

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificates Nos. 236-W and
179-S to extend service area in
St. Johns County by United Water
Florida Inc.

DOCKET NO. 000361-WS
ORDER NO. PSC-00-1099-FOF-WS
ISSUED: June 6, 2000

ORDER APPROVING APPLICATION FOR AMENDMENT OF
CERTIFICATES NOS. 236-W AND 179-S
AND CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

United Water Florida Inc. (UWF or utility) is a Class A utility providing water and wastewater service in Duval, Nassau, and St. Johns Counties. In 1999, the utility had annual operating revenues of \$25,455,519 and a net operating income of \$5,479,074. We have previously found that UWF's facilities are functionally related and comprise a single utility system whose service transverses county boundaries. See Orders Nos. 24335, PSC-97-0929-FOF-WS, and PSC-97-0618-FOF-WS, issued April 8, 1991, August 8, 1997, and May 30, 1997, respectively.

On March 27, 2000, UWF filed for an amendment of Certificates Nos. 236-W and 179-S. The utility's application for amendment is confined to its St. Johns North Water Treatment Plant and the Blacks Ford Regional Wastewater Treatment Plant, which serve approximately 1406 water and 479 wastewater customers, respectively, in St. Johns County.

Pursuant to a Memorandum of Understanding between the Commission and the Department of Community Affairs (DCA), we provided the DCA with a copy of UWF's application. On May 12, 2000, the DCA provided comments as to the need for service in the requested territory and compliance with the local comprehensive plan.

APPLICATION

The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and provisions of the Florida Administrative Code. The application contains a check in

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the amount of \$400, which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code.

The utility provided evidence, in the form of a special warranty deed, showing that it owns the land upon which the utility's facilities are located as required by Rule 25-30.036(3)(d), Florida Administrative Code. Also, adequate service territory and system maps and a territory description were provided in accordance with Rule 25-30.036(3)(e), (f), and (i), Florida Administrative Code.

The utility submitted an affidavit, pursuant to Section 367.045(2)(d), Florida Statutes, stating that it has tariffs and annual reports on file with the Commission. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code. No objections to the notice of the application were received, and the time for filing such has expired.

As previously stated, the DCA submitted comments regarding UWF's application pursuant to a Memorandum of Understanding between the Commission and the DCA. In its comments, the DCA stated that there is a need for service in the proposed area and that the utility's application is consistent with St. Johns County's comprehensive plan.

The utility's balance sheet and income statement demonstrate that the utility has the financial ability to operate and maintain the existing system and provide service to the proposed service area. UWF and a developer in the proposed service area have entered into a developer agreement for the extension of the water main and the wastewater force main. The internal lines will be donated to the utility.

As for its technical ability to provide service, the utility's application states that UWF has been providing service in Northeast Florida for the past 25 years. Further, the utility states that it is able to plan for plant expansions and the development of its collection and distribution systems due to its in-house staff of engineers.

The source of the water for the utility's St. Johns North Water Treatment Plant is the Floridan Aquifer. The water system consists of four wells which pump the water to a packed tower aeration system for hydrogen sulfide removal. The water then flows

into a 535,000 ground storage tank for detention and chlorination. After treatment, the water is pumped into the distribution system with high service pumps.

The water system can supply a maximum of 2,248,000 gallons per day (gpd). The average yearly flows for 1999 were 712,000 gpd. The customers in the proposed territory expansion are projected to use about 51,800 gpd of potable water; therefore, the utility has enough water to serve the additional territory. Further, the Department of Environmental Protection (DEP) has no outstanding notices of violation issued for the water system.

The utility intends to extend a sixteen inch water main down Roberts Road and continuing on Greenbriar Road to serve the proposed area. The internal lines in the proposed service area will be eight inches.

The Blacks Ford Regional Wastewater Treatment Plant can treat 1.0 million gallons per day (mgd). Existing flows are .3 mgd. The treated effluent flows to a wetland area. The customers in the proposed service area will return about 41,440 gpd of wastewater to the plant. The utility has ample wastewater capacity to serve the proposed area. Moreover, the DEP has no outstanding notices of violation issued for the wastewater system.

The utility intends to extend a twelve inch force main down Roberts Road and continuing on Greenbriar Road to serve the proposed area. The internal collection lines in the proposed service area will be eight inches. A small lift station will pump the wastewater to a main lift station and onto the master lift station, which will transmit the wastewater to the Blacks Ford facility.

Based on the foregoing, we find that UWF's application is in the public interest, and it is approved. Certificates Nos. 236-W and 179-S are hereby amended to include the territory shown in Attachment A of this Order, which by reference is incorporated herein.

