

ORTEGA UTILITY COMPANY

905 North Street
Jacksonville, Florida 32211-5793
Phone 904/725-4616

OVERNIGHT FEDERAL EXPRESS

DEPOSIT

DATE

May 14, 1998

D776

MAY 15 1998

Ms. Blanco Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

980656-KAS

**RE: Follow Up Application for "Quick Take" Amendment of
Water Certificate No. 223-W and Wastewater Certificate
No. 167-S for Ortega Utility Company in Duval County,
Florida**

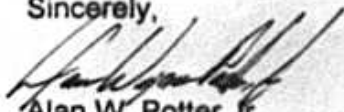
Dear Ms. Bayo:

Enclosed is the following: an original and five copies of the exhibits and completed Follow Up Application for "Quick Take" Amendment of Certificate, one copy of the territory map, the original and two copies of the proposed tariff sheets, and check #17996 for \$200.00 for the filing fee. Ortega Utility Company's original water and wastewater certificates were mailed with an earlier Service Extension. The original certificates (should be with this filing as Exhibit "H") are in the Division of Water and Wastewater per a letter from Mr. Richard Redemann dated March 14, 1997.

In reviewing the tariff sheets on file and plotting same, it has been determined that several parcels currently receiving service from Ortega Utility Company are not included in the tariff sheets. In an effort not to confuse the reasons for the current filing or delay service to projects ready to begin construction, these discrepancies will be addressed under a separate filing in the near future.

If there is any additional information required, please contact Mary Hermany at 904-725-4616. Thank you for your assistance in this matter.

Sincerely,



Alan W. Potter Jr.
Vice President

AWP J/mgh

Enclosures

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
98 MAY 15 AM 11:14
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DOCUMENT NUMBER-DATE

05436 MAY 15 98

FPSC-RECORDS/REPORTING

FOLLOW UP APPLICATION FOR "QUICK TAKE" AMENDMENT OF CERTIFICATE

(Pursuant to Section 367.045, Florida Statutes)

TO: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of
Water Certificate No. 223-W and/or Wastewater Certificate No.
167-S to add new 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:

Ortega Utility Company

Name of utility

(904) 725-4616 (904) 725-2130

Phone No.

Fax No.

905 North Street

Office street address

Jacksonville, Florida 32211

City State Zip Code

Mailing address if different from street address

Internet address if applicable

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

Alan W. Potter Jr.

(904) 725-4616

Name

Phone No.

905 North Street

Street address

Jacksonville, Florida 32211

City State Zip Code

PART II SYSTEM INFORMATION

A) WATER

- (1) Exhibit "A" - A statement describing the proposed type(s) of water service to be provided (i.e., potable, non-potable or both).
- (2) Exhibit "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.
- (3) Exhibit "B" - Evidence that the utility owns the land where the utility treatment 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 "C" - 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.
- (2) Exhibit "B" - Evidence that the utility owns the land where the utility treatment 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.

PART III FINANCIAL AND TECHNICAL INFORMATION

Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges.

Order #PSC-95-1376-FOF-WS Docket 940847-WS (Rate Case)

PART IV TERRITORY DESCRIPTION AND MAPS

A) TERRITORY DESCRIPTION

Exhibit "D" - 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 "E" - 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 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.

PART V FILING FEE

Indicate the filing fee enclosed with the application:

 \$ 100.00 (for water) and \$ 100.00 (for wastewater).

Note: Pursuant to Rule 25-30.020, F.A.C., 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.

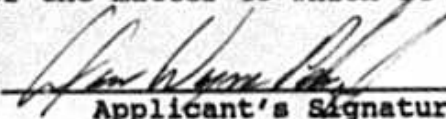
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be \$2,250.

PART VI TARIFF AND ANNUAL REPORTS

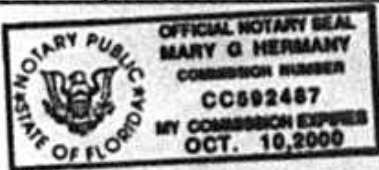
- A) Exhibit "F" - An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) Exhibit "G" - The original and two copies of sample revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding numbering of tariff sheets before preparing the tariff revisions.
- C) Exhibit "H" - The utility's current certificate(s) or, if not applicable, an explanation of the steps the applicant took to obtain the certificates(s).

