

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificates to provide water and wastewater service in Marion County by Century - Fairfield Village, Ltd. DOCKET NO. 070548-WS
ORDER NO. PSC-08-0067-FOF-WS
ISSUED: January 29, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER GRANTING ORIGINAL WATER AND WASTEWATER CERTIFICATES IN
MARION COUNTY TO CENTURY-FAIRFIELD VILLAGE, LTD

BY THE COMMISSION:

On July 31, 2007, Century-Fairfield Village, Ltd. (Century-Fairfield) filed an application for original water and wastewater certificates in Marion County. Century-Fairfield is a limited partnership in Florida which owns and operates an existing 296 unit mobile home rental park. The park is completely developed. As part of the rent for the mobile home lots, Century-Fairfield has been providing water and wastewater services to the tenants since 1988. Accordingly, Century-Fairfield has been exempt from Public Service Commission regulation, pursuant to Section 367.022(5), Florida Statutes.

Century-Fairfield is located in the Southwest Florida Water Management District (SWFWMD). Because of drought conditions, SWFWMD has enacted district-wide water use restrictions. Recently Century-Fairfield has been making water withdrawals in excess of its SWFWMD water use permit. SWFWMD has found Century-Fairfield in violation of its water use permit and has directed the utility to take all necessary steps to reduce usage. As a result, the utility has implemented a plan to curb its excessive water usage by charging for water and wastewater service. Because the utility proposes to charge for water and wastewater services, it is no longer exempt from our regulation.

We have jurisdiction pursuant to Sections 367.031 and 367.045, Florida Statutes. Pursuant to Section 367.031, Florida Statutes, we must grant or deny an application for a certificate of authorization within 90 days after the official filing date of the completed application. Century-Fairfield's application was deemed complete on October 10, 2007.

This Order addresses only Century-Fairfield's application for original water and wastewater certificates. The applicant requested that the certification proceeding be bifurcated from the rate setting proceeding to give the applicant sufficient time to complete a cost study and

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FPSC-COMMISSION CLERK

to hold a customer meeting on the proposed water and wastewater rates. Accordingly, by separate order, we will address the rates to be charged by Century-Fairfield.

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for original certificates. In addition, the application includes a recorded warranty deed as evidence that the utility owns the land upon which the utility facilities are located as required by Rule 25-30.034(e), Florida Administrative Code. No objections to the notice of application were received and the time for filing such has expired.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.034(1)(h), (i) and (j), Florida Administrative Code. A description of the territory requested by the applicant is appended to this Order as Attachment A.

The applicant has the financial and technical ability to provide water and wastewater service to service area. Century-Fairfield provided excerpts from its 2006 tax return, along with a balance sheet and income statement as of December 31, 2006. We have reviewed the financial statements of Century-Fairfield and there are adequate resources to continue providing safe, reliable, and efficient water and wastewater service to the area. In addition, the applicant indicated that it will continue to employ management and operations personnel to ensure that it maintains the high quality of service it has provided in the past.

Based on the above information, we find that it is in the public interest to grant Century-Fairfield Village, Ltd. Certificate Nos. 640-W and 549-S to serve the territory described in Attachment A effective January 8, 2008. This order will serve as Century-Fairfield Village, Ltd.'s water and wastewater certificates and shall be retained by the utility. This docket shall remain open pending the setting of initial rates, charges and return on equity.

Based on the foregoing, it is

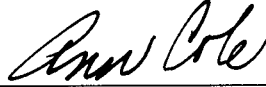
ORDERED by the Florida Publics Service Commission that Century-Fairfield Village, Ltd's application for water and wastewater certificates is hereby approved effective January 8, 2008, as set forth in the body of this Order. It is further

ORDERED that Century-Fairfield Village, Ltd shall be issued Certificate Nos. 640-W and 549-S to serve the territory described in Attachment A. It is further

ORDERED that all attachments appended hereto are incorporated herein by reference. It is further

ORDERED that this docket shall remain open pending the establishment of initial rates and charges.

By ORDER of the Florida Public Service Commission this 29th day of January, 2008.



ANN COLE
Commission Clerk

(S E A L)

MCB

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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.

CENTURY – FAIRFIELD VILLAGE, LTD.

SERVICE TERRITORY

Commence at the West $\frac{1}{4}$ corner of Section 4, Township 16 south, Range 21 East, Marion County, Florida; thence North $89^{\circ}56'18''$ East 50.00 feet to the Easterly right-of-way line of Southwest 60th Avenue (100 feet wide) for the Point of Beginning; thence North $00^{\circ}16'09''$ East along the said Easterly right-of-way 1.41 feet; thence North $00^{\circ}17'45''$ East continuing along said Easterly right-of-way 1318.59 feet to the North boundary line of South $\frac{1}{2}$ of the NW $\frac{1}{4}$ of aforesaid Section 4; thence North $89^{\circ}56'18''$ East along the said North boundary line 1276.58 feet; thence South $00^{\circ}15'45''$ West 1979.61 feet more or less to the SE corner of the North $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South $89^{\circ}56'25''$ West along South boundary line of the said North $\frac{1}{2}$, 1277.42 feet to the aforesaid Easterly right-of-way line of Southwest 60th Avenue; thence North $00^{\circ}16'09''$ East along the said Easterly right-of-way 659.57 feet to the Point of Beginning.

FLORIDA PUBLIC SERVICE COMMISSION

authorizes

Century – Fairfield Village, Ltd.
pursuant to
Certificate Number 640-W

to provide water service in Marion County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-08-0067-FOF-WS	01/29/2008	070548-WS	Original Certificate

FLORIDA PUBLIC SERVICE COMMISSION

authorizes

Century – Fairfield Village, Ltd.
pursuant to
Certificate Number 549-S

to provide wastewater service in Marion County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-08-0067-FOF-WS	01/29/2008	070548-WS	Original Certificate