RATES AND CHARGES

UWF has filed revised tariff sheets incorporating the additional territory into its tariff. The utility's approved rates were effective pursuant to Order No. PSC-99-0513-FOF-WS, issued March 12, 1999, in Docket No. 980214-WS, and were modified by Order

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No. PSC-99-1070-FOF-WS, issued May 25, 1999, in that same docket. UWF shall continue to charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by the Commission in a subsequent proceeding.

No further action is required, and this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment of Certificates Nos. 236-W and 179-S, held by United Water Florida Inc., 1400 Millcoe Road, Jacksonville, Florida 32225, to include the territory shown in Attachment A is hereby approved. It is further

ORDERED that United Water Florida Inc. shall continue to charge the customers in the territory added herein the rates and charges approved in its tariff until authorized to change by the Commission in a subsequent proceeding. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 6th day of June, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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.

UNITED WATER FLORIDA INC.

WATER AND WASTEWATER ADDITIONAL SERVICE AREA

ST. JOHNS COUNTY

Service from St. Johns North Water System and Blacks Ford
Wastewater System

Parcel A:

A portion of Section 44, Township 5 South, Range 26 East, St. Johns County Florida, and being more particularly described as follows: commence at the intersection of the Southeasterly right of way line of State Road No. 13 (a 100 foot right of way as now established) with the Southerly right of way line of Bombing Range Road (County Road No. 11, also known as Greenbriar Road, as now established); thence South $77^{\circ}29'34''$ East along said Southerly right of way line a distance of 3,752.21 feet; thence North $34^{\circ}44'44''$ East 66 feet more or less to the Northerly right of way line of Bombing Range Road for a point of beginning; thence North $77^{\circ}29'34''$ West along said Northerly right of way line a distance of 1,641.56 feet; thence North $13^{\circ}24'29''$ East a distance of 1,106.34 feet; thence South $77^{\circ}15'01''$ East a distance of 2,072.90 feet; thence South $34^{\circ}44'44''$ West a distance of 1,185.62 feet to the point of beginning.

Parcel B:

A portion of Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows: for a point of beginning, commence at the intersection of the Southeasterly right of way line of State Road No. 13 (a 100 foot right of way as now established) with the Southerly right of way line of Bombing Range Road (County Road No. 11, also known as Greenbriar Road, as now established): thence South $77^{\circ}29'34''$ East along said Southerly right of way line a distance of 3752.21 feet; thence South $34^{\circ}44'44''$ West a distance of 1279.07 feet; thence North $89^{\circ}59'16''$ West a distance of 1126.35 feet; thence South

88°47'24" West a distance of 1186.56 feet; thence South 88°38'34" West a distance of 1844.54 feet; thence North 45°20'56" East a distance of 235.38 feet; thence North 76°44'32" West a distance of 626.53 feet to an intersection with the aforesaid Easterly right of way line of State Road No. 13, said point lying in a curve concave Southeasterly and having a radius of 1859.86 feet; thence Northeasterly along the arc of said curve an arc distance of 465.56 feet, said curve being subtended by a chord bearing of North 39°59'14" East and a chord distance of 464.34 feet to the point of tangency of said curve; thence North 47°09'30" East continuing along said right of way line a distance of 1863.62 feet to the point of beginning.

Less and except the following portion of Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being more particularly described as follows: for a point of reference, commence at the intersection of the Southeasterly right of way line of State Road No. 13 (a 100 foot right of way as now established) with the Southerly right of way line of Bombing Range Road (County Road No. 11, also known as Greenbriar Road, as now established); thence South 77°29'34" East along said Southerly right of way line, a distance of 2796.35 feet to the point of beginning; thence continue South 77°29'34" East, along said Southerly right of way line, a distance of 741.74 feet; thence South 12°30'26" West a distance of 17.00 feet; thence South 77°29'34" East a distance of 207.17 feet; thence South 34°44'44" West, a distance of 1260.70 feet; thence North 89°59'16" West, a distance of 242.77 feet; thence North 04°51'07" East a distance of 228.88 feet; thence North 29°04'31 East a distance of 230.63 feet; thence North 20°46'07" East a distance of 43.96 feet; thence North 84°22'09" West a distance of 65.01 feet; thence North 33°11'42" West a distance of 98.40 feet; thence North 19°25'50" East a distance of 79.61 feet; thence North 64°00'59" East a distance of 36.01 feet; thence North 11°43'50" West a distance of 167.86 feet; thence North 67°09'14" West a distance of 51.93 feet; thence North 46°46'59" East a distance of 103.39 feet; thence North 40°12'43" West a distance of 99.33 feet; thence North 24°01'04" West a distance of 92.86 feet; thence North 17°16'09" East a distance of 201.88 feet to the point of beginning.