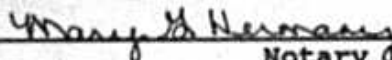
PART VII AFFIDAVIT

I Alan W. Potter Jr. (applicant) do solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact constitute a complete statement of the matter to which it relates.

BY: 
Applicant's Signature
Alan W. Potter Jr.
Applicant's Name (Typed)
Vice President
Applicant's Title *

Subscribed and sworn to before me this 14th day
of May 1998.




Notary Public

* If the 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 the applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

Exhibit A

Docket No. 980298-WS

Potable water service is being provided to the Department of the Navy, DRMO facility as well as fire protection via a single fire hydrant located on their property.

The Docket will provide for service to a single customer, the Department of the Navy, DRMO facility. The necessity for service from a central system is driven by the Florida Department of Health via a consent order. This facility serves as a salvage and marketing/auction yard for surplus materials. Due to the auction activities at the site, the need for a reliable and safe water supply is paramount.

EXHIBIT "B"

The ownership of the lands on which the production, treatment, and pumping facilities are located can be found in the Official Records of Duval County, Vol. 2513 PG 68-69 and Vol. 2540 PG 842. The title to these lands have been reviewed and accepted in previous dockets before the Florida Public Service Commission.

The following three pages are reproductions of the records cited above.

OFFICIAL RECORDS

This Indenture, Made the 29th day of October in the year of our Lord one thousand nine hundred and sixty-five between

ORA J. STORES, individually and doing business as Commercial Utility Company (not a corporation) and NANCY L. STORES, his wife,

party of the first part, hereinafter called the grantor, which term shall include the heirs, executors, administrators, successors and assigns of the grantor and be construed as singular or plural, as the context may admit or require, and

ORETOA UTILITY COMPANY, a Florida corporation, whose mailing address is 6957 Lillian Road, Jacksonville, Florida,

party of the second part, hereinafter called the grantee, which term shall include the heirs, executors, administrators, successors and assigns of the grantee and be construed as singular or plural, as the context may admit or require:

Witnesseth, That the grantor, for and in consideration of the sum of (\$10.00) Ten and no/100----- Dollars,

lawful money of the United States of America, to the grantor in hand paid by the grantee, at or before the enrolling and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remise, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee forever, all the following piece, parcel, or tract of land, situated, lying and being in the Duval County of Duval State of Florida, described as follows:

PARCEL A -- Herlong Tract:

Lots 33 and 34, L & B Subdivision, according to plat thereof recorded in Plat Book 32, page 2 of the Public Records of Duval County, Florida.

PARCEL B -- Du-Clay Tract:

A tract of land in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 30, Township 3 South, Range 26 East in Duval County, Florida, more particularly described as follows:

For a point of reference commence at the Southeast corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) and run seven and one-half (7 1/2) feet south along the easterly line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) to an iron pipe as the point of beginning; thence run south along the easterly line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) a distance of three hundred twenty-five (325) feet to an iron pipe; thence run west a distance of four hundred sixty-nine and thirty-five hundredths feet (469.35) to an iron pipe; thence run North six degrees two minutes West (6° 02' W) a distance of three hundred twenty-six and forty-nine hundredths (326.49) feet; thence run East a distance of five hundred two and ninety-two hundredths (502.92) feet to the point of beginning, consisting of approximately three and four-tenths (3.4) acres. SUBJECT to a 30-foot Easement for drainage within and adjacent to the southerly boundary of the above described land.

TOGETHER WITH all machinery, pipe, fittings, pumps, pumping stations, meters, motors, switching and other electrical equipment, collection lines, easements, operating equipment of whatsoever nature, and water well, situate upon the real property herein described or connected to the water distribution and sewage disposal utility plants situate upon said real property, used or usable in connection with the operation of said sewage disposal plant and water distribution plant, including, but not by way of limitation, all easements and rights thereto owned by the Grantor, or in which the Grantor may have any right for the future expansion of the aforesaid sewage collection and water distribution facilities connected with the utility plants hereby conveyed.

