburban has requested to serve. The Fountain Association has signed a Consent Order with the Department of Environmental Protection (DEP) to take its wastewater treatment plant off line and connect to Jacksonville Suburban's system by May 1, 1994. As stated previously, Jacksonville Suburban filed its application for amendment of its certificates to include the territory in which The Fountain Association is located.

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 application contains a filing fee in the amount of \$300, as prescribed by Rule 25-30.020, Florida Administrative Code. In addition, Jacksonville Suburban provided evidence, in the form of a warranty deed, that it owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

DOCUMENT NUMBER-DATE

01310 FEB-94

FPSC-REGULATORY REPORTING

Adequate service territory and system maps and a territory description have been provided, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory which the Utility is requesting to serve in St. Johns County is described in Attachment A of this Order.

Jacksonville Suburban has provided 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.

Since Jacksonville Suburban has been in operation under our jurisdiction since December, 1975, 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 the information filed with the application, it appears that Jacksonville Suburban has the financial ability to serve the requested area. In addition, according to DEP, there are no outstanding notices of violation against Jacksonville Suburban.

Therefore, we find that it is in the public interest to amend Certificates Nos. 236-W and 179-S to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Jacksonville Suburban has returned the Certificates to this Commission for entry reflecting the additional territory. The Utility has also filed revised tariff sheets reflecting the amendment.

#### Rates and Charges

Jacksonville Suburban's existing rates and charges became effective on July 2, 1993, pursuant to a price index rate increase (WS-93-0081). Jacksonville Suburban shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission in a subsequent proceeding.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificates Nos. 236-W and 179-S, held by Jacksonville Suburban Utilities Corporation, 1400 Millcoe Road, Post Office Box 8004, Jacksonville, Florida 32239, are hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

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ORDERED that Jacksonville Suburban Utilities Corporation shall charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by this Commission. It is further

ORDERED that Docket No. 931022-WS is hereby closed.

By ORDER of the Florida Public Service Commission, this 9th day of February, 1994.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ALC

by: Kay Dwyer  
Chief, Bureau of Records

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

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ATTACHMENT A

JACKSONVILLE SUBURBAN UTILITIES CORPORATION  
Ponte Vedra System

Territory Description - St. Johns County

The Fountains Association, Inc.

A part of Section 46, Township 3 South Range 29 East, St. Johns County, Florida, being more particularly described as follows:

From a point of reference commence at the corner common to Sections 27, 43, 44 and 46 all in said Township and Range; thence South 15°37'30" East, along the line dividing said Sections 44 and 46, a distance 341.70 feet; thence South 83°30'30" West, a distance of 12.15 feet to the Point of Beginning; thence South 15°37'30" East, parallel to and 12.00 feet Westerly of when measured at right angles to said line dividing Sections 44 and 46, a distance of 625.64 feet; thence South 83°30'30" West, a distance of 1311.97 feet to the Easterly right-of-way line of State Road A-1-A (also known as the Ponte Vedra by-pass road) as now established as a 200 foot right-of-way; thence North 03°14'00" West, along said Easterly right-of-way line, a distance of 618.71 feet; thence North 83°30'30" East, a distance of 1177.49 feet to the Point of Beginning. Containing 17.65 acres more or less.