SUBJECT TO that certain mortgage from the Grantor to Small Business Administration securing an indebtedness of \$52,000.00, dated January 11, 1965, and recorded in Official Records Volume 2381, page 370, Public Records of Duval County, Florida.

Form 8--Convention Press

Together with all and singular the... easements, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the grantor of, in and to, the same, and every part and parcel thereof, with the appurtenances.

To Have and to Hold the above granted, bargained and described premises, with appurtenances, unto the grantee and the heirs, executors, administrators, successors and assigns of the grantee to their only proper use, benefit and behoof forever.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.



Except when otherwise provided, each phrase, term and word used herein shall be construed as of singular or plural number and of masculine or feminine gender, as the context may admit or require; all covenant hereof shall be considered as joint and several and shall inure to and be binding upon the parties hereto and their several and respective heirs, executors, administrators, successors and assigns.

In Witness Whereof, the hand and seal of the grantor have been hereunto set the day and year first above written.

Signed, sealed and delivered in the presence of

James W. Mahoney
Rose B. Wynn

Ora J. Stores (SEAL)
Nancy L. Stores (SEAL)

State of Florida, }
County of Duval. } ss.

Before me, the undersigned, a Notary Public, an officer duly authorized to take acknowledgments of deeds and other instruments, personally appeared ORA J. STORES, individually and doing business as Commercial Utility Company (not a corporation) and NANCY L. STORES, his wife, each personally known to me and known by me to be the person described in and who executed the foregoing instrument and severally acknowledged before me that they executed the same for the uses and purposes in said instrument set forth.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this 29th day of October, A. D. 1965, at JACKSONVILLE in the State and County aforesaid.

65-65988
NOV 2 4 15 PM '65

James W. Mahoney
Notary Public, State of Florida at Large.
My commission expires 4/4/66

THIS PAD PRINTED IN PUBLIC
OFFICE OF STATE CLERK, FLA.
L. Wayne Single
CLERK OF SUPREME COURT

This Warranty Deed Made the 4th day of January, A. D. 1966 by JOHN H. TURNHAM and MONETTE M. TURNHAM, his wife, hereinafter called the grantor, to ORTEGA UTILITY COMPANY

a corporation existing under the laws of the State of Florida with its permanent postoffice address at 6957 Lillian Road, Jacksonville, Florida 32211 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties in this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms into the grantee, all that certain land situate in Duval County, Florida, viz:

A portion of the Northwest Quarter of the Southeast Quarter (NW-1/4 of the SE-1/4) and a portion of the Southwest Quarter of the Southeast Quarter (SW-1/4 of the SE-1/4), Section 30, Township 3 South, Range 26 East, Duval County, Florida, more particularly described as follows:

For point of beginning, commence at the Southeast corner of said Northwest Quarter of the Southeast Quarter (NW-1/4 of the SE-1/4) and run South zero degrees, three minutes, thirty seconds East (S-00°03'30"E) a distance of seven and five tenths (7.5) feet to a point; run thence South eighty-nine degrees, fifty minutes, West (S-89°50'W) a distance of five hundred two and ninety-five hundredths (502.95) feet to a point; run thence North five degrees, thirty-seven minutes, thirty seconds West (N-5°37'30"W) a distance of three hundred three and eighty-eight hundredths (303.88) feet to a point; run thence South eighty-four degrees, eight minutes, twenty seconds East (S-84°08'20"E) a distance of five hundred thirty-nine (539.0) feet to a point located in the Easterly boundary line of said Northwest Quarter of the Southeast Quarter (NW-1/4 of the SE-1/4) run thence South zero degrees, forty-seven minutes West (S-00°47'W), along said Easterly boundary, a distance of two hundred thirty-eight and seventy-nine hundredths (238.79) feet to the point of beginning. The land thus described contains three and twenty-six hundredths (3.26) acres, more or less.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1965.



In Witness Whereof, the said grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Signatures of Betty R. m & Coy, John P. Adams, John H. Turnham, and Monette M. Turnham.

STATE OF FLORIDA, COUNTY OF DUVAL

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared JOHN H. TURNHAM and MONETTE M. TURNHAM, his wife,

to me known to be the person s described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of

January, A. D. 1966

66-910 JAN 7 8 59 AM '66

Notary Public, State of Florida at Large My commission expires: 7-7-66

FILED AND RECORDED IN PUBLIC RECORDS OF DUVAL COUNTY, FLA. J. Morgan Stanley

Exhibit C

Docket No. 980298-WS

Sanitary sewer (wastewater) service will be provided to the Department of the Navy, DRMO facility via a low pressure force main service suitable for the domestic requirements. No provisions are contemplated for any industrial or otherwise non-domestic flows.



DRMO Facility
Legal Description

land located in Section 44, Township 03
Range 26 E, being a portion of the John
Grant, being more particularly described

at the intersection of the westerly right-
U.S. Highway 17 (State Road No. 15) and
irly boundary of Section 44, Township 03
nge 26 E; thence North 85° 44' 10" West,
et; thence North 15° 13' 00" East, 2757.98
e westerly right-of-way of said U.S.
17; thence along the westerly right-of-way
S. Highway 17 in a southerly direction,
urve concave eastward, having a chord of
10.42 feet and bearing South 01° 42' 59"
ength of 2735.67 feet to the *Point of*
ng, containing 12.36 acres more or less.

EXHIBIT 'D'


UTILITY COMPANY

223-W 167-S
TORY AMMENDMENT

AFFIDAVIT

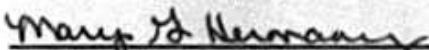
I, Alan W. Potter Jr. for Ortega Utility Company, do solemnly swear or affirm that Ortega Utility Company has all current tariffs and annual reports on file with the Florida Public Service Commission.

BY:



Alan W. Potter Jr., Vice President
Ortega Utility Company

Subscribed and sworn to before me this 14th day of May, 1998.



Notary Public, State of Florida, Duval County

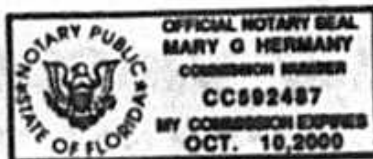


EXHIBIT "F"

DRMO FACILITY

A PARCEL OF LAND LOCATED IN SECTION 44, TOWNSHIP 03 SOUTH, AND RANGE 26 EAST, BEING A PORTION OF THE JOHN H. MCINTOSH GRANT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 17 (STATE ROAD NO. 15) AND THE SOUTHERLY BOUNDARY OF SECTION 44, TOWNSHIP 03 SOUTH, RANGE 26 EAST; THENCE NORTH 85°44'10" WEST, 644.54 FEET; THENCE NORTH 15°13'00" EAST, 2757.98 FEET; TO THE WESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 17; THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 17 IN A SOUTHERLY DIRECTION, ALONG A CURVE CONCAVE EASTWARD, HAVING A CHORD OF LENGTH 2710.42 FEET AND BEARING SOUTH 01°42'59" WEST, A LENGTH OF 2735.67 FEET TO THE POINT OF BEGINNING, CONTAINING 12.36 ACRES MORE OR LESS.

TYPE OF FILING: REVISION OF TARIFF PAGES / AMEND CERTIFICATE
ALAN W. POTTER, SR., PRESIDENT

**ORTEGA UTILITY COMPANY
WASTEWATER TARIFF**

ORIGINAL SHEET NO. 3.19-A

DRMO FACILITY

A PARCEL OF LAND LOCATED IN SECTION 44, TOWNSHIP 03 SOUTH, AND RANGE 26 EAST, BEING A PORTION OF THE JOHN H. MCINTOSH GRANT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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**TYPE OF FILING: REVISION OF TARIFF PAGES / AMEND CERTIFICATE
ALAN W. POTTER, SR., PRESIDENT**

**EXHIBIT "G"
PAGE 2 OF 2**